



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: July 31, 2019 REPORT NO. HO-19-071

HEARING DATE: August 7, 2019

SUBJECT: **4253 MISSION BLVD- VTM/CDP** Process Three Decision

PROJECT NUMBER: [624557](#)

OWNER/APPLICANT: PB Ocean Beach Condos LLC.

SUMMARY

Issue: Should the Hearing Officer approve or deny a Vesting Tentative Map and a Coastal Development Permit for creation of 16 residential condominiums units and five commercial units (currently under construction), located at 4253 Mission Boulevard in the CV-1-2 Zone, within the Pacific Beach Community Plan area?

Staff Recommendations:

1. Approve Vesting Tentative Map No. 2316360;
2. Approve Coastal Development Permit No. 225376.

Community Planning Group Recommendation: On April 24, 2019, the Pacific Beach Planning Board voted 10-1-1 to recommend approval of the proposed project with conditions/recommendations.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15315 (Minor land divisions). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on July 3, 2019, and the opportunity to appeal that determination ended July 18, 2019.

BACKGROUND

The project proposes a Vesting Tentative Map and Coastal Development to subdivide a mixed-used development currently under construction into 16 residential condominiums and five commercial condominiums and to waive the requirement to underground existing offsite overhead utilities. The 0.13-acre site is located at 4253 Mission Boulevard in the CV-1-2 Zone, the Coastal Overlay zone

(Non Appealable), the Coastal Height Limitation Overlay zone, the Parking Impact Overlay zone (PIOZ-Beach-Impact & PIOZ-Coastal-Impact), the Residential Tandem Overlay zone, the Transit Area Overlay zone, within the Pacific Beach Local Coastal Program and Community Plan Area. The Pacific Beach Community Plan/Local Coastal Program Area designates the site for Visitor Commercial. The Visitor Commercial land use designation allows for residential development in a mixed use setting with a density up to 43 dwelling units per acre, allowing up to 22 dwelling units for the site.

On August 31, 2017, the Planning Commission approved Site Development Permit No. 1961246, Planned Development Permit No. 1986849, and Coastal Development Permit No. 1961242 to demolish an existing restaurant and construct a three-story mixed-use building. The project complies with all required San Diego Municipal Code regulations.

Prior to the submittal of the Vesting Tentative Map and Coastal Development Permit application, construction plans were reviewed and building permits were issued by the Development Services Department on April 20, 2018, under ministerial approval via Building Permit No. 2092101. The project is currently under construction and receiving inspections.

DISCUSSION

The applicant is requesting approval of a Tentative Map and Coastal Development Permit, per San Diego Municipal Code (SDMC) Sections 125.0120(b) (2.) (A) and 126.0701 to create 16 residential condominiums and five commercial condominiums (currently under-construction). The project requires a Process Three, Hearing Officer decision.

The neighborhood has already had the overhead utility lines undergrounded, with exception of the high voltage power lines. San Diego Municipal Code (SDMC) Section 144.0240 allows the subdivider to apply for a waiver from the requirement to underground existing overhead utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined that the requested waiver of the requirements to underground privately owned utility systems and services facilities qualifies under the guidelines of SDMC Section 144.0242(c) (1) (8) as follows: 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.

CONCLUSION:

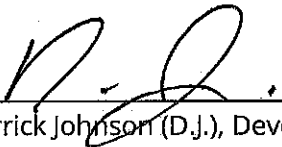
City staff has reviewed the application for the Vesting Tentative Map and Coastal Development Permit to create 16 residential condominiums and five commercial condominiums at this location and has determined that the project is consistent with the recommend land use and development standards in effect for this site per the State Map Act and the San Diego Municipal Code. The Coastal Development Permit resolution has been prepared (Attachment 5) The Vesting Tentative Map resolution has been prepared with draft findings (Attachment 7) for consideration. Staff recommends that the Hearing Officer approve Vesting Tentative Map No.225376 and Coastal Development Permit No. 2316360.

ALTERNATIVES

1. Approve Vesting Tentative Map No. 225376 and Coastal Development Permit No. 2316360, with alternatives
2. Deny Vesting Tentative Map No. 225376 and Coastal Development Permit No. 2316360

if the findings required to approve the project cannot be affirmed.

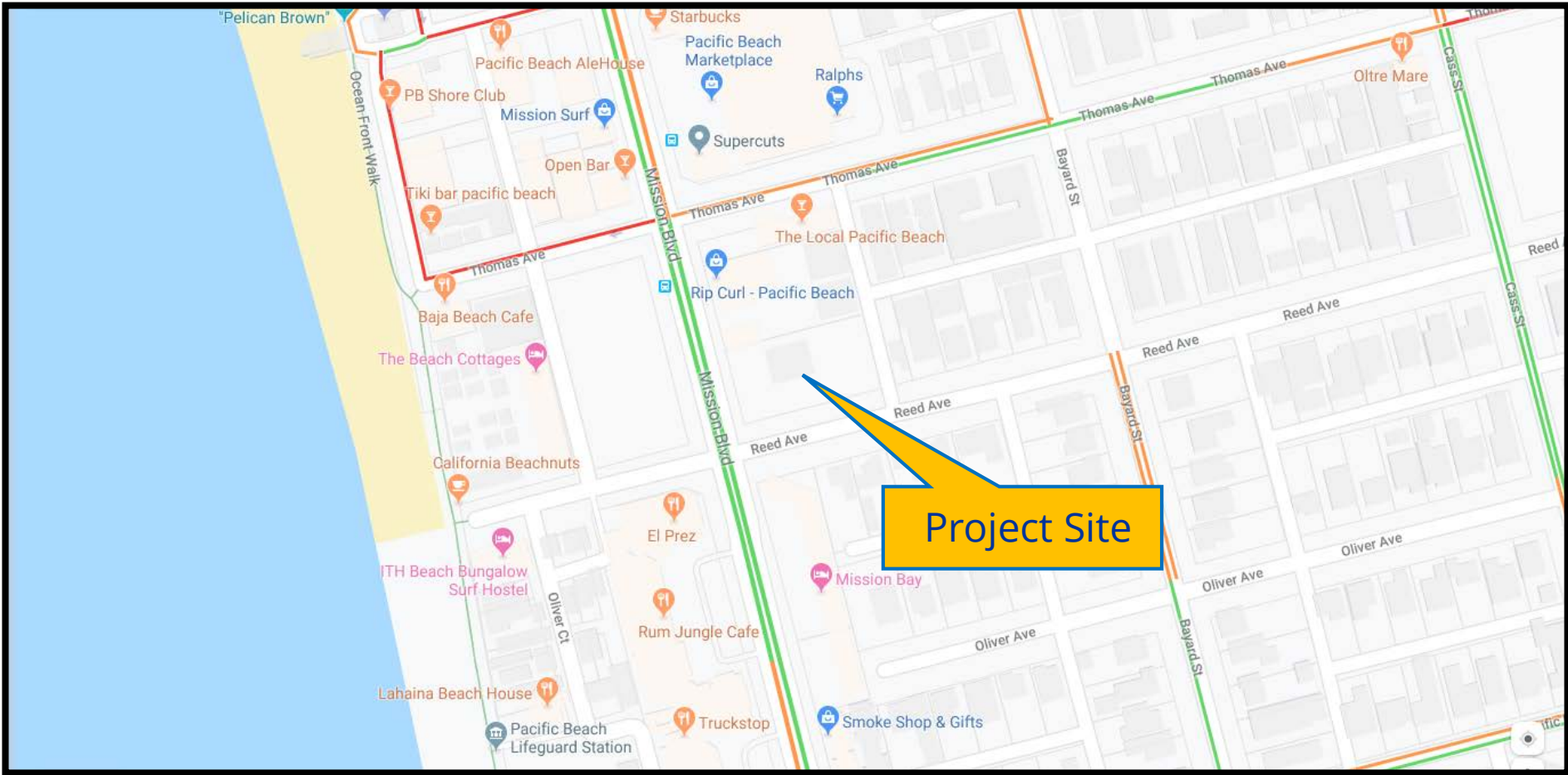
Respectfully submitted,



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

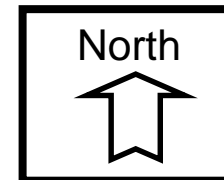
Attachments:

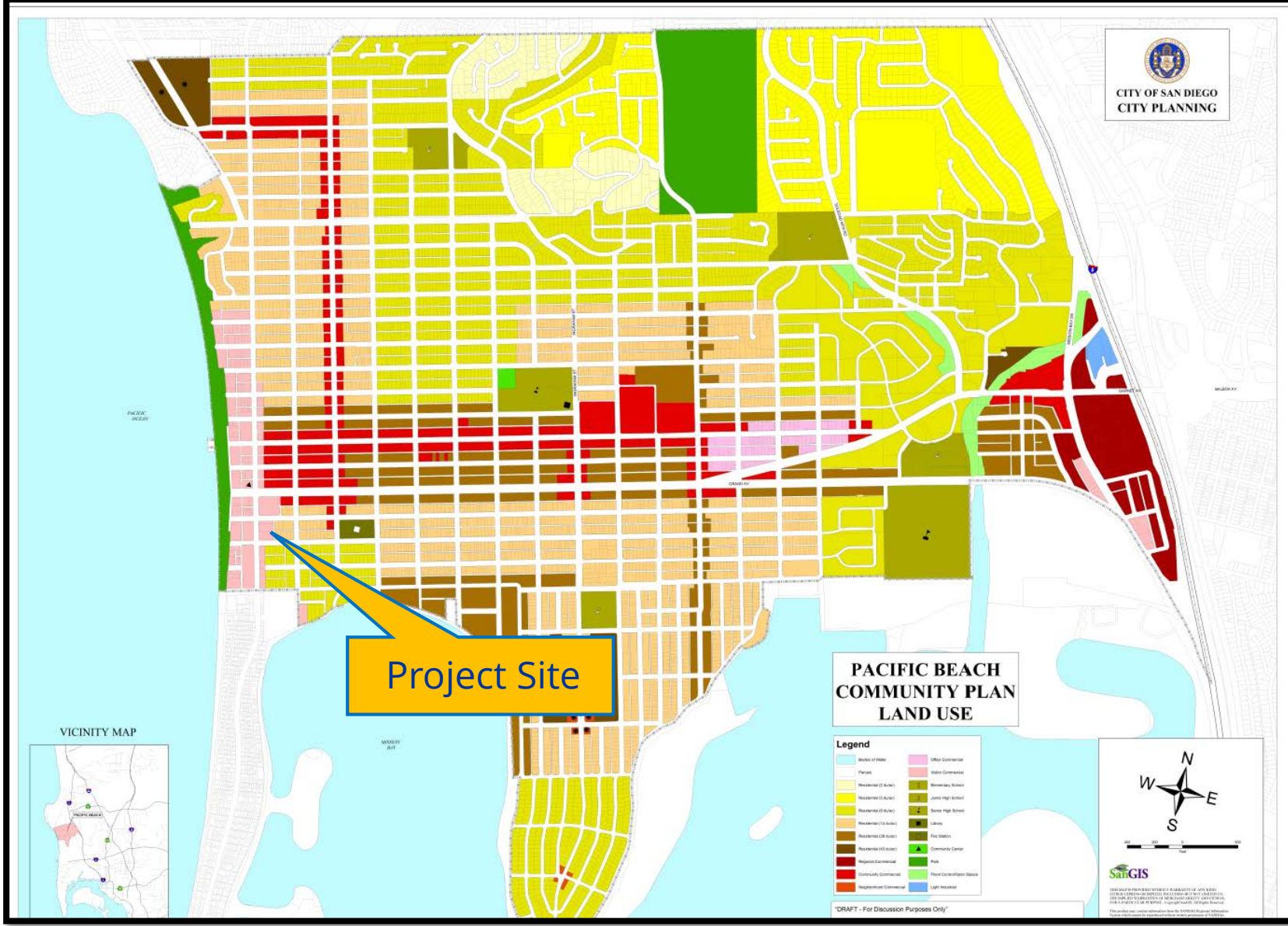
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Project Data Sheet
5. Draft Resolution with Findings
6. Draft Permit with Conditions
7. Draft Map Resolution
8. Draft Map Conditions
9. Environmental - NORA
10. Copy of Recorded (existing) Permit -----
11. Community Planning Group Recommendation
12. Ownership Disclosure Statement
13. Map Exhibit - Vesting Tentative Map



