

Report to the Hearing Officer

DATE ISSUED: July 31, 2019 REPORT NO. HO-19-065

HEARING DATE: August 7, 2019

SUBJECT: 818-820 SAN LUIS REY PLACE, Process Three Decision

PROJECT NUMBER: 611045

OWNER/APPLICANT: Peggy E. Hill, Owner and Golba Architecture, Applicant

SUMMARY

<u>Issue</u>: Should the Hearing Officer demolition of an existing duplex and construct a new, three-story, residential apartment duplex located at 818 and 820 San Luis Rey Place within the Mission Beach Precise Plan and Local Coastal Program area?

Staff Recommendation: Approve Coastal Development Permit No. 2162949.

<u>Community Planning Group Recommendation</u>: On May 21, 2019, the Mission Beach Precise Planning Board voted 10-0-0 to recommend approval of the proposed project without conditions (Attachment 7).

<u>Environmental Review</u>: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301 and 15303. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on May 20, 2019 and the opportunity to appeal that determination ended June 4, 2019 (Attachment 6).

BACKGROUND

The project site is located at 818 and 820 San Luis Rey Court on a single, 0.06-acre lot currently developed with an existing two-story, residential duplex unit. The project site is in the Mission Beach Planned District Residential Base Zone (MBPD-R-S), Airport Influence Area 1, Airport Noise Contour, FAA Part 77 Notification Area, Coastal Height Limit, Parking Impact, Residential Tandem Parking, and Coastal (Appealable) Overlay Zones within the Mission Beach Precise Plan and Local Coastal Program Addendum.

The project site is a previously graded, flat lot with frontage along San Luis Rey Court with alley access at the rear. The development of the existing residential duplex was constructed in 1954.

The site located approximately 332 feet from Mission Bay Mariners Basin to the east, 730 feet from Mission Bay Entrance Channel, and approximately 1,115 feet from the Pacific Ocean. The project is located within a fully developed residential neighborhood and is not between the nearest public roadway and the sea or shoreline of any body of water located within the Coastal Overlay Zone.

DISCUSSION

The project would demolish the existing residential duplex and construct a new three-story residential apartment duplex. Unit A would consist of a total of 1,455 square-feet of habitable space with decks totaling 598 square feet and Unit B would consist of a total of 968 square-feet of habitable space. The development includes four surface off-street parking spaces within the duplex structure garage. The approved units comply with all development regulations including lot size, setbacks, parking, and height on a site developed with all public utilities in place to serve the residences.

The Mission Beach Precise Plan and Local Coastal Program designates the site as residential use at 36 Dwelling Units per Acre (du/ac). The proposed two units on a 0.06-acre lot, which equates to a density of approximately 18 du/ac and will conform to the maximum density. One of the goals of the Mission Beach Precise Plan and Local Coastal Program is "the continuation of the existing medium-density character of Mission Beach exemplified by the overall low profile and random mix of housing types and styles". The proposal implements this goal with the prescribed density of two residential units that will not exceed the Coastal Height limitations for 30 feet and is of a varying style from the surrounding structures.

Another goal of the Mission Beach Precise Plan and Local Coastal Program is "the permanent control of height and building bulk so that structures in Mission Beach will not have adverse effects on surrounding property, the beaches, and the community in general". The proposed development will not require deviations for building height or any other development standards. The project implements the regulations and guidelines of the Mission Beach Community Plan.

The subject site is located within Special Flood Hazard Area (SFHA) Zone A and considered Environmentally Sensitive Lands (ESL) pursuant to San Diego Municipal Code (SDMC) Section 143.0110(a). Consistent with the methodology set forth in Managing Floodplain Development in approximate Zone A Areas, A Guide for Obtaining and Developing Base (100-Year) Flood Elevations, Federal Emergency Management Agency, April 1995, all proposed project structures have been designed with the lowest floor level elevated two feet above the base flood elevation at this location. Therefore, the base floor elevations for all living spaces complies with all Zone A requirements for the floor plan layout and the proposed coastal development will not adversely affect ESL. Therefore, the proposed development in a Special Flood Hazard Area that is permitted in accordance with the underlying base zone and complies with the regulations in SDMC Sections 143.0145 and 143.0146 is exempt per SDMC Section 143.0110(c) from a Neighborhood Development Permit or Site Development Permit.

Conclusion:

City staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings and conditions to support approval of the project. Staff recommends the Hearing Officer approve the project as proposed.

ALTERNATIVES

- 1. Approve Coastal Development Permit No. 2162949, with modifications.
- 2. Deny Coastal Development Permit No. 2162949, if the findings required to approve the project cannot be affirmed.

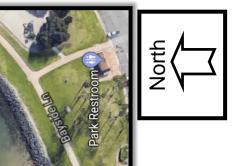
Respectfully submitted

Tim Daly

Development Project Manager

Attachments:

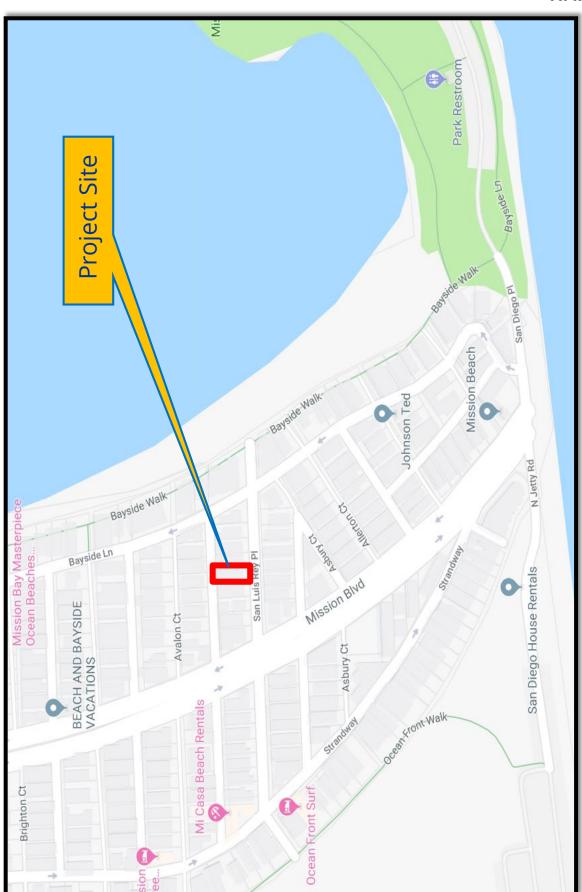
- 1. Aerial Photograph
- 2. Project Location Map
- 3. Community Plan Land Use Map
- 4. Draft Resolution with Findings
- 5. Draft Permit with Conditions
- 6. Notice of Right to Appeal Environmental Determination
- 7. Community Planning Group Recommendation
- 8. Ownership Disclosure Statement
- 9. Project Plans

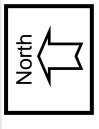




Aerial Photo 818 - 820 San Luis Rey Place / 818 and 820 San Luis Rey Place Project No. 611045





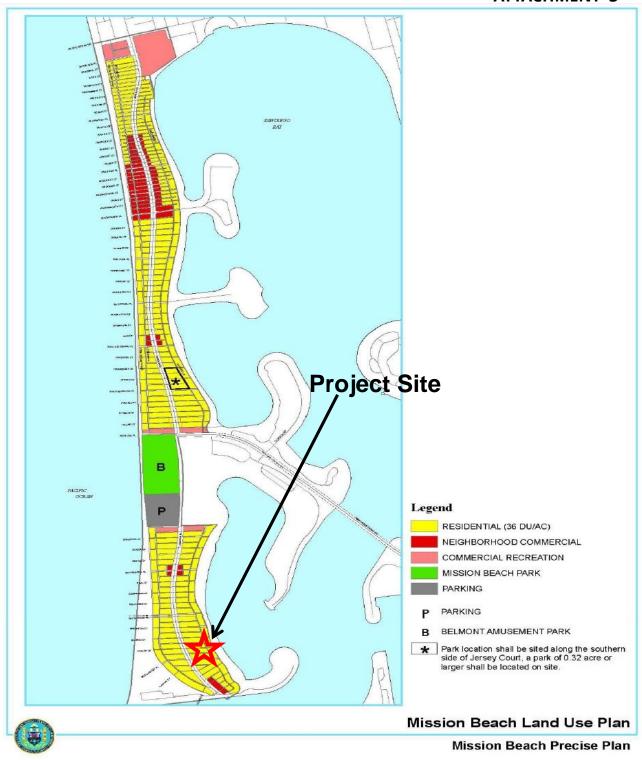


Project Location Map

818 - 820 San Luis Rey Place / 818 and 820 San Luis Rey Place Project No. 611045



ATTACHMENT 3





Land Use Map

818 - 820 San Luis Rey Place / 818 and 820 San Luis Rey Place Project No. 611045



HEARING OFFICER RESOLUTION NO. HO-XXXX COASTAL DEVELOPMENT PERMIT NO. 2162949 818-820 SAN LUIS REY PLACE - PROJECT NO. 611045