Project Location Map

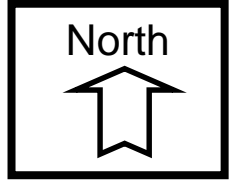
4253 Mission Blvd. - VTM/CDP / 4253 Mission Blvd.
PROJECT NO. 624557





Land Use Map

4253 Mission Blvd. VTM/CDP / 4253 Mission Blvd.
PROJECT NO. 624557





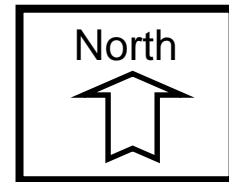
Project Site



Aerial Photo

4253 Mission Blvd. - VTM/CDP / 4253 Mission Blvd.

PROJECT NO. 624557



PROJECT DATA SHEET		
PROJECT NAME:	Mission Blvd VTM/CDP	
PROJECT DESCRIPTION:	Tentative Map and Coastal Development Permit for the creation of 16 residential condominiums and 5 commercial suites.	
COMMUNITY PLAN AREA:	Pacific Beach	
DISCRETIONARY ACTIONS:	Coastal Development Permit Process 3	
COMMUNITY PLAN LAND USE DESIGNATION:	Designated Commercial	
ZONING INFORMATION:		
ZONE:	CV-1-2	
HEIGHT LIMIT:	30 ft (Coastal Height Limitation Overlay Zone) / 45 ft CV-1-2 zone	
LOT SIZE:	0.52 acres	
FLOOR AREA RATIO:	2.0 Maximum, 1.5 Existing	
FRONT SETBACK:	0 feet Minimum / 10 feet Maximum, 0 feet existing	
SIDE SETBACK:	10 feet Minimum / 0 feet optional, 0 feet existing	
STREETSIDE SETBACK:	0 feet Minimum / 10 feet Maximum setback required, 0 feet existing	
REAR SETBACK:	10' Minimum / 0 feet optional, 0 feet existing	
PARKING:	36 residence spaces required, 37 residential spaces provided / 10 commercial spaces required, 12 commercial spaces provided	
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	CV-1-2 Zone	Commercial
SOUTH:	CV-1-2 and RS-1-7 Zones	Commercial and Single-Family Residential
EAST:	RM-1-1 Zone	Multi Family Residential
WEST:	CV-1-2 Zone	Commercial
DEVIATION REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On April 24, 2019, the Pacific Beach Planning Board voted 10-1-1 to recommend approval of the proposed project with conditions/recommendations.	

HEARING OFFICER
RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT No. 2235376
4253 MISSION BLVD- VTM/CDP - PROJECT NO. 624557

WHEREAS, PB Ocean Beach Condos LLC. Owner/Permittee, filed an application with the City of San Diego for a permit to subdivide a mixed-used development currently under construction into 16 residential condominiums and five commercial condominiums and to waive the requirement to underground existing offsite overhead utilities (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2235376, on portions of a 0.13-acre site;

WHEREAS, the project site is located at 4253 Mission Boulevard in the CV-1-2 Zone, the Coastal Overlay zone (Non Appealable), the Coastal Height Limitation Overlay zone, the Parking Impact Overlay zone (PIOZ-Beach-Impact & PIOZ-Coastal-Impact), the Residential Tandem Overlay zone, the Transit Area Overlay zone, within the Pacific Beach Local Coastal Program and Community Plan Area;

WHEREAS, the project site is legally described as Lots 7 through 10 inclusive in Block 262 of Pacific Beach, Map No. 697 and 854, recorded January 8, 1892 and September 28, 1898; respectively, together with that portion of the Railroad Right-of-Way Lying Within Pueblo Lot 1793 of Pueblo lands of San Diego, According to miscellaneous Map No. 36, which adjoins said lots on the West, Except That Portion Lying Westerly of the Easterly Line of Mission Boulevard as shown on Said Map 854;

WHEREAS, on July 3, 2019, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15315 (Minor land divisions) 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. 2235376, pursuant to the Land Development Code of the City of San Diego;

NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. 2235376:

COASTAL DEVELOPMENT PERMIT FINDINGS – San Diego Municipal Code (SDMC)
SECTION 126.0708

- 1. The proposed coastal development will not encroach upon any existing physical access way 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 proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan.

The proposed development is currently under construction within the existing legal lot area, on private property, and thereby will not encroach upon any existing physical access way that is legally used by the public or any proposed public access way identified in the Local Coastal Program Land Use Plan. There are no public access ways proposed for the project. The proposed development conforms to the height and setback regulations of the San Diego Municipal Code and the Pacific Beach Community Plan. The development does not impact any public views to or along the ocean and other scenic coastal areas as specified in the Local Coastal Program Land Use Plan.

- 2. The proposed coastal development will not adversely affect environmentally sensitive lands.**

The subject site does not contain nor is it adjacent to any environmentally sensitive lands. The project is within an urbanized area and is not located in or adjacent to the Multi Habitat Planning Area. The site has been previously developed and is neither located on or near any sensitive biologic resources or environmentally sensitive lands, thus it does not contribute to any alteration or disturbance of these natural land forms. The project is currently under construction will incorporate sustainable design features and landscaping. The proposed coastal development will not adversely affect environmentally sensitive lands, as no such resources exist on the project site.

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

The project proposes a Vesting Tentative Map to subdivide a mixed-used development currently under construction into 16 residential condominiums and five commercial condominiums and to waive the requirement to underground existing offsite overhead utilities. The 0.13-acre site is located at 4253 Mission Boulevard in the CV-1-2 Zone, the Coastal Overlay zone (Non Appealable), the Coastal Height Limitation Overlay zone, the Parking Impact Overlay zone (PIOZ-Beach-Impact & PIOZ-Coastal-Impact), the Residential Tandem Overlay zone, the Transit Area Overlay zone, within the Pacific Beach Local Coastal Program and Community Plan Area. The Pacific Beach Community Plan/Local Coastal Program Area designates the site for Visitor Commercial. The Visitor Commercial land use designation allows for residential development in a mixed use setting with a density up to 43 dwelling units per acre, allowing up to 22 dwelling units for the site.

The project site is designated Multiple Use in the General Plan and is consistent with existing General Plan designations. The proposed project is consistent with the General Plan Urban Design Element and meets the recommendations of the Community Plan by observing the density designated for the site, proposes a mixed-use development adjacent to a major transit corridor, and implements the streetscape recommendations of the Community Plan. Therefore, the proposed development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

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

The project site is not located between the first public road and sea or the shore line. It is directly east of the first public road (Mission Boulevard). Therefore, the proposed development is not subject to compliance with the public access and recreation policies of the 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. 2235376, 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. 2235376, a copy of which is attached hereto and made a part hereof.

Derrick Johnson
Development Project Manager
Development Services

Adopted on: August 7, 2019

IO#: 24008127

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: 24008127

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT No. 2235376
4253 MISSION BLVD- VTM/CDP - PROJECT NO. 624557
HEARING OFFICER

This Coastal Development Permit No.2235376 is granted by the Hearing Officer of the City of San Diego to PB Ocean Beach Condos LLC., a California Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0701. The 0.13-acre site is located at 4253 Mission Boulevard in the CV-1-2 Zone, the Coastal Overlay zone (Non Appealable), the Coastal Height Limitation Overlay zone, the Parking Impact Overlay zone (PIOZ-Beach-Impact & PIOZ-Coastal-Impact), the Residential Tandem Overlay zone, the Transit Area Overlay zone, within the Pacific Beach Local Coastal Program and Community Plan Area. The project site is legally described as: Lots 7 through 10 inclusive in Block 262 of Pacific Beach, Map No. 697 and 854, recorded January 8, 1892 and September 28, 1898; respectively, together with that portion of the Railroad Right-of-Way Lying Within Pueblo Lot 1793 of Pueblo lands of San Diego, According to miscellaneous Map No. 36, which adjoins said lots on the West, Except That Portion Lying Westerly of the Easterly Line of Mission Boulevard as shown on Said Map 854;

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to subdivide a mixed-used development currently under construction into 16 residential condominiums and five commercial condominiums and to waive the requirement to underground existing offsite overhead utilities, 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. Subdividing a mixed-used development currently under construction into 16 residential condominiums and five commercial condominiums and to waive the requirement to underground existing offsite overhead utilities

- b. Off-street parking; and

- c. 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 22, 2022.
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.

PLANNING/DESIGN REQUIREMENTS:

12. Owner/Permittee shall maintain a minimum of 10 commercial and 36 residential off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

13. 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.

14. 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:

15. Prior to any Certificate of Occupancy being issued, any existing sewer 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) all of the following: The lateral has an appropriate cleanout, is in good condition, is free of all debris, is properly connected to a public sewer main, and is in all other ways suitable for reuse. If the lateral is not suitable for reuse, it must be repaired, removed, replaced, or abandoned and capped.

16. Prior to any Certificate of Occupancy being issued, the Owner/Permittee shall repair or reconstruct, in a manner satisfactory to the City Engineer, any public water or sewer facility which has been damaged as a consequence of the development's construction.

17. Prior to any Building Permit being issued, any private improvements within the public ROW (including but not limited to: landscaping, enhanced paving, private utilities, or structures of any kind) that could inhibit the City's right to access, maintain, repair, or replace its public water and sewer utilities 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.

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

ATTACHMENT 6

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. __

ATTACHMENT 6

Coastal Development Permit No. 2235376
Date of Approval: August 7, 2019

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.

PB Ocean Beach Condos LLC
Owner/Permittee

By _____
Robert Megdral
Manager

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

RESOLUTION NO. _____
DATE OF FINAL PASSAGE AUGUST 7, 2019

A RESOLUTION OF THE HEARING OFFICER ADOPTING THE FINDINGS
FOR VESTING TENTATIVE MAP WAIVER No. 2316360 FOR 4253
MISSION BLVD- VTM/CDP- PROJECT NO. 624557

WHEREAS, PB Ocean Beach Condos LLC., a California Limited Liability Company, Subdivider, and, Christensen Engineering and Surveying submitted an application with the City of San Diego for Vesting Tentative Map Waiver No. 2316360, to subdivide a mixed-used development currently under construction into 16 residential condominiums and five commercial condominiums and to waive the requirement to underground existing offsite overhead utilities. The project site is located at 4253 Mission Boulevard in the CV-1-2 Zone, the Coastal Overlay zone (Non Appealable), the Coastal Height Limitation Overlay zone, the Parking Impact Overlay zone (PIOZ-Beach-Impact & PIOZ-Coastal-Impact), the Residential Tandem Overlay zone, the Transit Area Overlay zone, within the Pacific Beach Local Coastal Program and Community Plan Area. The property is legally described as Lots 7 through 10 inclusive in Block 262 of Pacific Beach, Map No. 697 and 854, recorded January 8, 1892 and September 28, 1898; respectively, together with that portion of the Railroad Right-of-Way Lying Within Pueblo Lot 1793 of Pueblo lands of San Diego, According to miscellaneous Map No. 36, which adjoins said lots on the West, Except That Portion Lying Westerly of the Easterly Line of Mission Boulevard as shown on Said Map 854 and;

WHEREAS, the Map proposes the subdivision of a the 0.13-acre site into 16 Residential Condominiums and Five Commercial Condominiums; and

WHEREAS, on July 3, 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 Guidelines Section 15315 (Minor land divisions); and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code section 112.0520; and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineer pursuant to Subdivision Map Act section 66491(a) and San Diego Municipal Code sections 144.0220(a) and 144.0220(b); and

WHEREAS, the project consists of 16 residential condominiums and five commercial condominiums units under construction for which Certificates of Occupancy have not been issued; 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 16 residential condominiums and five commercial condominiums; 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 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 August 7, 2019, the Hearing Officer of the City of San Diego considered Vesting Tentative Map Waiver No. 2316360, including the waiver of the requirement to underground existing offsite overhead utilities and pursuant to sections, 144.0120 (Vesting tentative map), and 144.0240 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 Vesting Tentative Map Waiver No. 2316360:

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

The project proposes a Vesting Tentative Map to subdivide a mixed-used development currently under construction into 16 residential condominiums and five commercial condominiums and to waive the requirement to underground existing offsite overhead utilities. The 0.13-acre site is located at 4253 Mission Boulevard in the CV-1-2 Zone, the Coastal Overlay zone (Non Appealable), the Coastal Height Limitation Overlay zone, the Parking Impact Overlay zone (PIOZ-Beach-Impact & PIOZ-Coastal-Impact), the Residential Tandem Overlay zone, the Transit Area Overlay zone, within the Pacific Beach Local Coastal Program and Community Plan Area. The Pacific Beach Community Plan/Local Coastal Program Area designates the site for Visitor Commercial. The Visitor Commercial land use designation allows for residential development in a mixed use setting with a density up to 43 dwelling units per acre, allowing up to 22 dwelling units for the site.

The project site is designated Multiple Use in the General Plan and is consistent with existing General Plan designations. The proposed project is consistent with the General Plan Urban Design Element and meets the recommendations of the Community Plan by observing the density designated for the site, proposes a mixed-use development adjacent to a major transit corridor, and implements the streetscape recommendations of the Community Plan. Therefore, the proposed development will not adversely affect the applicable land use plan. In addition, the proposed subdivision will provide another opportunity for home ownership which is consistent with the General Plan, Housing Element, Goal No. 4: "to provide affordable housing opportunities consistent with a land use pattern which promotes infill development and socioeconomic equity; and facilitate compliance with all applicable federal, state, and local laws and regulations". As proposed, the subdivision would be consistent with the General Plan, and the Pacific Beach Community Plan/Local Coastal Program Area.

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 proposes a Tentative Map to subdivide a mixed-used development currently under construction into 16 residential condominiums and five commercial condominiums and to waive the requirement to underground existing offsite overhead utilities. The 0.13-acre site is located at 4253 Mission Boulevard in the CV-1-2 Zone, the Coastal Overlay zone (Non Appealable), the Coastal Height Limitation Overlay zone, the Parking Impact Overlay zone (PIOZ-Beach-Impact & PIOZ-Coastal-Impact), the Residential Tandem Overlay zone, the

Transit Area Overlay zone, within the Pacific Beach Local Coastal Program and Community Plan Area. The Pacific Beach Community Plan/Local Coastal Program Area designates the site for Visitor Commercial. The requested waiver of the requirement to Underground the existing overhead utility facilities in the public right-of-way qualifies under the guidelines of Municipal Code Section 144.0242, Waiver of the Requirements to Underground Privately Owned Utility Systems and Service Facilities, in that the project 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. The project has been conditioned to underground any new service run to any new or proposed structures within the subdivision.

The current development under construction was reviewed for conformance within the CV-1-2 Zone during the Building Permit plan check and conforms to the development regulations. The project is in compliance with the Municipal Code and the State Subdivision Map Act and includes conditions to ensure the provision of adequate parking, public improvements and compliance with the Land Development Code. 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 under construction, in-fill project site is located on a flat, previously graded parcel. The original development project was required to construct public improvements, per Project No. 523426 and ROW Permit No. 1149055, including the construction of a current City Standards 20-foot wide concrete driveway, adjacent to the site on Reed Avenue, construction of current City Standard curb, gutter and sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractor's stamp, adjacent to the site on Mission Boulevard, reconstruction of the existing sidewalk with current City Standard sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractor's stamp, adjacent to the site on Reed Avenue, reconstruction of the existing curb ramp at the northeast corner of Mission Boulevard and Reed Avenue, with current City Standard curb ramp Standard Drawing SDG-130 and SDG-132 with Detectable/Tactile Warning Tile, reconstruction of the existing curb ramp at the alley entrance, adjacent to the site, with current City Standard Drawing SDG-136 with Detectable/Tactile Warning Tile, and the closure the non-utilized driveways with current City Standard curb, gutter and sidewalk. Therefore, the site is physically suitable for the type and density of development.

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.

The developed project site is located in an urban in-fill area and does not contain nor is it adjacent to any sensitive resources, Multiple Habitat Planning Area lands, Environmentally Sensitive Lands or existing fish or wildlife habitats. Therefore, the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. SDMC § 125.0440(d).

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

The project proposes a Tentative Map to subdivide a mixed-used development currently under construction into 16 residential condominiums and five commercial condominiums and to waive the requirement to underground existing offsite overhead utilities. The development conforms to the development regulations of Municipal Code and Subdivision Map Act. The project includes a request to waive the requirement to underground the existing offsite overhead utilities. All Uniform Building, Fire, Plumbing, Electrical, Mechanical Code and other regulations governing construction, continued operation and health/life/safety requirements apply to this project. The project is in compliance with the Municipal Code and the Subdivision Map Act and includes conditions and exhibits to ensure the provision of adequate parking, public improvements and compliance with the Land Development Code. The subdivision is categorically exempt from review under the California Environmental Quality Act.

The project has been conditioned to construct public improvements, as shown on the previously approved construction plan for Right-of-Way Permit No. 1149055 (Project No. 523426) including new including the construction of a current City Standards 20-foot wide concrete driveway, adjacent to the site on Reed Avenue, construction of current City Standard curb, gutter and sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractor's stamp, adjacent to the site on Mission Boulevard, reconstruction of the existing sidewalk with current City Standard sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractor's stamp, adjacent to the site on Reed Avenue, reconstruction of the existing curb ramp at the northeast corner of Mission Boulevard and Reed Avenue, with current City Standard curb ramp Standard Drawing SDG-130 and SDG-132 with Detectable/Tactile Warning Tile, reconstruction of the existing curb ramp at the alley entrance, adjacent to the site, with current City Standard Drawing SDG-136 with Detectable/Tactile Warning Tile, and the closure the non-utilized driveways with current City Standard curb, gutter and sidewalk. As such, the design of the subdivision or the type of improvement will not be 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 existing access easements located within the project boundaries, as shown on Vesting Tentative Map No. 2316360. As such, no conflict would occur with the recording of the subdivision, and there would be no conflicts with any easements acquired by the public at large for access through or use of the 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 project proposes a Tentative Map for the subdivision of the 0.13-acre site to create 16 residential condominiums and five commercial condominiums. The proposed subdivision will not impede or inhibit any future passive or natural heating and cooling opportunities. Each unit is exposed on two sides to ensure passive cooling through cross-ventilation of the interior spaces. 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 in-fill project site is surrounded by existing development, consisting primarily of both multi-family residential complexes and single-family residences. The site is currently under construction and has paid all applicable Developer Impact Fees (DIF), school fees, water/sewer connection fees and other impact fees, with the exception of the affordable housing fee, at building permit issuance in accordance with the City's Public Facilities Financing Plan and Impact Fee Schedule. The project site is served by existing public infrastructure, including, water, sewer, electrical and gas lines.

The decision maker has reviewed the administrative record including the project plans, environmental documentation and heard public testimony to determine 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 and found that the conversion of 16 residential units into condominium ownership is consistent with the housing needs anticipated for the Pacific Community Plan area.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Vesting Map Waiver No. 2316360, including the waiver of the requirement to underground existing offsite overhead utilities is hereby granted to PB Ocean Beach Condos 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. 24008127

ATTACHMENT 8

HEARING OFFIICER
CONDITIONS FOR VESTING TENTATIVE MAP WAIVER NO. 2316360
4253 MISSION BLVD- VTM/CDP - PROJECT NO. 624557
ADOPTED BY RESOLUTION NO. _____ ON August 7, 2019

GENERAL

1. This Vesting Tentative Map Waiver will expire August 7, 2022.
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 Final Map unless otherwise noted.
3. Prior to the Vesting Tentative Map Waiver expiration date, a Final Map to consolidate the existing lots into one lot shall be recorded in the Office of the San Diego County Recorder.
4. Prior to the recordation of the Final Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be 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 Final Map.

5. The Final Map shall conform to the provisions of Site Development Permit No. 1961246, Planned Development Permit No. 1986849, and Coastal Development Permit No. 1961242.
6. 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, 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.

AFFORDABLE HOUSING

7. Prior to recordation of the Final Map, the Subdivider shall enter into a written agreement with the San Diego Housing Commission to pay the condominium conversion inclusionary housing fee pursuant to the Inclusionary Affordable Housing Regulations (San Diego Municipal Code § 142.1301 *et seq.*).

ATTACHMENT 8

ENGINEERING

8. The Vesting Tentative Map shall comply with the conditions of Coastal Development Permit No. 2235376.
9. The Subdivider shall complete all the public improvements per PTS 598387/approval number 1149055.
10. The Subdivider shall obtain a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.
11. The Subdivider shall prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.
12. The Subdivider shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
13. 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.
14. 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

15. "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).
16. "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."
17. Every Final Map shall:
 - 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.

ATTACHMENT 8

- 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.

PUD - WASTEWATER /WATER

18. Prior to any Final Map being recorded, the Subdivider shall provide copies of the CC&Rs for all separately titled units which utilize a common private sewer system. The CC&Rs, which must ensure the operation and maintenance of the private sewer system in perpetuity, must be written in a manner satisfactory to the Public Utilities Director and the City Engineer.