WHEREAS, DENNIS P. HILL AND PEGGY E. HILL, Co-Trustees of the Hill Family Trust dated January 16, 1992, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing duplex and to construct a new, three-story residential apartment duplex totaling 2,520 square feet (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2162949, on portions of a 0.06-acre site;

WHEREAS, the project site is located at 818 and 820 San Luis Rey Place in the Mission Beach Planned District Residential Base Zone (MBPD-R-S), Airport Influence Area (SDIA/ Review Area 1), Airport Noise Contour (SDIA/ 60-65 CNEL), FAA Part 77 Notification Area (SDIA/ 180' AMSL), Coastal Height Limit, Parking Impact, Residential Tandem Parking, and Coastal (Appealable) Overlay Zones within the Mission Beach Precise Plan and Local Coastal Program Addendum;

WHEREAS, the project site is legally described as Lot "N" in Block 16 of Mission Beach, in the City of San Diego, County of San Diego, State of California, according to Map No. 1651, filed in the Office of the County Recorder of San Diego on December 14, 1914;

WHEREAS, on May 20, 2019, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Sections 15301 and 15303; and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on August 7, 2019, the Hearing Officer of the City of San Diego considered Coastal

Development Permit No. 2162949 pursuant to the Land Development Code of the City of San Diego;

A. COASTAL DEVELOPMENT PERMIT [SDMC Section 126.0702]

- 1. <u>Findings for all Coastal Development Permits:</u>
 - a. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

The Project is located at 818 and 820 San Luis Rey Place within the Mission Beach Precise Plan and Local Coastal Program Addendum (Community Plan) area. The site is currently developed with an existing residential duplex and located approximately 332 feet from Mission Bay Mariners Basin to the east, 730 feet from Mission Bay Entrance Channel, and approximately 1,115 feet from the Pacific Ocean. The development proposes to demolish the existing duplex and construct a new threestory residential duplex. The project site is not located between the first public roadway and the Ocean and will not encroach upon any existing physical access way that is legally used by the public or any proposed public access way identified in a local coastal program land use plan. The proposed development will enhance and protect public views by keeping all development within the 30-foot coastal height limit as well as keeping all landscaping within the front yard at the required 3'-0" in height or less. Therefore, the proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

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

The subject site contains Environmentally Sensitive Lands (ESL) in the form of a Special Flood Hazard Area (SFHA) Zone A. Consistent with the methodology set forth in Managing Floodplain Development in approximate Zone A areas, A Guide for Obtaining and Developing Base (100-Year) Flood Elevations, April 1995, Federal Emergency Management Agency, all proposed project structures have been designed with the lowest floor level elevated two feet above the base flood elevation at this location. Therefore, the base floor elevations for all living spaces complies with all Zone A requirements for the floor plan layout and the proposed coastal development will not adversely affect environmentally sensitive lands.

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

The subject site is located at 818 and 820 San Luis Rey Place within the Mission Beach Precise Plan and Local Coastal Program Addendum. The maximum residential density identified in the Mission Beach Precise Plan is 36 Dwelling Units per Acre (du/ac). The proposed two units on a 0.06-acre lot, which equates to a density of approximately 18 du/ac and will conform to the maximum density. The proposed duplex residence will not encroach upon, negatively alter or reduce the existing physical access corridor or public view corridor and is contained within the legal lot area. Therefore, the project is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

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

The subject site is located at 818 and 820 San Luis Rey Place within the Mission Beach Precise Plan and Local Coastal Program Addendum area. The site is located approximately 332 feet from Mission Bay Mariners Basin to the east, 730 feet from Mission Bay Entrance Channel, and approximately 1,115 feet from the Pacific Ocean. The project site is not located between the first public roadway and the Ocean. However, the development does not conflict with any existing public access or public recreation opportunities. Therefore, the development conforms with any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in and the public access and public recreation policies of Chapter 3 of the California Coastal Act.

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

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 2162949 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. 2162949, a copy of which is attached hereto and made a part hereof.

ATTACHMENT 4

Tim Daly Development Project Manager Development Services

Adopted on: August 7, 2019

IO#: 24007920



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: 24007920

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 2162949 818-820 SAN LUIS REY PLACE PROJECT NO. 611045 HEARING OFFICER

This Coastal Development Permit No. 2162949 is granted by the Hearing Officer of the City of San Diego to Dennis P. Hill and Peggy E. Hill, Co-Trustees of the Hill Family Trust dated January 16, 1992, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0702. The 0.06-acre site is located at 818 and 820 San Luis Rey Place in the Mission Beach Planned District Residential Base Zone (MBPD-R-S), Airport Influence Area (SDIA/ Review Area 1), Airport Noise Contour (SDIA/ 60-65 CNEL), FAA Part 77 Notification Area (SDIA/ 180' AMSL), Coastal Height Limit, Parking Impact, Residential Tandem Parking, and Coastal (Appealable) Overlay Zones within the Mission Beach Precise Plan and Local Coastal Program Addendum. The project site is legally described as Lot "N" in Block 16 of Mission Beach, in the City of San Diego, County of San Diego, State of California, according to Map No. 1651, filed in the Office of the County Recorder of San Diego on December 14, 1914.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish an existing duplex and to construct a new, three-story residential apartment duplex totaling 2,520 square feet, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated August 7, 2019, on file in the Development Services Department.

The project shall include:

- a. Demolition of the existing residential duplex and construction of a new, three-story residential apartment duplex totaling 2,520 square feet;
- 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 August XX, 2022
- 2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action or following all appeals.
- 3. 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" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

CLIMATE ACTION PLAN REQUIREMENTS:

10. 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.

AFFORDABLE HOUSING REQUIREMENTS:

11. Prior to the issuance of any construction permits, the Owner/Permittee shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.).

AIRPORT REQUIREMENTS:

- 12. Prior to issuance of any construction permit for the building structures, the Owner/Permittee shall sound attenuate the residential units to 45 dB CNEL interior noise level.
- 13. As a means of overflight notification, the Owner/Permittee shall provide notification to occupants of the residential units.

ENGINEERING REQUIREMENTS:

- 14. The project proposes to export 60 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.
- 15. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
- 16. Prior to the issuance of any construction permit, the Owner/Permittee shall assure, by permit and bond, the repaving of the alley per City Standard G-21 full width, adjacent to site, satisfactory of the City Engineer.

- 17. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into an agreement to indemnify, protect and hold harmless the City, its officials and employees from any and all claims, demands, causes or action, liability or loss because of, or arising out of surface drainage entering into the property from the public right-of-way.
- 18. Prior to occupancy, the Owner/Permittee shall process and Non-Conversion Agreement for the garage area, subject to inundation, satisfactory of the City Engineer.
- 19. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.
- 20. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

- 21. Prior to issuance of any construction permit for grading, 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.
- 22. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents to the Development Services Department for approval. The construction documents shall be consistent with approved Exhibit "A," the Mission Beach Planned District Ordinance, the Mission Beach Community Plan, and the Land Development Manual Landscape Standards
- 23. The Owner/Permittee shall maintain all landscape in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.
- 24. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.
- 25. The Owner/Permittee shall install and maintain all landscaping proposed in public view corridors to not obstruct public views of the ocean as specified in SDMC Sec. 132.0403(e), Coastal Overlay Zone Regulations. Landscaping materials shall not encroach or overhang into the Courts and Places public right-of-way below a height of 8 feet above the finish surface or finish grade, as measured at the trunk [SDMC Sec. 1513.0402(a)(2)].