INFORMATION:

- The approval of this Vesting Tentative 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. 24008127



THE CITY OF SAN DIEGO

Date of Notice: July 3, 2019

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24008127

PROJECT NAME/NUMBER: 4253 Mission Boulevard TM /624557

COMMUNITY PLAN AREA: Pacific Beach Community Planning Area

COUNCIL DISTRICTS: 2

LOCATION: 4253 Mission Boulevard, San Diego, CA 92109

PROJECT DESCRIPTION: A Coastal Development Permit (CDP) amendment and Vesting Tentative Map (VTM) for the conversion of sixteen apartment units and five commercial units to condominiums. A Mixed-use project has already been approved and is currently under construction. The project is located within the CV-1-2 zone, the Coastal Overlay Zone (DEF-CER), the Coastal Height Limitation Overlay Zone, the Parking Impact Overlay Zone (PIOZ-Beach-Impact & PIOZ-Coastal-Impact), the Residential Tandem Overlay Zone, the Transit Area Overlay Zone, and is within the Pacific Beach Local Coastal Program and Community Plan Area

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego, Planning Commission

ENVIRONMENTAL DETERMINATION: Section 15305 (Minor Alterations)

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 the project would qualify to be Categorically exempt from CEQA pursuant to Section 15305 (Minor Alterations). 15305 allows for the minor alterations in land use limitations as long as the area does not contain average slopes greater than 20 percent and would not result in changes in land use density. The project site is currently under construction and since the project would only convert apartment units to condominiums for a previously approved project on land that does not contain slopes greater than 20 percent the exemption is appropriate. City staff has reviewed the project and determined that no impacts would occur, and the exceptions listed in section 15300.2 do not apply.

DEVELOPMENT PROJECT MANAGER: Derrick Johnson
MAILING ADDRESS: 1222 First Avenue, MS 501, San Diego, CA 92101-4153
PHONE NUMBER: dnjohnson@sandiego.gov (619) 446-5477

On July 3, 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 July 18, 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.

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION
501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

DOC# 2017-0501253

Oct 27, 2017 10:37 AM
OFFICIAL RECORDS
Ernest J. Dronenburg, Jr.
SAN DIEGO COUNTY RECORDER
FEES: \$72.00

PAGES: 20

INTERNAL ORDER NUMBER: 24007086 SPACE ABOVE THIS LINE FOR RECORDER'S USE

SITE DEVELOPMENT PERMIT NO. 1961246
PLANNED DEVELOPMENT PERMIT NO. 1986849
COASTAL DEVELOPMENT PERMIT NO. 1961242
THE BOULEVARD PROJECT NO. 523426
Planning Commission

This Coastal Development Permit No. 1961442, Planned Development Permit No. 1986849, and Site Development Permit No. 1961246 is granted by the Planning Commission of the City of San Diego to PB OCEAN CONDOS, LLC, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0708, 143.0402, and 143.0920. The 0.52-acre site is located at 4253 Mission Boulevard in the CV-1-2 zone of the Pacific Beach Community Plan. The project site is legally described as: Lots 7 through 10 inclusive in block 262 of Pacific Beach in the City of San Diego, County of San Diego, State of California according to Map thereof No. 697 and 854 filed in the Office of the County Recorder of San Diego County January 8, 1892, and September 28, 1898 respectively, together with that portion of the railroad right of way lying within Lot 1793 of Pueblo lands of San Diego, according to Miscellaneous Map thereof No. 36, which adjoins said lots on the west. Except that portion lying westerly of the easterly line of Mission Boulevard as shown on said Map No. 854.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish an existing restaurant and construct a three-story mixed-use building described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated August 31, 2017 on file in the Development Services Department. The project shall include:

- a. The demolition of an existing restaurant and the construction of a mixed-use development to include 4,544 square feet of retail space on the first floor, 14,590 square feet of enclosed parking for commercial and residential uses on the ground floor, and 16 residential units located on the second and third floors;
- b. Deviations
 - i. Commercial ground floor height deviation of nine feet of ceiling height where 15 feet is required;

ORIGINAL

- ii. Proposed commercial parking to be accessed via the relocation from a single curb cut off Reed Avenue where access is required to be taken from only the adjacent alley;
- iii. Proposing 16 dwelling units when 15 dwelling units are permitted.
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;
- e. A roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption in accordance with Council Policy 900-14; and
- f. 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.
- g. Alley security lights.

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 October 5, 2020.
2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.
3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
4. 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.

5. 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.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. 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.).
8. 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.
9. 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.
10. 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.

11. 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:

12. 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:

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

ENGINEERING REQUIREMENTS:

14. The project proposes to export 1,145 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 building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the curb outlet in the Reed Avenue Right-of-Way.

17. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a current City Standards 20-foot wide concrete driveway, adjacent to the site on Reed Avenue, satisfactory to the City Engineer.

18. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to construct current City Standard curb, gutter and sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractor's stamp, adjacent to the site on Mission Boulevard, satisfactory to the City Engineer.

19. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct the existing sidewalk with current City Standard sidewalk, maintaining the

existing sidewalk scoring pattern and preserving any contractor's stamp, adjacent to the site on Reed Avenue, satisfactory to the City Engineer.

20. Prior to the issuance of any building permits, the Owner/Permittee shall reconstruct the existing curb ramp at the northeast corner of Mission Boulevard and Reed Avenue, with current City Standard curb ramp Standard Drawing SDG-130 and SDG-132 with Detectable/Tactile Warning Tile, satisfactory to the City Engineer.

21. Prior to the issuance of any building permits, the Owner/Permittee shall reconstruct the existing curb ramp at the alley entrance, adjacent to the site, with current City Standard Drawing SDG-136 with Detectable/Tactile Warning Tile, satisfactory to the City Engineer.

22. Prior to the issuance of any building permits, the Owner/Permittee shall close the non-utilized driveways with current City Standard curb, gutter and sidewalk, adjacent to the site on Mission Boulevard and Reed Avenue, satisfactory to the City Engineer.

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

24. 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.

25. Prior to the issuance of any construction permit, the applicant shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.

26. 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:

27. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Stormwater 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.

28. Prior to issuance of any engineering permits for right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by

utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

29. Prior to issuance of any construction permits for structures (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)5.

30. 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," Landscape Development Plan, on file in the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as "landscaping area."

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

32. 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 equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.

PLANNING/DESIGN REQUIREMENTS:

33. Owner/Permittee shall maintain a minimum of 10 commercial and 36 residential off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

34. 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.

35. Prior to the issuance of building permits, construction documents shall fully illustrate the incorporation of a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in accordance with Council Policy 900-14.

36. Rooftop signs, free-standing pole signs, off-premise signs and billboards shall not be permitted.

37. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

TRANSPORTATION REQUIREMENTS

38. 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.

39. No restaurant uses shall be allowed on site unless the proposed commercial uses provide parking at a rate of 5 spaces per 1,000 square feet of gross floor area.

40. The Owner/Permittee shall provide and maintain a 10-foot by 10-foot visibility triangle area along the property line at the northwest corner of Reed Avenue and the Alley. No obstruction higher than 36 inches shall be located within the visibility triangle area.

41. The Owner/Permittee shall provide and maintain a 15-foot by 15-foot visibility triangle area along the property line at the northeast corner of Reed Avenue and Mission Boulevard. No obstruction higher than 36 inches shall be located within the visibility triangle area.

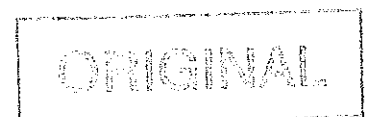
PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

42. Prior to the issuance of any building permits, 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.

43. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

44. 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.

45. Prior to Final Inspection, all public water and sewer facilities, if required shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.



46. The Owner/Permittee shall design and construct all proposed public water and sewer facilities in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

GEOLOGY REQUIREMENTS:

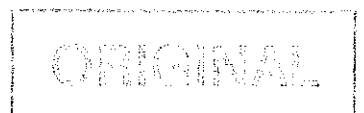
47. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

48. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

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.

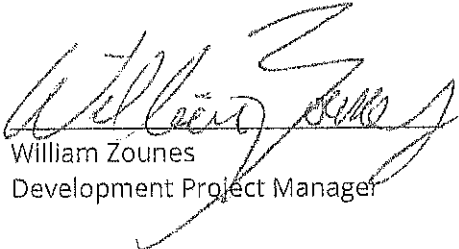
APPROVED by the Planning Commission of the City of San Diego on August 31, 2017.



Permit Type/PTS Approval SDP No.: 1961246, PDP No. 1986849, and CDP No. 1961242

Date of Approval: AUG. 31, 2017


AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT


William Zounes
Development Project Manager

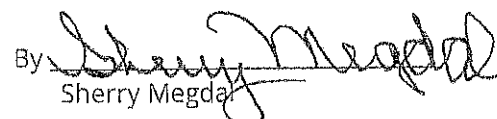
**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

**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.**

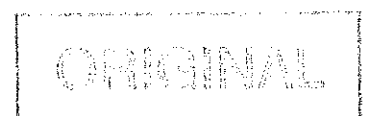
PB OCEAN CONDOS, LLC
Owner/Permittee

By 
Robert Megdal
Manager

PB OCEAN CONDOS, LLC
Owner/Permittee

By 
Sherry Megdal
Partner

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



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Diego)

On October 25, 2017 before me, Stacie L. Maxwell, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared William Zoumes
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies); and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: The Boulevard - Project No. 523426
Document Date: August 31, 2017 Number of Pages: 1
Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:
Corporate Officer -- Title(s):
Partner -- Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:
Signer Is Representing:

Signer's Name:
Corporate Officer -- Title(s):
Partner -- Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:
Signer Is Representing:

ORIGINAL

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

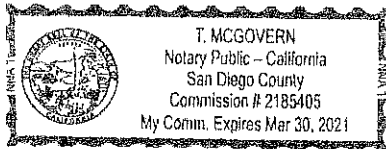
State of California)
County of SAN DIEGO)

On 10/23/17 before me, T. McGovern, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Robert Megdal and Sherry Megdal
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document


Title or Type of Document: The Planning Commission
Document Date: 10/23/17 Number of Pages: 9
Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:
[] Corporate Officer -- Title(s):
[] Partner -- [] Limited [] General
[] Individual [] Attorney in Fact
[] Trustee [] Guardian or Conservator
[] Other:
Signer Is Representing:

Signer's Name:
[] Corporate Officer -- Title(s):
[] Partner -- [] Limited [] General
[] Individual [] Attorney in Fact
[] Trustee [] Guardian or Conservator
[] Other:
Signer Is Representing:

ORIGINAL

	City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101	<h2 style="margin: 0;">Community Planning Committee Distribution Form Part 2</h2>
-----------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------

Project Name: The Boulevard VTM/CDP Amendment	Project Number: 624557	Distribution Date:
---------------------------------------------------------	----------------------------------	--------------------

Project Scope/Location: A Tentative Map and an amendment to Coastal Development Permit No. 1961242 to subdivide a mixed-use development currently under construction into 16 residential condominiums and 5 commercial condominiums at 4253 Mission Boulevard. The 0.52 acre site is located in the CV-1-2 zone within the Coastal Commission Permit Jurisdiction, the Defferred Certification Area and the Pacific Beach Community Plan Area.

Applicant Name: Bob Megdal	Applicant Phone Number: (858) 271-9901
--------------------------------------	--------------------------------------------------

Project Manager: Derrick Johnson	Phone Number: (619) 446-5477	Email Address: dnjohnson@sandiego.gov
--------------------------------------------	----------------------------------------	-------------------------------------------------


Committee Recommendations (to be completed for Initial Review):

<input checked="" type="checkbox"/> Vote to Approve 4/24/19 MTG PB PLANNING GROUP	Members Yes 10	Members No 1	Members Abstain 1
<input type="checkbox"/> Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Deny	Members Yes	Members No	Members Abstain
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)	<input type="checkbox"/> Continued		

CONDITIONS:

NAME: KARL RANA	TITLE: CRMS CHAIR
SIGNATURE: 	DATE: 4/25/19

Attach Additional Pages If Necessary.	Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101
---------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------

	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1 style="margin:0;">Ownership Disclosure Statement</h1>	FORM DS-318 October 2017
-----------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------	--------------------------------------------

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 A-30001 CDP 10/01/2017

Project Title: 4253 Mission Boulevard Vesting Tentative Map/Amend CDP 1981242 **Project No. For City Use Only:** _____
Project Address: 4253 Mission Boulevard, San Diego, CA 92139

Specify Form of Ownership/Legal Status (please check):
 Corporation Limited Liability -or- General - What State? CA Corporate Identification No. _____
 Partnership Individual

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

Property Owner
 Name of Individual: PB Ocean Condos, LLC Owner Tenant/Lessee Successor Agency
 Street Address: 10645 North Tatum Blvd., Suite 200-489
 City: Phoenix State: AZ Zip: 85028
 Phone No.: 602 684-6614 Fax No.: _____ Email: rjmegdal@icloud.com
 Signature: *[Signature]* Date: 11-20-18
 Additional pages Attached: Yes No

Applicant
 Name of Individual: Bob Megdal Owner Tenant/Lessee Successor Agency
 Street Address: 10645 North Tatum Blvd., Suite 200-489
 City: Phoenix State: AZ Zip: 85028
 Phone No.: 602 684-6614 Fax No.: _____ Email: rjmegdal@icloud.com
 Signature: *[Signature]* Date: 11-20-18
 Additional pages Attached: Yes No

Other Financially Interested Persons
 Name of Individual: Sherry Megdal Owner Tenant/Lessee Successor Agency
 Street Address: 10645 North Tatum Blvd., Suite 200-489
 City: Phoenix State: AZ Zip: 85028
 Phone No.: 310 990-3474 Fax No.: _____ Email: smegdal@gmail.com
 Signature: *[Signature]* Date: 11-20-18
 Additional pages Attached: Yes No

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

DEVELOPMENT SUMMARY

PROJECT SUMMARY: THE VESTING TENTATIVE MAP PROPOSES THE CONSOLIDATION AND SUBDIVISION OF 4 EXISTING LOTS AND A PORTION OF RAILWAY RIGHT OF WAY INTO ONE LOT FOR A 16 UNIT RESIDENTIAL AND 5 UNIT COMMERCIAL MIXED USE CONDOMINIUM DEVELOPMENT...

LEGAL DESCRIPTION:

LOTS 7 THROUGH 10 INCLUSIVE IN BLOCK 282 OF PACIFIC BEACH IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 887 AND 884, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY...

EXCEPT THAT PORTION LYING WESTERLY OF THE EASTERLY LINE OF MISSION BOULEVARD AS SHOWN ON SAID MAP 854.

THIS IS A MAP OF A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4125 ET SEQ. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT...

OWNER: PB OCEAN CONDOS, LLC

10645 NORTH TATUM BLVD, #200-489 PHOENIX, AZ 85028

TYPE OF CONSTRUCTION/OCCUPANCY CLASSIFICATION:

CONSTRUCTION CLASSIFICATION: TYPE V(B) (LEVEL 2 & 3), IA (LEVEL 1) - SPRINKLERED (NFPA 13D)

OCCUPANCY CLASSIFICATION: (R-2) (LEVELS 2 & 3) (RESIDENTIAL)

S-2 & M (LEVEL 1) (RESIDENTIAL PARKING AND COMMERCIAL)

ZONING:

CV-1-2

SETBACK: FRONT: 10' MAX FOR 70% / 0' MIN SIDE: 10' MAX FOR 70% / 0' MIN REAR: 10' MAX OR 0'

OVERLAY ZONES:

RESIDENTIAL TANDEM PARKING TRANSIT AREA PARKING IMPACT - BEACH IMPACT COASTAL HEIGHT LIMIT

AREA:

SITE AREA: 0.520 ACRES (22,644 SQUARE FEET)

GROSS FLOOR AREA: 32,632 SQUARE FEET 1ST FLOOR: 11,118 SF RESIDENTIAL 4,473 COMMERCIAL 2ND & 3RD FLOORS HABITABLE: 27,048 SF

FAR: 2.0 ALLOWED (45,288 SF) 1.5 ACTUAL (33,067 SF) INCLUDES COVERED OUTDOOR AREAS

USES:

CURRENT USE: VACANT PROPOSED USE: 16 RESIDENTIAL CONDOMINIUM UNITS, 5 COMMERCIAL CONDOMINIUMS BUILDING PERMIT PTS 527978 THIS PERMIT IS NOT FOR THE CONSTRUCTION OF THE DWELLING UNITS

TITLE NOTES:

PRELIMINARY TITLE REPORT PROVIDED BY PROVIDENT TITLE COMPANY, ORDER NO. 12377487, DATED OCTOBER 23, 2018.

AN EASEMENT IN FAVOR OF SAN DIEGO GAS AND ELECTRIC COMPANY, RECORDED AUGUST 27, 1974 AS INSTRUMENT NO. 1974-0232922, O.R. LOCATION IS SHOWN AS APPROXIMATE IN DOCUMENT AND IS NOT PLOTTED...

NOTE: NO PROPOSED EASEMENTS

UTILITY TABLE table with columns for TELE (AT&T), CATV (COX), and ELEC (SDG&E) all listed as UNDERGROUND.

RESIDENTIAL UNIT TABULATION

Table with columns: UNIT (NO), LIVING AREA, STORAGE AREA, DECK AREA, BEDROOMS, PARKING SPACES. Lists units A(3) through F(1) and commercial space.

COMMERCIAL SPACE: CMB - 4 UNITS - 3,620 SF CR - 1 UNIT - 858 SF TOTAL 4,473 SF TOTAL

TOTAL OFF-STREET PARKING SPACES: SPACES REQUIRED PER TABLE 142-05C (2.25/3 OR 4 BDRM UNIT X 16 UNITS) = 36 SPACES

SPACES PROVIDED = 36 SPACES

COMMERCIAL: SPACES PROVIDED = 37 SPACES

2.1 SPACES REQUIRED FOR EACH 1,000 SF (2.1 X 4,473/1000) = 9 SPACES

SPACES PROVIDED = 9 SPACES

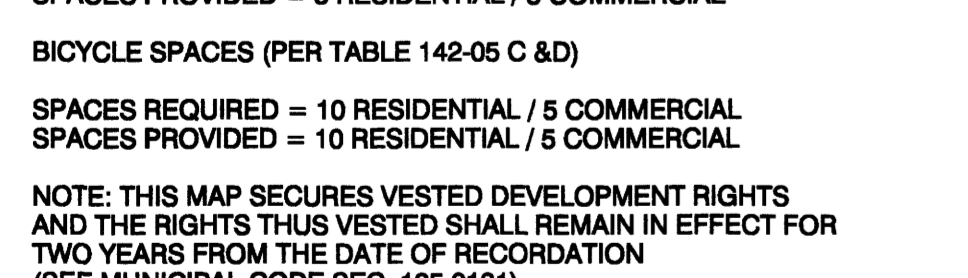
MOTORCYCLE SPACES (PER TABLE 142-05 C & D): SPACES PROVIDED = 12 SPACES

SPACES REQUIRED = 2 RESIDENTIAL / 2 COMMERCIAL SPACES PROVIDED = 3 RESIDENTIAL / 3 COMMERCIAL

SPACES PROVIDED = 10 RESIDENTIAL / 5 COMMERCIAL

SPACES PROVIDED = 10 RESIDENTIAL / 5 COMMERCIAL

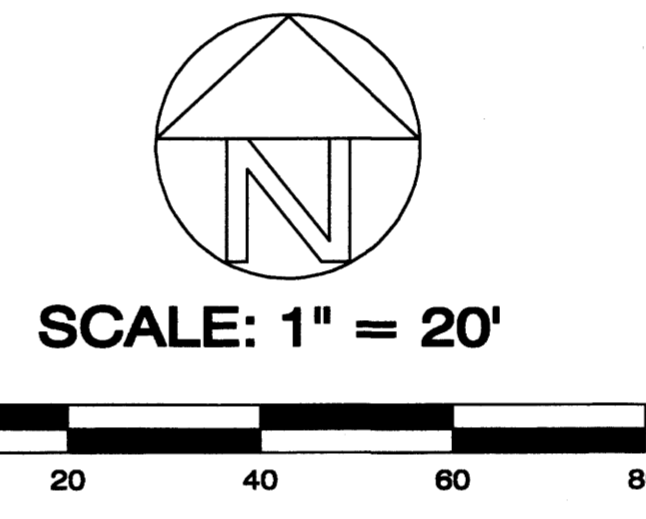
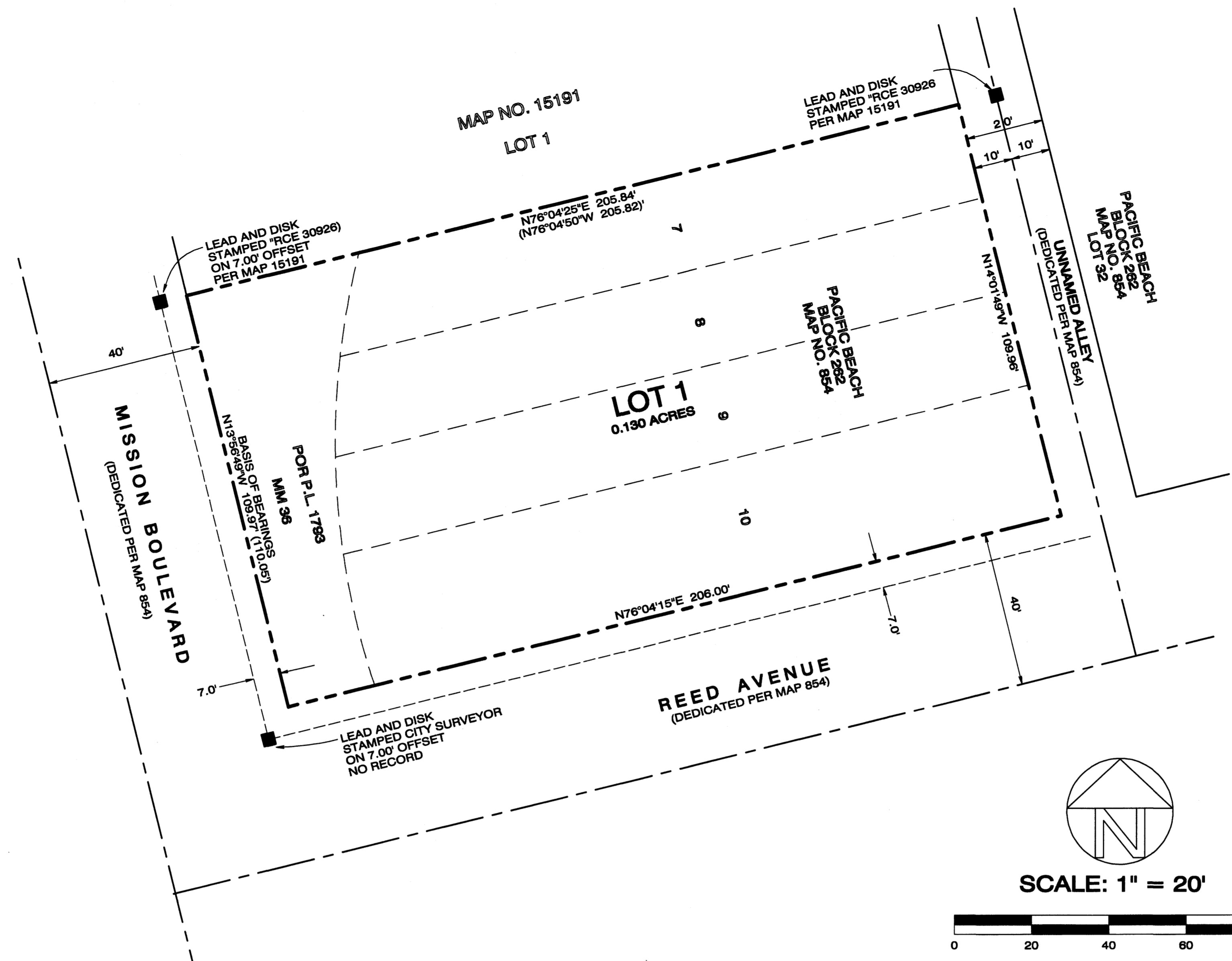
NOTE: THIS MAP SECURES VESTED DEVELOPMENT RIGHTS AND THE RIGHTS THUS VESTED SHALL REMAIN IN EFFECT FOR TWO YEARS FROM THE DATE OF RECORDATION (SEE MUNICIPAL CODE SEC. 126.0131)



VICINITY MAP

CHRISTENSEN ENGINEERING & SURVEYING logo and contact information: 7888 SILVERTON AVENUE, SUITE 'J', SAN DIEGO, CALIFORNIA 92126

THE BOULEVARD



VESTING TENTATIVE MAP NO. 2316360 PTS NO.624557 CONDOMINIUM CREATION CDP NO. 2235376

BASIS OF BEARINGS

A PORTION OF THE EASTERLY RIGHT OF WAY LINE OF MISSION BOULEVARD PER MAP NO. 15191, I.E. N13°56'49"W.