PLANNING/DESIGN REQUIREMENTS:

- 26. All automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.
- 27. 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.
- 28. 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:

- 29. Prior to any Certificate of Occupancy being issued, all domestic, irrigation, and fire water lines serving this development (except single family residential water service lines where the fire sprinkler system utilizes a passive purge style of design) must pass through a permitted, private, above ground, backflow prevention device (BFPD).
- 30. Prior to any Certificate of Occupancy being issued, the existing sewer private sewer service lateral to be reused must be inspected by a California licensed plumbing contractor using closed-circuit television to verify and attest to (via a signed statement on company letterhead) the following: that the lateral was constructed in accordance with City Sewer Design Guide Figure 2-6 (a copy shall be included on the improvement drawings) and that it is in all other ways suitable for reuse. If the lateral is not suitable for reuse, it modified so as to meet the requirements listed above.
- 31. Prior to any Certificate of Occupancy being issued, any private improvements within the public ROW (including the existing private sewer service lateral) must be removed unless the Owner/Permittee has (or first obtains) a City approved, County Recorded, Encroachment and Maintenance Removal Agreement (EMRA) which authorizes that specific private improvement to be placed in that specific location.
- 32. Prior to Certificate of Occupancy being issued, any damages caused to the City of San Diego's public water and sewer facilities in the vicinity of the project site, which are due to the activities associated with this project, shall be repaired or reconstructed in a manner satisfactory to the Public Utilities Director and the City Engineer in accordance with Municipal Code section 142.0607.

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 August 7, 2019 and Resolution No. HOXXXX.



ATTACHMENT 5

Permit Type/PTS Approval No.: Coastal Development Permit No. 2162949

Date of Approval: August 7, 2019

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMEI

 Tim Daly	
Development Project Manager	
NOTE: Notary acknowledgment	
must be attached per Civil Code	
section 1189 et seq.	
·	
	cution hereof, agrees to each and every condition of
this Permit and promises to perform each an	d every obligation of Owner/Permittee hereunder.
	Dennis P. Hill and Peggy E. Hill
	Co-Trustees of the Hill Family Trust dated
	January 16, 1992
	Owner/Permittee
	By
	NAME:
	TITLE:
	Dennis P. Hill and Peggy E. Hill
	Co-Trustees of the Hill Family Trust dated
	January 16, 1992 Owner/Permittee
	Owner/Fermittee
	By
	NAME:
	TITLE:

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





Date of Notice May 20, 2019

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24007920

PROJECT NAME/NUMBER: San Luis Rey Place /611045

COMMUNITY PLAN AREA: Mission Beach Community Planning Area

COUNCIL DISTRICTS: 2

LOCATION: 818-820 San Luis Rey Place, San Diego, CA 92109

PROJECT DESCRIPTION: Coastal Development Permit (CDP) to demolish an existing residential duplex and to construct a new three-story residential apartment duplex. Unit A would consist of a total of 1,455 square-feet of habitable space with decks totaling 598 square feet and Unit B would consist of a total of 968 square-feet of habitable space. Each unit would provide two parking spaces. The 0.06-acre site is located in the MBPD-R-S zone within the Coastal Appealable overlay zone within the Mission Beach Community Plan area. The proposed project complies with all height and bulk regulations and can accommodate the public utilities to serve the new structure. The project site has been previously developed and contains no sensitive resources.

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

ENVIRONMENTAL DETERMINATION: Section 15303 (New Construction) and 15301 (Existing Facilities)

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego, Development Services Department

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego conducted an environmental review and determined that since the project would be located within a previously developed site lacking sensitive resources that environmental impacts would not occur. Therefore, the project would qualify to be categorically exempt from CEQA pursuant to Sections 15301 (Existing Facilities) which allows for the demolition of duplexes and 15303(b) (New Construction) which allows for the construction of duplexes and the exceptions listed in CEQA Section 15300.2 would not apply.

DEVELOPMENT PROJECT MANAGER:

Tim Daly

MAILING ADDRESS:

1222 First Avenue, MS 501, San Diego, CA 92101-4153

PHONE NUMBER/EMAIL:

(619) 446-5356/ tpdaly@sandiego.gov

On May 20, 2019 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 determination made by staff (including the City Manager) 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 and therefore the appeal would end on June 4, 2019. The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

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

POSTED IN THE OFFICE OF DSD

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MISSION BEACH PRECISE PLANNING BOARD ("MBPPB")

Tuesday, May 21, 2019 @ 6:30 PM Santa Clara Recreation Center (Bay Room) Minutes of Meeting

Board Members Present:

Rebecca Abbott Michelle Baron Josh Geller Brian McCarthy Mike Meyer Scott Morrison John Ready Brandon Soule

Gernot Trolf Debbie Watkins Jenine Whittecar

Absent: Dennis Lynch

OPENING FUNCTIONS

Meeting was called to order by Chair Debbie Watkins at approximately 6:35 PM.

• **Approval of Minutes** for April 2019

Copies of the draft April 16, 2019 Minutes of Meeting were distributed and reviewed. Project Reviewer Mike Meyer pointed out a correction to *Motion #1* regarding Bruzzese CDP (Project No. 611846) to remove the incorrect Planned District Ordinance ("PDO") code section concerning the dormer. After discussion, the following motion was duly made:

MOTION #1 was made by Gernot Trolf and seconded by Brian McCarthy to APPROVE the April 16, 2019 Minutes with the above-mentioned correction.

VOTE For: 10 Against: 0 Abstain: 0

Motion passed.

Revisions to Agenda

Copies of the May 21, 2019 Agenda were distributed and reviewed. Chair Watkins announced that in order to accommodate State Assemblymember Todd Gloria's time schedule tonight, *Reports from Government Officials* will flip places with *Public Comment* on the Agenda.

MOTION #2 was made by Debbie Watkins and seconded by John Ready to REVISE the May 21, 2019 Agenda as mentioned above.

VOTE For: 10 Against: 0 Abstain: 0

Motion passed.

- Chair's Report None.
- Secretary's Report None.

REPORTS FROM GOVERNMENT OFFICALS

• State Assemblymember Todd Gloria, representing the 78th Assembly District

Assemblymember Todd Gloria reported the Appropriations Process for the State Budget just finished and money will start flowing July 1st, of which \$1B funding was allocated for San Diego's homeless programs. Assemblymember Gloria announced success in getting Assembly Bill 262 passed in the State Assembly and will advance to the State Senate, addressing the Hepatitis outbreak in San Diego in 2017, requiring accountability of the County health officer to take action during an outbreak of a communicable disease or imminent threat to the public's health. He

reported the County Air Resources Board will add members to help with solutions to the air pollution problem. He spoke about Senate Bill 50 (Planning and Zoning Law), which would increase housing developments along transit hubs with a streamlined approval process that will come back next year; and Senate Bill 330 (Housing Crisis Bill of 2019), which removes the provision that a city cannot increase developer fees, and suspends for 5 years any local requirement that city councils or board of supervisors seek voter approval to increase the density of housing projects. It would not suspend or remove all coastal height limits because the City of San Diego's Coastal 30 ft. height limit was in place before January 1, 2018. He talked about Assembly Bill 1731 (Short-Term Rentals in Coastal Zone), which mandates 30-day platform advertisement but does not require that limit on local vacation rental companies. He pointed out AB 1737 would not replace local ordinances and enforcement, if already in existence.

Assemblymember Gloria took questions from the MBPPB members and public concerning short-term rentals, scooters, and what constitutes a transit-priority area.

• Chevelle Tate, Office of State Senate President Pro Tem Toni Atkins

Ms. Tate reiterated the State budget increased funding for homeless programs, including the safe parking program. She commented that Senate Bill 50 regarding housing in transit-priority areas does not apply to coastal communities. She noted that sidewalk street vending is now allowed pursuant to Senate Bill 946, which legalizes and decriminalizes sidewalk vending. She noted the City of San Diego can adjust the law, which is now under review.

• Seamus Kennedy, Community Representative for City Councilmember Jennifer Campbell, District 2

Mr. Kennedy reported that micro-mobility laws (scooters, etc.) will be implemented starting July 1st. Scooter fees will be used for extra police during the summer months to enforce the laws. Micro-mobility parking corrals will be reviewed by community planning groups before July 1st implementation. Debbie Watkins will be submitting recommendations to the City and Mayor's Office for Mission Beach.

PUBLIC COMMENT (Time allotted to each speaker is determined by the Chair, and in general, is limited to 3 minutes for non-Agenda items within the purview of the Board.

• Bob Semenson commented that he would like to see the Precise Plan (community plan) and Planned District Ordinance updated for Mission Beach.

BUILDING PLAN REVIEWS ACTION ITEM:

• Ocean Front Walk Map Waver; Project No. 627839; (Process 3) Map Waiver for the creation of three residential condominium units from three (3) residential apartment units currently under construction for a total of 5,974 square feet of conversion located at 2761 Ocean Front Walk. The 0.09 acre site is located in the MBPD-R-5 Base Zone in the Coastal (State-PMT) Overlay Zone of the Mission Beach Community Planning Area with First Public Road. Proposed Project Plans dated March 12, 2019. Presenter: Antony Christensen, Christensen Engineering

Antony Christensen of Christenson Engineering represented the property owners who were not present. Applicant Joy Christensen was also present.

2

Antony Christensen distributed copies of the proposed project plans for consideration and presented the plans. In addition, the Applicant's responses to the requirements of the San Diego Municipal Code §125.0440, Findings for a Tentative Map were distributed.

Project Reviewers Mike Meyer and Brandon Soule reviewed the proposed project plans for the Board. Brandon Soule pointed out the requirements for land use, density and parking have been met for the three units, which are still under construction.

After further discussion, the following motion was duly made:

MOTION #3 was made by Brandon Soule and seconded by John Ready to APPROVE the proposed Ocean Front Walk Map Waiver project plans dated March 12, 2019, located at 2761 Ocean Front Walk as presented.

VOTE For: 10 Against: 0 Abstain: 0

Motion passed.

ACTION ITEM:

• San Luis Rey Place CDP; Project No. 611045; (Process 3) Coastal Development Permit to demolish an existing duplex and to construct a new three-story residential apartment duplex totaling 2,920 square-feet, located at 818 and 820 San Luis Rey Place. The 0.06-acre site is located in the Mission Beach Planned District Residential Base Zone (MBPD-R-S), Airport Influence Area (SDIA/ Review Area 1), Airport Noise Contour (SDIA/ 60-65 CNEL), FAA Part 77 Notification Area (SDIA/ 180' AMSL), Coastal Height Limit, Parking Impact, Residential Tandem Parking, and Coastal (appealable) overlay zones within the Mission Beach Community Plan area in Council District 2; Proposed project plans dated March 21, 2019. Presenter: Architect Tim Golba, Golba Associates

Architect Tim Golba represented the property owner who was not present.

Architect Golba distributed copies of the proposed project plans for consideration. He commented the structure will be made of stone and stucco and there are no driveways. According to Architect Golba, the property owner will move down here and live in the upper unit. He pointed out there will be five (5) parking spaces, a garage elevator to the top unit, and a roof deck on front of the top unit. With regard to the PDO's setback requirements, Architect Golba noted the requirements have been met and there is no dormer issue.

Project Reviewers Mike Meyer and Brandon reviewed the proposed plans for the Board. Mike Meyer commented that the proposed plans met the requirements of the PDO. Board Member Scott Morrison asked where the trash cans will be stored and was told inside the garage.

After further discussion, the following motion was duly made:

MOTION #4 was made by Mike Meyer and seconded by Brandon Soule to APPROVE the proposed project plans dated March 21, 2019 (Project No. 611045) located at 818 and 820 San Luis Rey Place as presented.

VOTE Against: 0 Abstain: 0

Motion passed.

BOARD COMMUNICATIONS

Information Item:

• City of San Diego Five-Year Capital Improvements Program ("CIP") FY2021-2025: Discuss procedure for community members to submit proposed projects for review, consideration and vote at the June 18, 2019 MBPPB Meeting. Project types include: Public Safety; Drainage and Storm Water; Community Facilities; Mobility; and Utilities

Chair Watkins distributed copies of the *Five-Year Capital Improvements Program* ("CIP") *FY2021-2025 Community Planning Committee Survey* to be used for submitting proposed CIP projects for review, consideration and vote at the June 18, 2019 Meeting of the MBPPB.

Project Asset Type Groups include: (No Maintenance Projects)

- Public Safety
 - Fire Station
 - Police Station
 - Lifeguard Station
- Drainage and Storm Water
 - Flood Control & Drainage (Channels, Pipelines, etc.)
 - Sustainability Improvements (within street limits)
 - Storm Water Quality Improvement & Erosion Control (non-safety related)
- Community Facilities
 - ADA/Accessibility for facilities (parks, libraries, etc) Outside Public Right of Way
- Mobility
 - ADA/Accessibility for mobility (sidewalks, curb ramps) Within Public Right of Way
 - Bicycle Facilities
 - Medians/Streetscapes
 - Pedestrian Crossings
 - Guardrails/Barrier Rail
 - Street Lighting
 - Traffic Calming
 - Traffic Signal Timing & Coordination
- Utilities
 - Sewer
 - Water
 - Overhead Utility Undergrounding (SDG&E, cable, etc.)

There being no further business, Chair Watkins noted Agenda Items must be submitted to the Chair in writing 10 days PRIOR to the scheduled Board meeting. The next meeting will be held on Tuesday, June 18, 2019 at 7 PM in the Belmont Park Community Room.

ADJOURNMENT

MOTION #5 was duly made and seconded TO ADJOURN the meeting at 8:05 PM.

VOTE: For: 10 Against: 0 Abstain: 0

Motion passed.

Submitted by: Debbie Watkins, Secretary



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

Ownership Disclosure Statement

FORM

DS-318

October 2017

Approval Type: Check appropriate box for type of approval(s) requested: Neighborhood Development Permit Site Development Permit Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment	nt Permit Li Conditional Ose Permit Li Variante
Project Title: SAN LUIS REY PL CDP Project Address: 818-820 SAN LUIS REY PLACE.	Project No. For City Use Only: 611045 SAN DIEGO, CA 92109
Specify Form of Ownership/Legal Status (please check): □ Corporation □ Limited Liability -or- A General – What State?Corporate to	dentification No.
By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an applicat with the City of San Diego on the subject property with the intent to record an encumb owner(s), applicant(s), and other financially interested persons of the above referenced prindividual, firm, co-partnership, joint venture, association, social club, fraternal organization with a financial interest in the application. If the applicant includes a corporation or part individuals owning more than 10% of the shares. If a publicly-owned corporation, include officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or as trust A signature is required of at least one of the property owners. Attach additional pages notifying the Project Manager of any changes in ownership during the time the application ownership are to be given to the Project Manager at least thirty days prior to any public haccurate and current ownership information could result in a delay in the hearing process.	orance against the property. Please list below the operty. A financially interested party includes any on, corporation, estate, trust, receiver or syndicate nership, include the names, titles, addresses of all the the names, titles, and addresses of the corporate nization or a trust, list the names and addresses of ee or beneficiary of the nonprofit organization. If needed. Note: The applicant is responsible for its being processed or considered. Changes in
Property Owner	
	ØCOwner □ Tenant/Lessee □ Successor Agency
City: San Diego Phone No.: 619890-8436 Fax No.: 619890-8136 Signature: Flagy E Stell Additional pages Attached: Pres Pro	State: CA zip: 92106 Email: pege hillacox.net Date:
Applicant	
	☑ Owner ☐ Tenant/Lessee ☐ Successor Agency
Additional pages Attached: DYes DNo	State: CA zip: 92106 Small: Peach (locox, net) Date: 5-9-18
Other Financially Interested Persons	
11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	☐ Owner ☐ Tenant/Lessee ☐ Successor Agency
City: San Diego Phone No.: 406-370-936 Fax No.:	State: CA zip: 92106 Email: WWII. dph@gmanl.Com
Signature:	Date: 10 9 2010
Additional pages Attached: Q Yes Q No	