BENCHMARK

CITY OF SAN DIEGO BENCHMARK BRASS PLUG LOCATED AT THE SOUTHEAST CORNER OF MISSION BOULEVARD AND REED STREET. ELEVATION = 6.756 MEAN SEA LEVEL (N.G.V.D. 1929).

NOTES

- 1. THE SOURCE OF THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS PHOTOGRAMMETRIC SURVEY BY SAN DIEGO LAND SURVEYING AND ENGINEERING, INC. DATED APRIL 28, 2014. 2. THE USE OF PROPOSED LOT 1 IS FOR 16 RESIDENTIAL AND 5 COMMERCIAL CONDOMINIUM UNITS. 3. THE SUBJECT PROPERTY IS SERVED BY CITY OF SAN DIEGO SANITARY SEWER AND WATER MAINS. 4. THE EXISTING NUMBER OF LOTS ARE FOUR. THE PROPOSED NUMBER OF LOTS IN THIS SUBDIVISION IS 1. 5. DEVELOPER SHALL PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY PER FHPS POLICY P-00-6 (UFC 901.4.4) 6. THE DEVELOPMENT PROPOSES TO PROVIDE 49 PARKING SPACES. 7. NAD27 COORDINATES = 200-1727. NAD83 COORDINATES = 1840-6287. 8. A FINAL MAP FILED AT THE COUNTY RECORDER'S OFFICE PRIOR TO THE EXPIRATION OF THE TENTATIVE MAP SHALL BE REQUIRED. A DETAILED PROCEDURE OF SURVEY WILL BE SHOWN ON THE FINAL MAP AND ALL PROPERTY CORNERS WILL BE SET ON THE FINAL MAP. 9. SUFFICIENT MONUMENTATION EXISTS TO RECREATE BOUNDARY OF PROJECT AND TO PERMIT A MAP PROCEDURE OF SURVEY. 10. THE ASSESSOR PARCEL NUMBER IS: 423-122-20-00. 11. CONSTRUCTION PLAN PTS 598387 / PERMIT NO. 2106819 PROVIDES FOR IMPROVEMENTS FRONTING THE SITE, INCLUDING NEW CURB, GUTTER AND SIDEWALK, DRIVEWAY, PEDESTRIAN RAMPS, LANDSCAPE, IRRIGATION, WATER AND FIRE SERVICES. NEW SEWER LATERAL IS PROVIDED IN THE ALLEY. 12. ONSITE CONSTRUCTION IS BY BUILDING PERMIT (PTS 594935 / APPROVAL NUMBER 2092101). 13. NO TRANSIT STOPS ARE PROPOSED OR EXIST FRONTING PROJECT SITE 14. THIS IS A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4125 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. TOTAL NUMBER OF RESIDENTIAL CONDOMINIUM UNITS IS 16. THE NUMBER OF COMMERCIAL UNITS IS 5. 15. A WAIVER OF UNDERGROUNDING OF OVERHEAD UTILITIES IS REQUESTED. 16. NO OBSTRUCTION INCLUDING SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT. PLANT MATERIAL, OTHER THAN TREES, WITHIN THE RIGHT OF WAY THAT IS LOCATED WITHIN THE VISIBILITY AREAS SHALL NOT EXCEED 24 INCHES IN HEIGHT, MEASURED FROM THE TOP OF THE ADJACENT CURB. 17. ENGINEERING REVIEW HAS DETERMINED THE PROJECT IS IN COMPLIANCE WITH CURRENT STREET LIGHT STANDARDS ACCORDING TO THE CITY OF SAN DIEGO STREET DESIGN MANUAL AND COUNCIL POLICY 200-18

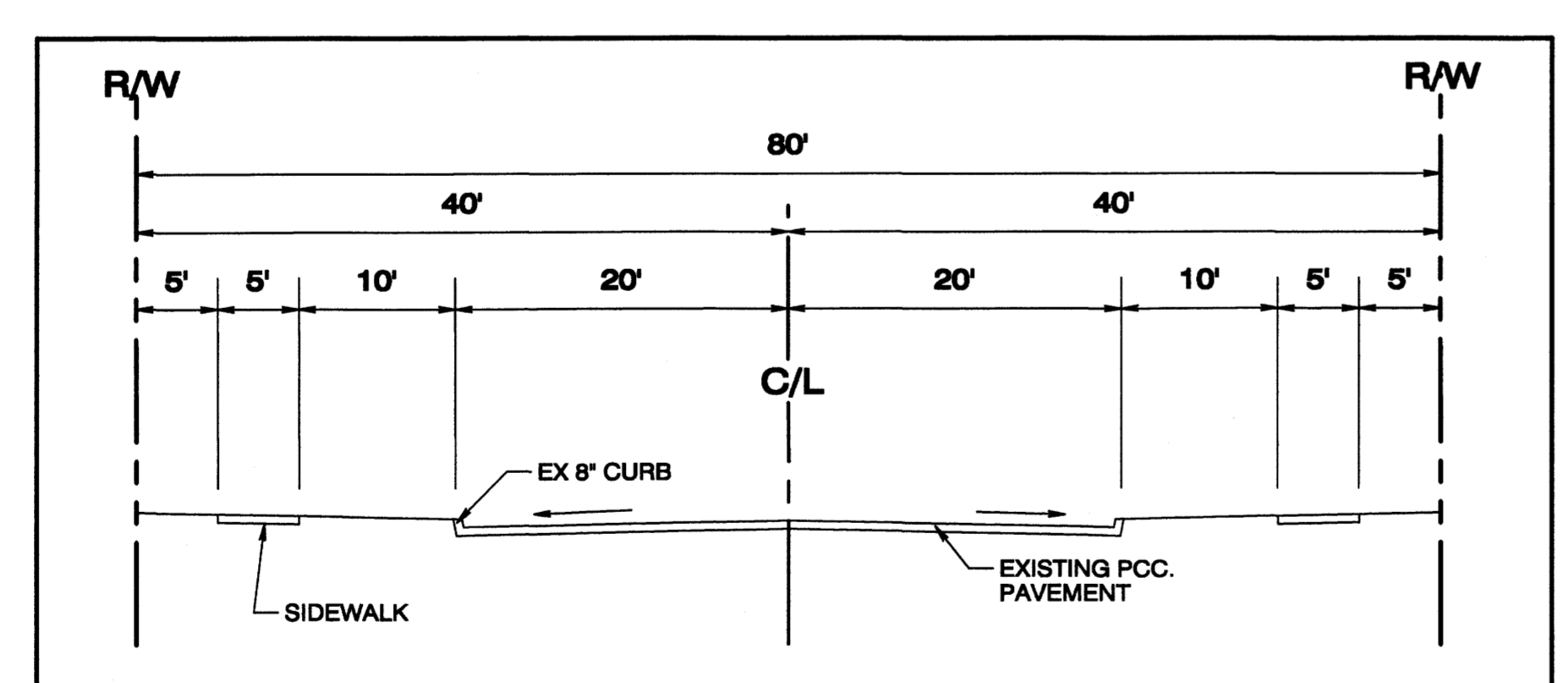
OWNER'S CERTIFICATE

I HEREBY CERTIFY THAT I AM THE RECORD OWNER OF THE PROPERTY SHOWN ON THE TENTATIVE MAP AND THAT SAID MAP SHOWS ALL OF MY CONTIGUOUS OWNERSHIP IN WHICH I HAVE ANY DEED OR TRUST INTEREST. I UNDERSTAND THAT OUR PROPERTY IS CONSIDERED CONTIGUOUS EVEN IF IT IS SEPARATED BY ROADS, STREETS, UTILITY EASEMENTS, OR RAILROAD RIGHTS-OF-WAY.

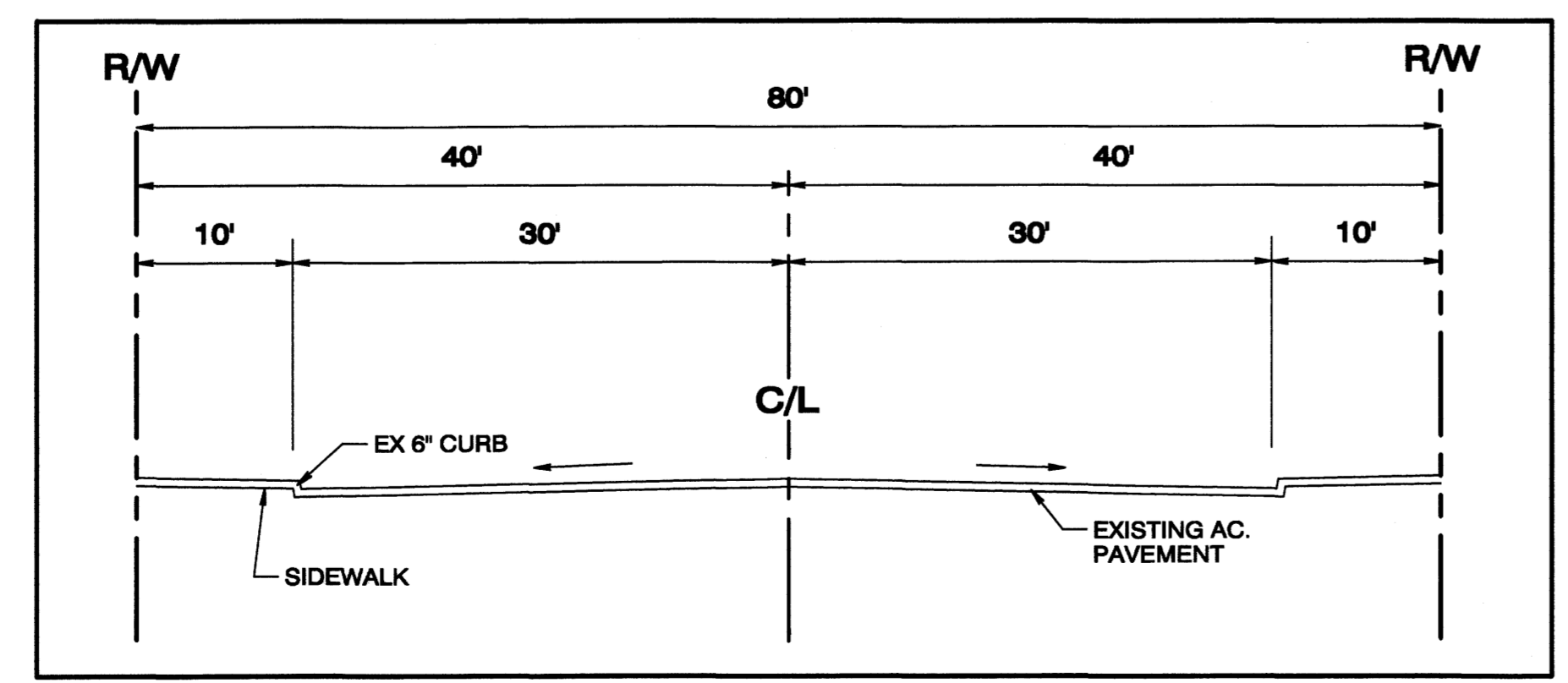
ROBERT MEGDAL FOR PB OCEAN CONDOS, LLC DATE

Professional seals for ANTONY K. CHRISTENSEN, RCE 54021 LS 7508 and CHRISTENSEN ENGINEERING & SURVEYING, No. 54021 Exp. 12-31-19 CIVIL 15759 State of California.