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

Ownership Disclosure Statement

FORM

DS-318

October 2017

Project Title:		Project No	o. For City Use Only	r:	
Project Title: Project No. For City Use Only: Project Address:					
Specify Form of Ownership/Legal Status (ple	ease check):				
☐ Corporation ☐ Limited Liability -or- ☐ Gene	eral – What State?Corp	orate Identificatio	n No		
□ Partnership □ Individual					
By signing the Ownership Disclosure Statemer with the City of San Diego on the subject pro owner(s), applicant(s), and other financially intindividual, firm, co-partnership, joint venture, with a financial interest in the application. If t individuals owning more than 10% of the shar officers. (A separate page may be attached if reany person serving as an officer or director A signature is required of at least one of the notifying the Project Manager of any changes ownership are to be given to the Project Manager of and current ownership information of	pperty with the intent to record an elerested persons of the above references association, social club, fraternal orgithe applicant includes a corporation res. If a publicly-owned corporation, necessary.) If any person is a nonprofic of the nonprofit organization or a property owners. Attach additional in ownership during the time the all the attach at least thirty days prior to any person is a non property owners.	ncumbrance againced property. A anization, corpora property include the name fit organization or strustee or bene pages if needed. polication is being which hearing on a pagication is being on the corporation of the corporation is being ublic the arms on the corporation is being ublic the arms on the corporation is being ublic the arms on the corporation is being up the corporation of the corporation in the corporation is being up the corporation of the corporation in the corporation is being up the corporation of the corporation in the corporation is being up the corporation in the corp	nst the property. If financially intereste ation, estate, trust, reclude the names, till s, titles, and addres a trust, list the name ficiary of the nonpotes the processed or constant of the processed or constant interest.	Please list below the d party includes any eceiver or syndicate cles, addresses of all ses of the corporate les and addresses of profit organization. It is responsible for sidered. Changes in	
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Phone No.:	Fax No.:	Email:			
Signature:		Date:			
Additional pages Attached: 🔲 Yes					
Applicant					
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ATTACHMENT

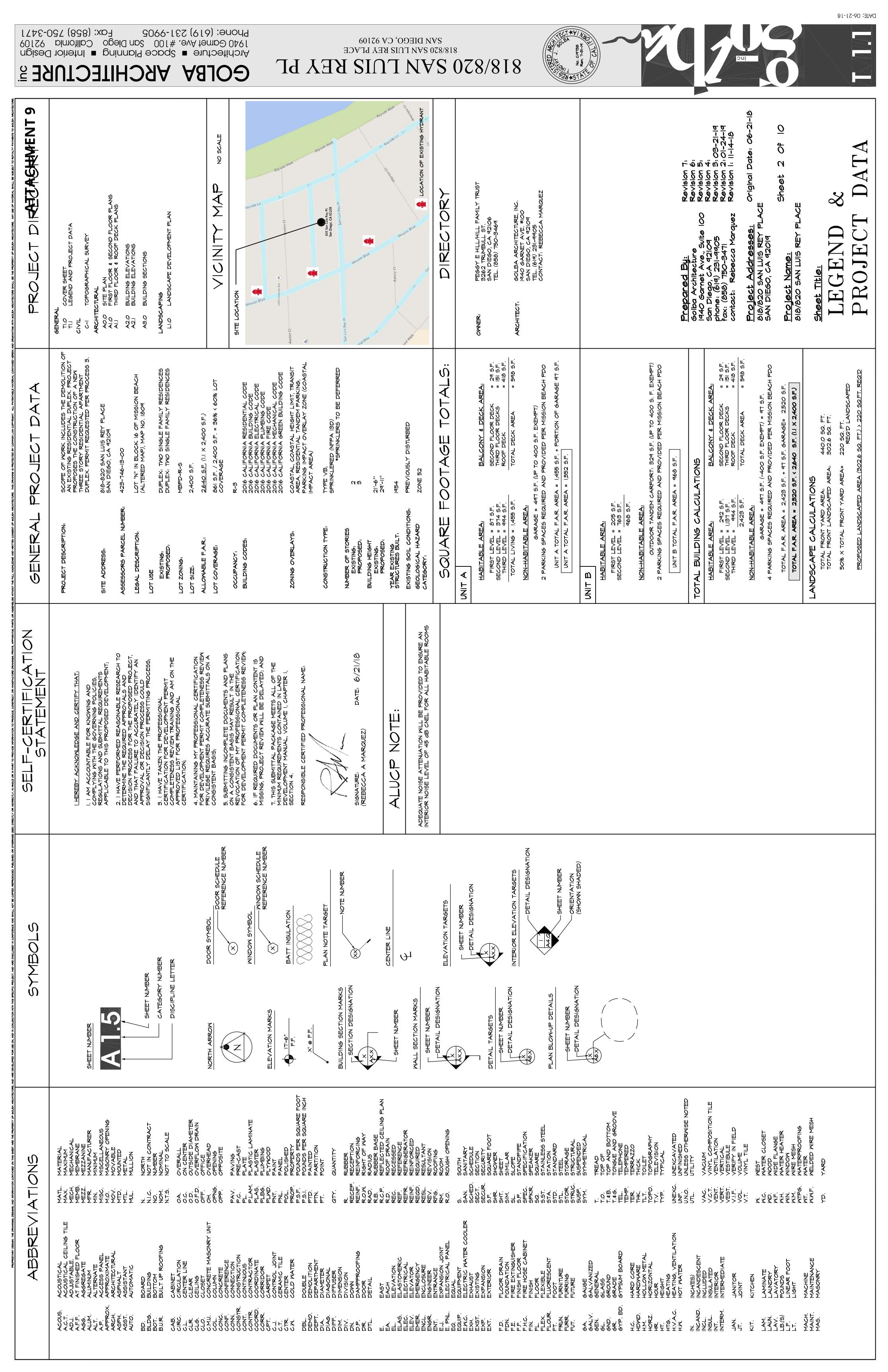
DATE: 06-21-18

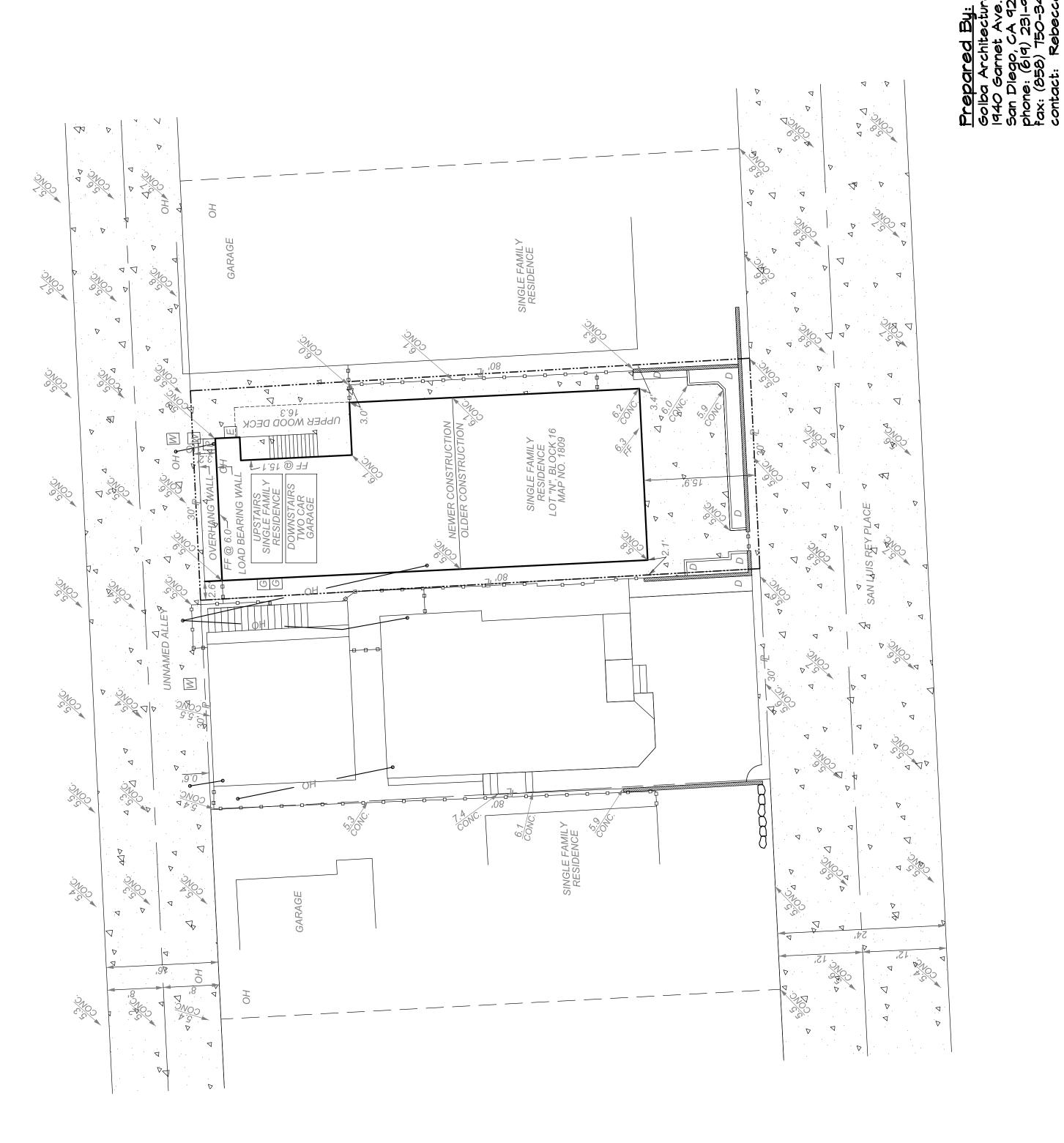
8/820 SAN LUIS REY PLAC SAN DIEGO, CA 92109



AL DEVELOPMENT I RE-SUBMITTAL SET 03/21/19

SHEE





ALL BUILDING TIE SHOTS TAKEN AT
OUTSIDE WOOD, BRICK OR STUCCO WALL
NO ROOF OR PATIO OVERHANG SHOWN
ELEVATION IS BASED ON CITY OF SAN DIEGO
VERTICAL CONTROL BENCHBOOK
MISSION BLVD. & SAN LUIS REY PLACE
N.2179, E.16927, ELEVATION 5.037 *NEBP, MSL DA NOT ALL LANDSCAPE AND HOUSE FEATURES ARE SHOWN CONC. = CONCRETE

BLDG. = BUILDING

(FF) = FINISH FLOORS ARE APPROXIMATE

R = PROPERTY LINE

G = GAS METER NOTES: THIS PLOT IS IN SUPPORT OF FUTURE SITE IMPROVEMENTS BY OTHERS BOUNDARY DISTANCES SHOWN ARE RECORD FROM MAP NO. 1809 = INDICATES ELEVATION MSL = INDICATES CONCRETE AND OR BRICK = INDICATES SHORT BRICK PLANTER = INDICATES WOOD FENCE HEIGHT & STYLE VARIES = INDICATES BLOCK WALL HEIGHT & STYLE VARIES OH = OVERHEAD WIRES E = ELECTRIC METER W = WATER METER $P = POWER\,BOX$ D = DIRTAREA✓✓

> PLAT PREPARED BY: "A QUICK SURVEY"

2163 WOODLAND HEIGHTS GLEN ESCONDIDO, CA. 92026 (760) 525-0694 CELL zilla5706-work@yahoo.com

MICHAEL THOMPSON, P.L.S. 5706

SITE DATA: HILL, LEAVERTON, ARNESON 1050 ROSECRANS STREET, #M1 SAN DIEGO, CA. 92106 PLAT PREPARED FOR:

TIM GOLBA (GOLBA ARCHITECT INC.) 1940 GARNET AVENUE., SUITE 100 SAN DIEGO, CA, 92109 (619) 231-9905 TGolba@Golba.com CONTACT: DATE: 03-30-17 JN 17-1219 APN 423-746-13 LOT "N", BLOCK 16, MAP NO. 1809 818-820 SAN LUIS REY PLACE SAN DIEGO, CA., 92109 AREA= 2,400 sq.ft. PLUS OR MINUS

SITE MAP

Sheet Title:

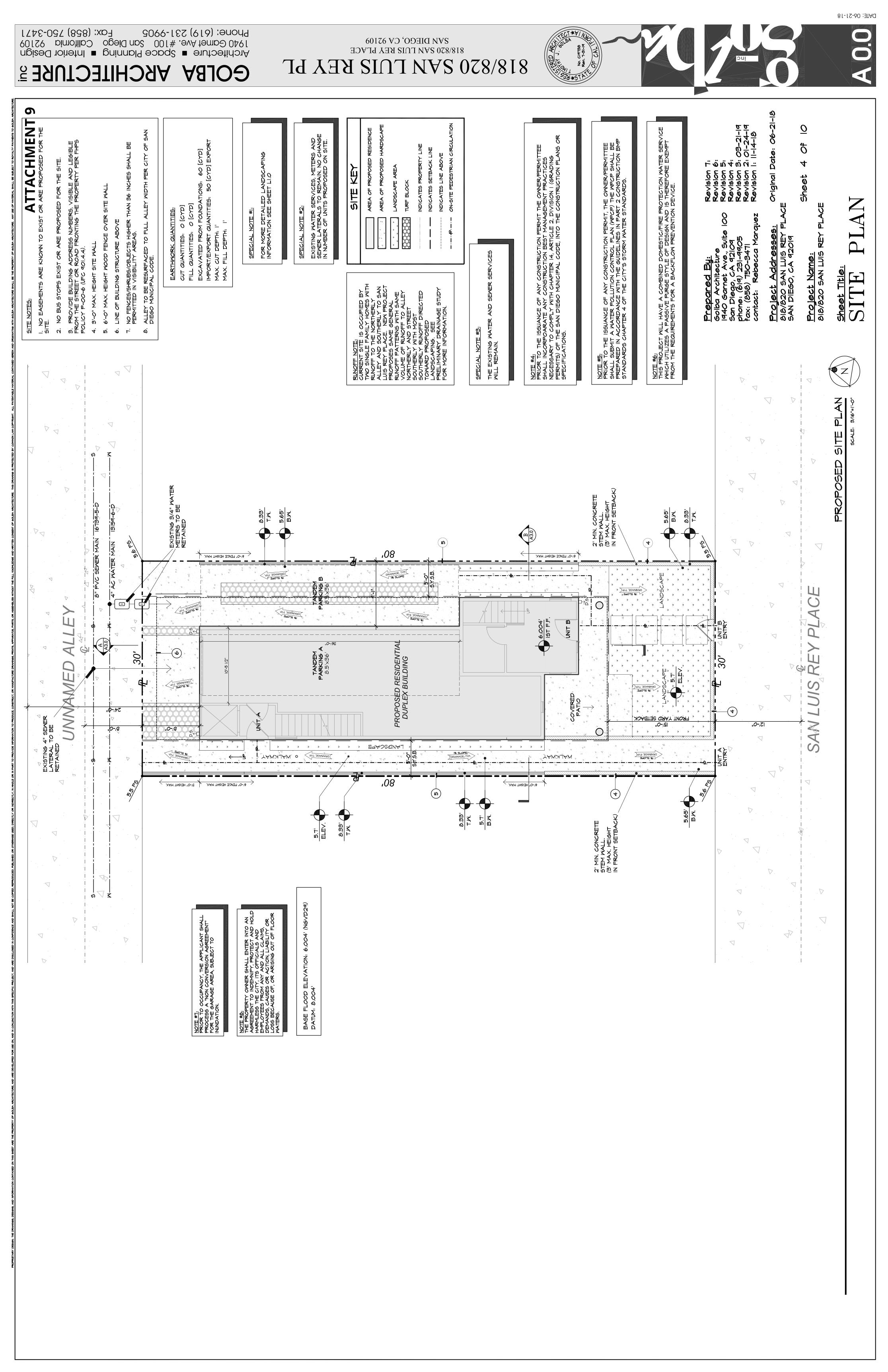
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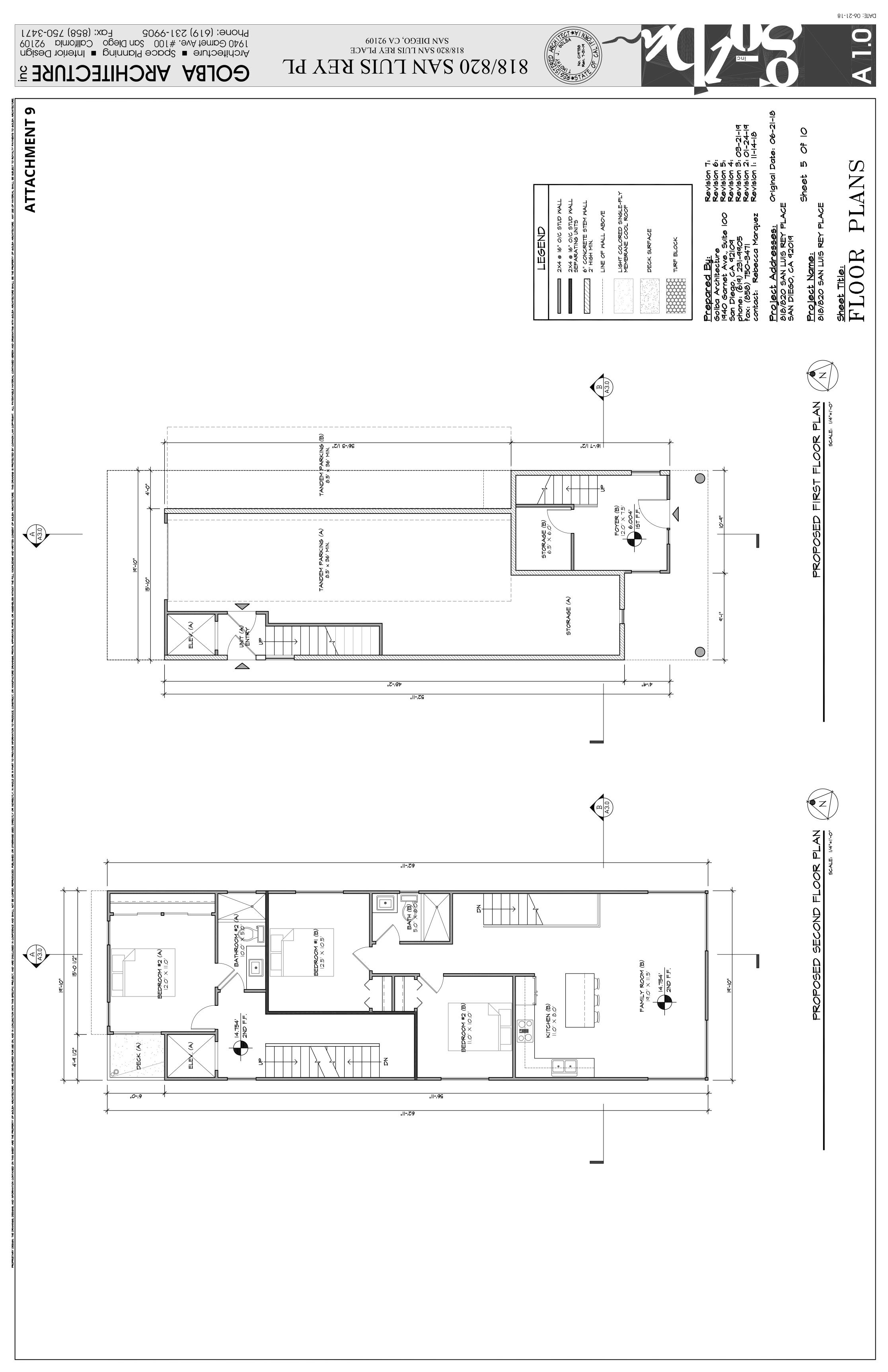
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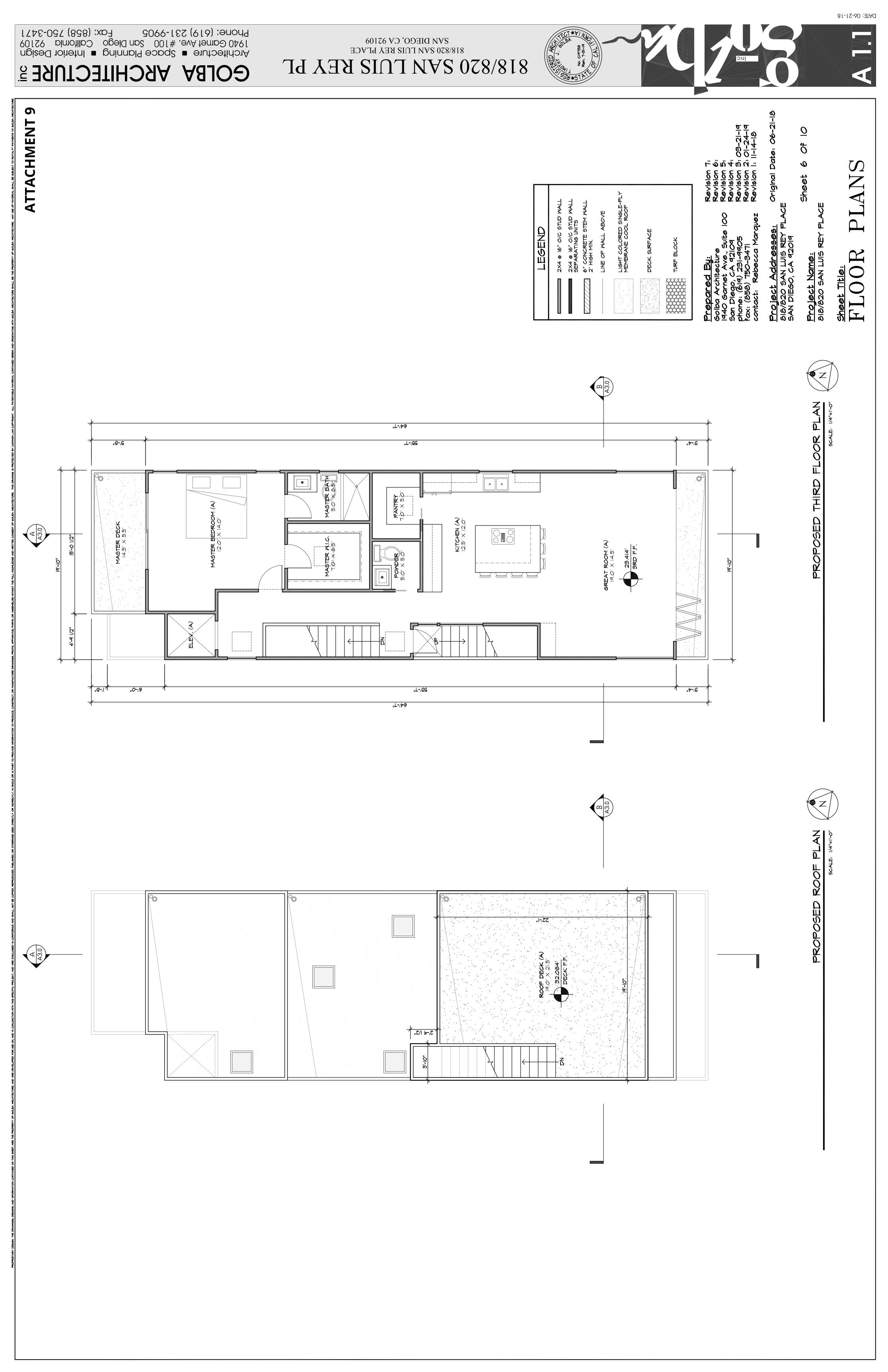
Project Addresses 818/820 SAN LUIS REY SAN DIE60, CA 92019

Project Name: 818/820 SAN LUIS REY

Revision 7:
Revision 6:
Revision 5:
Revision 4:
Revision 3: 03-21-19
Revision 2: 01-24-19
Revision 1: 11-14-18