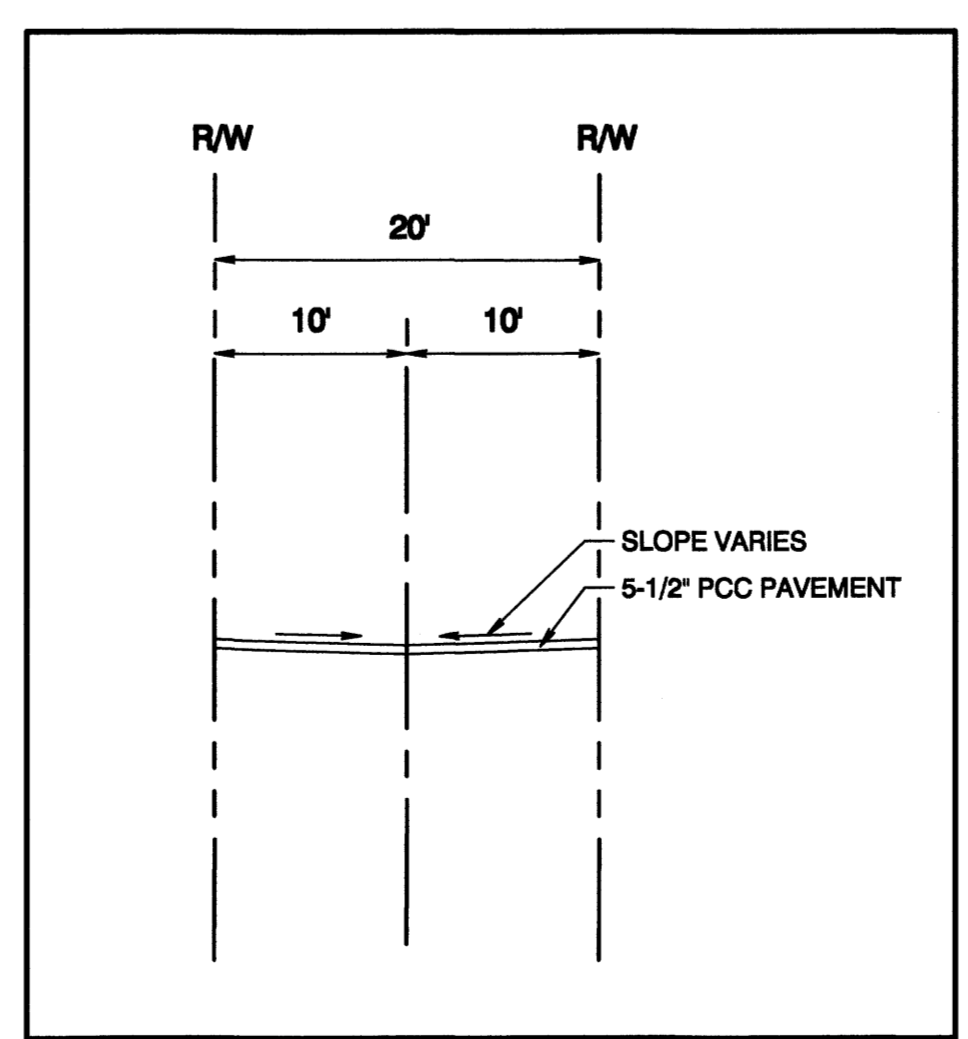
Project information: Prepared By: CHRISTENSEN ENGINEERING & SURVEYING 7888 SILVERTON AVENUE, SUITE 'J' SAN DIEGO, CA 92128 PHONE (858) 271-9901 Project Address: 4253 MISSION BOULEVARD SAN DIEGO, CA 92109 Project Name: THE BOULEVARD Revision 6: Revision 5: Revision 4: Revision 3: Revision 2: Revision 1: 04-03-19 ADDRESS CITY COMMENTS Original Date: DECEMBER 05, 2018 Sheet Title: VESTING TENTATIVE MAP Sheet 1 of 4 Sheets



TYPICAL SECTION REED AVENUE NOT TO SCALE



TYPICAL SECTION MISSION BOULEVARD NOT TO SCALE



TYPICAL SECTION ALLEY NOT TO SCALE

VESTING TENTATIVE MAP NO. 2316360
 PTS NO.624557
 CONDOMINIUM CREATION
 CDP NO. 2235376

NOTES

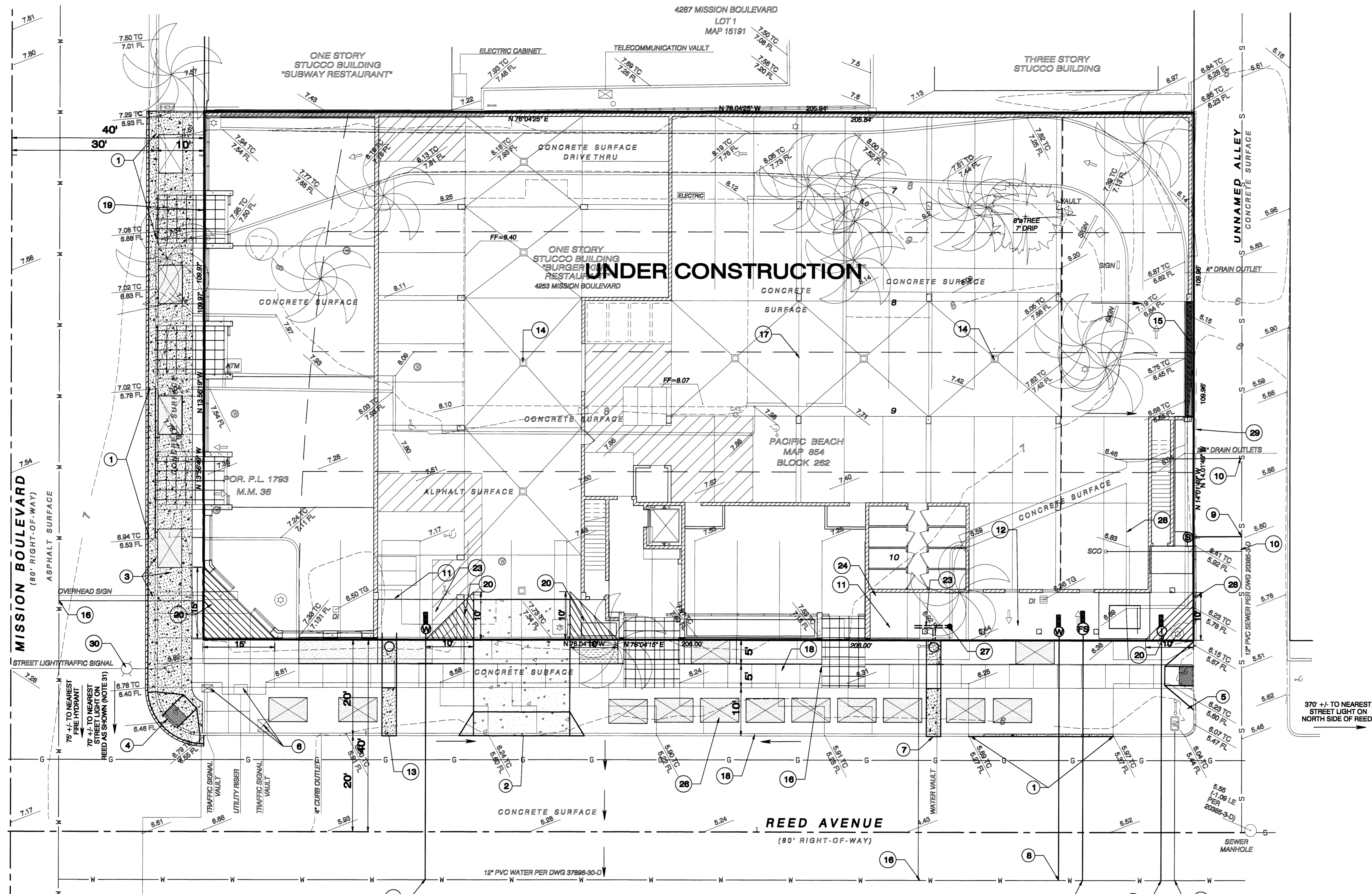
IMPROVEMENTS SHOWN HEREON ARE IN ACCORDANCE WITH THE FOLLOWING PLANS/PERMIT. NO ADDITIONAL IMPROVEMENTS ARE PROPOSED BY THIS TENTATIVE MAP.