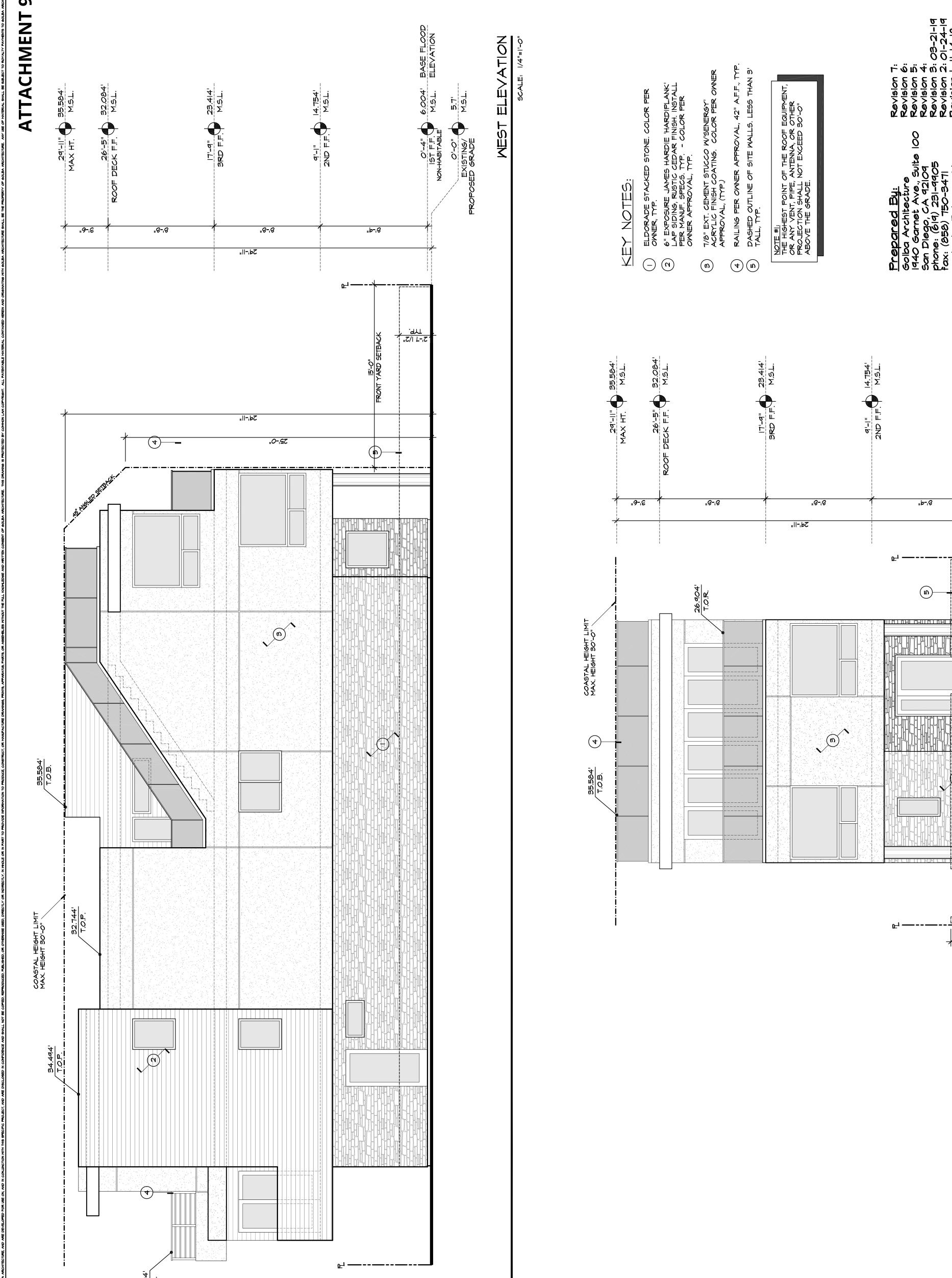




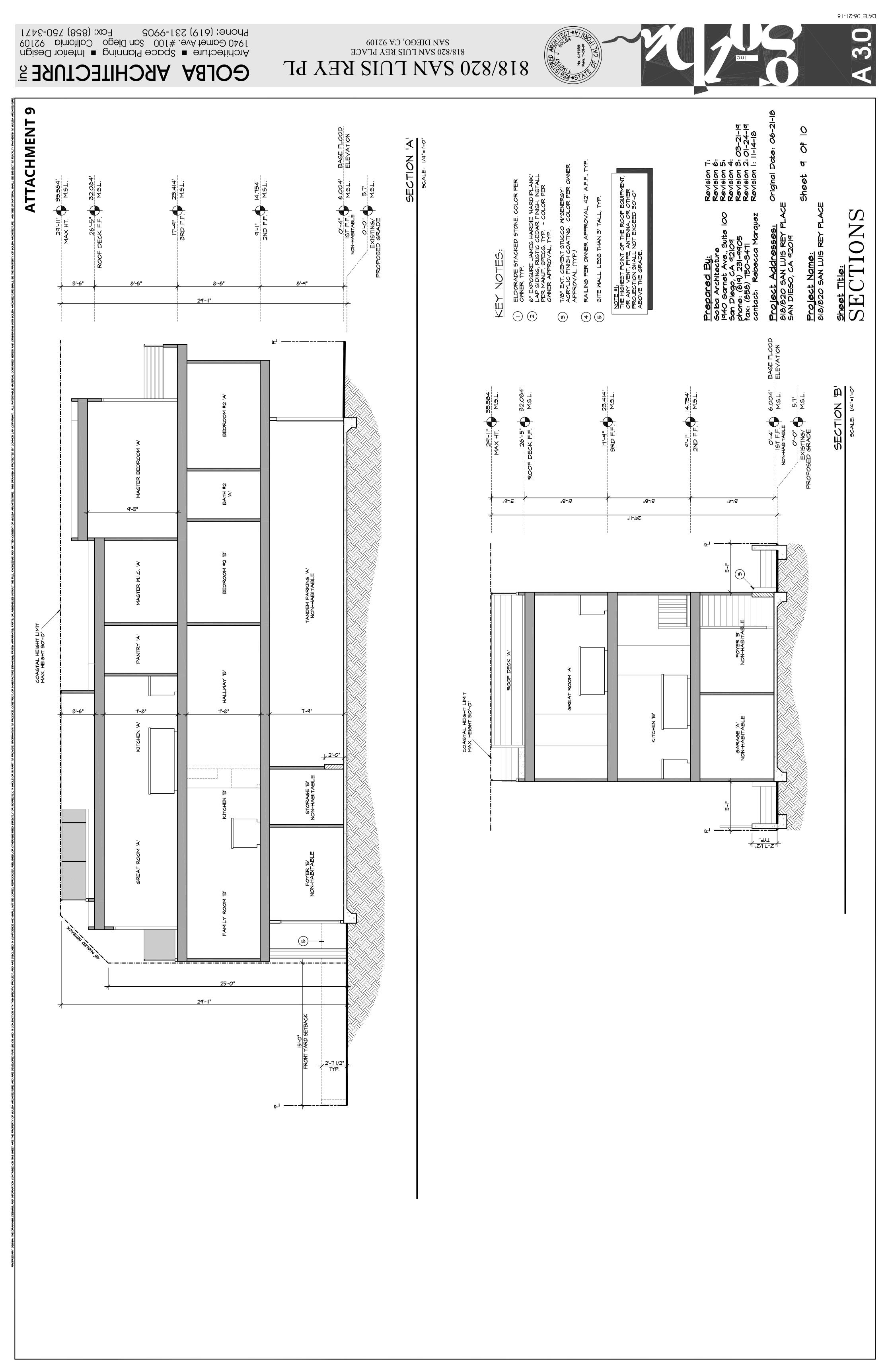


Sheet Title: ELEV

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



DATE: 06-21-18



Architecture ■ Space Planning ■ Interior Design 1940 Garnet Ave, #100 San Diego California 92109 Phone: (619) 231-9905 Fax: (858) 750-3471 818/870 2VN FOIZ BEK bFYCE 818/870 ZYN FOIZ BEK bF GOLBA ARCHITECTURE 3 **ATTACHMENT** <u>0</u> 7 1 w n w x x x w n w w i i w ∑ ∑ ∑ SCAPE VANAMED ALLEY √ 30¹ EGEND OPOSED PROPOSED RESIDENTIAL DUPLEX BUILDING L LANDSCAPE & IRRIGATION SHALL CONFORM TO THE CITY OF IEGO'S LAND DEVELOPMENT CODE, LANDSCAPE ATIONS; THE LAND DEVELOPMENT MANUAL, LANDSCAPE NARDS; THE MISSION BEACH PLANNED DISTRICT; & ALL OTHER REGIONAL STANDARDS.

IRIGATION: AN AUTOMATIC, ELECTRICALLY CONTROLLED ATION SYSTEM (SPRAY) SHALL BE PROVIDED AS REQUIRED IROPER IRRIGATION, DEVELOPMENT, & MAINTAINENCE OF THE ATION IN A HEALTHY, DISEASE-RESISTANT CONDITION. THE STATEMENT DESION ANDSOAPE NOTE: ALL PROPOSED LANDSCAPING IN REQ. YARD AREAS SHALL BE MAINTAINED AT A HEIGHT OF 3' OR LOWER. ALL FRONT YARD WALLS TO BE NO GREATER THAN 3' IN HEIGHT. **DISTANOE** 25 FT. 10 FT. 0 0 FT. S T D Ζ̈́ CULATIONS: TOTAL LANDSCAPED AREA (302.6 SQ. FT.) > 220 SQ.FT. 440 SQ. FT. 302.6 SQ. FT. I5'-O" FRONT YARD SETBACK TOTAL FRONT YARD AREA: TOTAL FRONT LANDSCAPED AREA: 50% X TOTAL FRONT YARD AREA= LANDSCAPE TOTAL YARD / 440 S.F.

2VA DIEGO' CV 35109

DATE: 06-21-18