- ALL IMPROVEMENTS WITHIN THE RIGHT OF WAY ARE BY CONSTRUCTION PLAN PTS 598387 / PERMIT NO. 2108819 PROVIDES FOR IMPROVEMENTS IN THE RIGHT OF WAY, INCLUDING NEW CURB, GUTTER AND SIDEWALK, DRIVEWAY, PEDESTRIAN RAMPS, LANDSCAPE, IRRIGATION, WATER, IRRIGATION AND FIRE SERVICES. NEW SEWER LATERAL IS PROVIDED IN THE ALLEY.
- ALL CONSTRUCTION ONSITE IS BY BUILDING PERMIT (PTS 594935 / APPROVAL NUMBER 2082101).
- FOR PRIVATE IMPROVEMENTS IN THE RIGHT OF WAY SEE ENCROACHMENT MAINTENANCE AND REMOVAL AGREEMENT, APPROVAL NO. 2108823

LEGEND

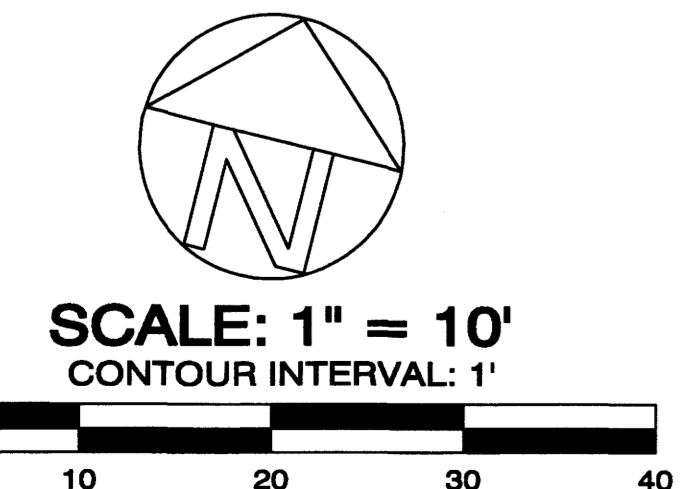
PREVIOUSLY APPROVED ONSITE AND OFFSITE IMPROVEMENTS

- PROPERTY LINE
- - - EXISTING CONTOUR
- - - EXISTING ELECTRICAL LINE
- - - EXISTING GAS LINE
- - - EXISTING SEWER LINE
- - - EXISTING TELEPHONE LINE
- - - EXISTING WATER LINE
- - - EXISTING CATV LINE
- ⊕ FIRE HYDRANT
- ⊙ MANHOLE
- ⊙ 6" PVC SEWER LATERAL (SEE CONSTRUCTION PLAN)
- ⊙ WATER SERVICE (SEE CONSTRUCTION PLAN)
- ▬ 6" CURB GUTTER & SIDEWALK (SEE CONSTRUCTION PLAN)
- ▬ 20' DRIVEWAY (SEE CONSTRUCTION PLAN)
- ▬ CURB OUTLET (SEE CONSTRUCTION PLAN)
- ▬ CURB RAMPS (SEE CONSTRUCTION PLAN)
- ▬ BIOFILTRATION BASIN (SEE BUILDING PLAN)
- ▬ CATCH BASIN/DECK DRAIN (SEE BUILDING PLAN)
- ▬ PVC DRAIN (SEE BUILDING PLAN)
- ▬ TRENCH DRAIN (SEE BUILDING PLAN)
- ▬ FOUND SURVEY MONUMENT (AS DESCRIBED)
- Ⓜ RECORD DATA PER MAP NO. 15191
- Ⓜ FIRE SERVICE (SEE CONSTRUCTION PLAN)
- Ⓜ IRRIGATION WATER SERVICE (SEE CONSTRUCTION PLAN)

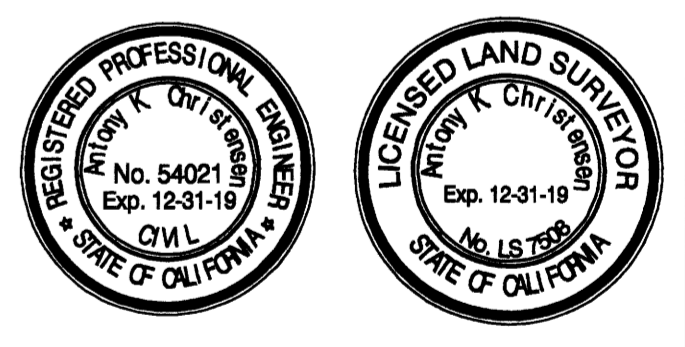


IMPROVEMENTS APPROVED BY SEPARATE PERMITS
 (SEE 'NOTES' ABOVE RIGHT FOR APPLICABLE PERMITS FOR THIS WORK)
 (NO NEW WORK PROPOSED BY THIS VTM)

- 1 EXISTING DRIVEWAY TO BE CLOSED (SEE CONSTRUCTION PLAN)
- 2 C/L PROPOSED 20' DRIVEWAY PER SDG-160 (SEE CONSTRUCTION PLAN)
- 3 PROPOSED NEW CURB, GUTTER AND SIDEWALK MISSION BOULEVARD PER, SDG-151, SDG-155 (SEE CONSTRUCTION PLAN)
- 4 PROPOSED PEDESTRIAN RAMP PER SDG-132 (SEE CONSTRUCTION PLAN)
- 5 PROPOSED PEDESTRIAN RAMP PER SDG-136 (SEE CONSTRUCTION PLAN)
- 6 EXISTING UTILITY FACILITIES, NOT TO BE DISTURBED
- 7 PROPOSED CURB OUTLET Q100 = 0.94 CFS, V100 = 2.9 fps (SEE CONSTRUCTION PLAN)
- 8 PROPOSED 2" DOMESTIC WATER SERVICE AND BACKFLOW DEVICE (SEE CONSTRUCTION PLAN)
- 9 PROPOSED 6" PVC SEWER LATERAL (SEE CONSTRUCTION PLAN)
- 10 EXISTING SEWER LATERAL TO BE ABANDONED AT P/L (SEE CONSTRUCTION PLAN)
- 11 4" X 8" RAISED FILTERRA ROOF DRAIN UNIT WITH INTERNAL BYPASS (SEE BUILDING PLAN)
- 12 AMENDED SOIL IN RAISED PLANTER AREA (SEE BUILDING PLAN)
- 13 PROPOSED CURB OUTLET Q100 = 0.89 CFS, V100 = 2.9 fps (SEE CONSTRUCTION PLAN)
- 14 PROPOSED DECK DRAINS (SEE BUILDING PLAN)
- 15 PROPOSED TRENCH DRAIN (SEE BUILDING PLAN)
- 16 EXISTING WATER SERVICE TO BE KILLED AT MAIN (SEE CONSTRUCTION PLAN)
- 17 PROPOSED DRAIN (SEE BUILDING PLAN)
- 18 EXISTING SIDEWALK ALONG REED AVENUE TO BE REMOVED AND REPLACED, EXISTING 6" CURB TO REMAIN (SEE CONSTRUCTION PLAN)
- 19 PRIVATE WALKWAY WITHIN R/W (TYPICAL) (SEE CONSTRUCTION PLAN AND EMRA)
- 20 VISIBILITY TRIANGLE (TYPICAL) NOTHING GREATER THAN 36" IN HEIGHT ALLOWED IN THIS AREA AND NO PLANT MATERIAL OVER 24" WILL BE ALLOWED
- 21 PROPOSED 6" FIRE SERVICE WITH BACKFLOW DEVICE (SEE CONSTRUCTION PLAN)
- 22 PROPOSED 1" IRRIGATION SERVICE WITH BACKFLOW DEVICE (SEE CONSTRUCTION PLAN)
- 23 6" PVC DRAIN FROM FILTERRA UNIT OUTLET TO CURB OUTLET (SEE BUILDING PLAN)
- 24 DOWNSPOUT OUTLET LOCATION FOR ROOF/DECK DRAINS LISTED ABOVE AS ITEM NO. 12 TO OUTLET TO RAISED PLANTER (SEE BUILDING PLAN)
- 25 PROPOSED 2" RETAIL WATER SERVICE AND BACKFLOW DEVICE (SEE CONSTRUCTION PLAN)
- 26 SEE LANDSCAPE PLAN FOR ALL PLANTING INFORMATION (TYPICAL) (SEE BUILDING PLAN)
- 27 6" PVC OVERFLOW SET 2" FROM TOP OF PLANTER TO JOIN TO CURB OUTLET (SEE BUILDING PLAN)
- 28 EX UTILITY POLE
- 29 EX OVERHEAD UTILITY LINE
- 30 EXISTING STREET LIGHT TYPE 15 POLE (WITH TRAFFIC SIGNAL) COBRA INDUCTION LIGHT, 165 W
- 31 EXISTING STREET LIGHT ON REED (ILLUMINATING REED)



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Project Name:
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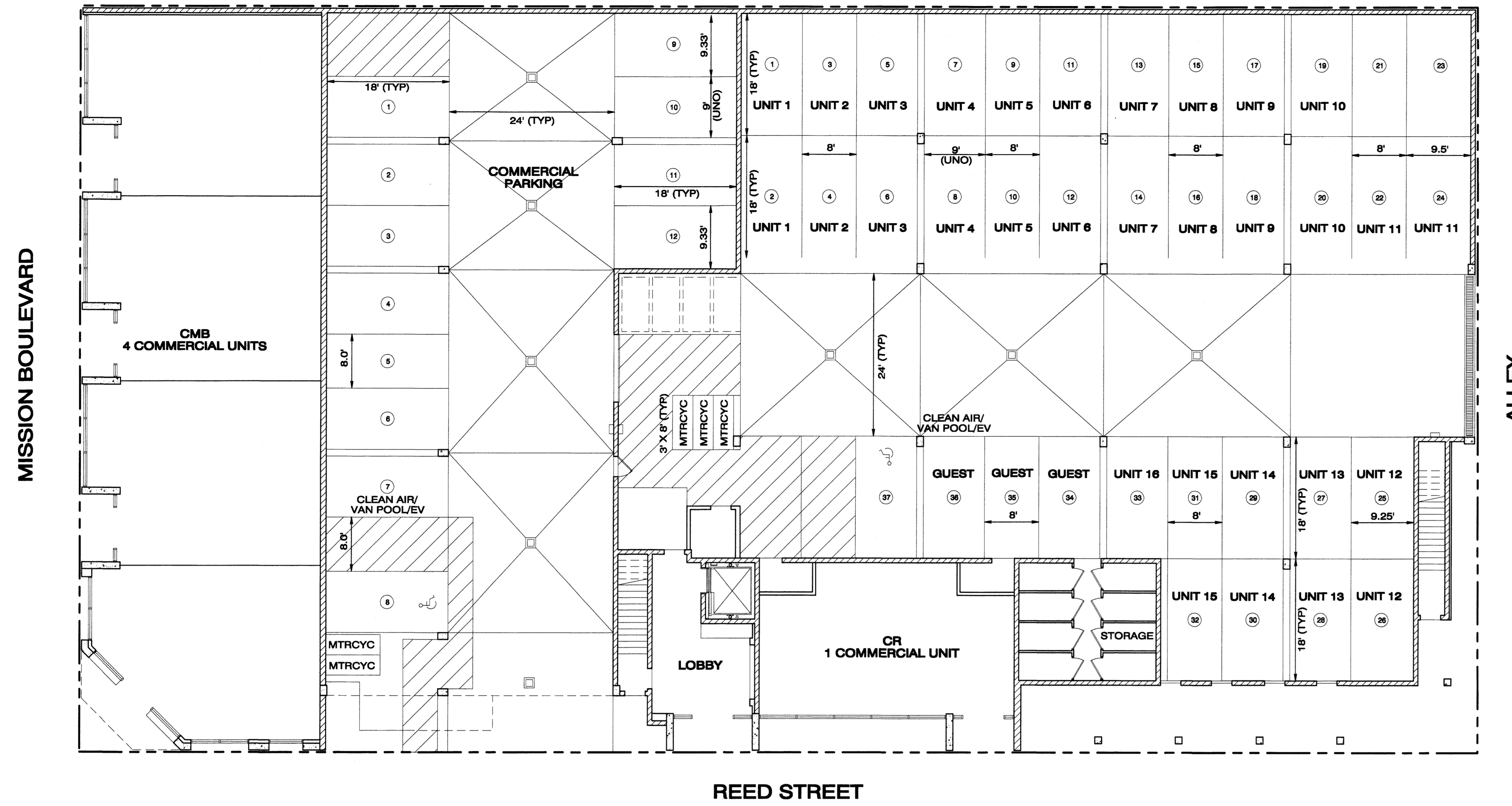
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 SITE PLAN

Revision 6:
 Revision 5:
 Revision 4:
 Revision 3:
 Revision 2:
 Revision 1: 04-03-19 ADDRESS CITY COMMENTS

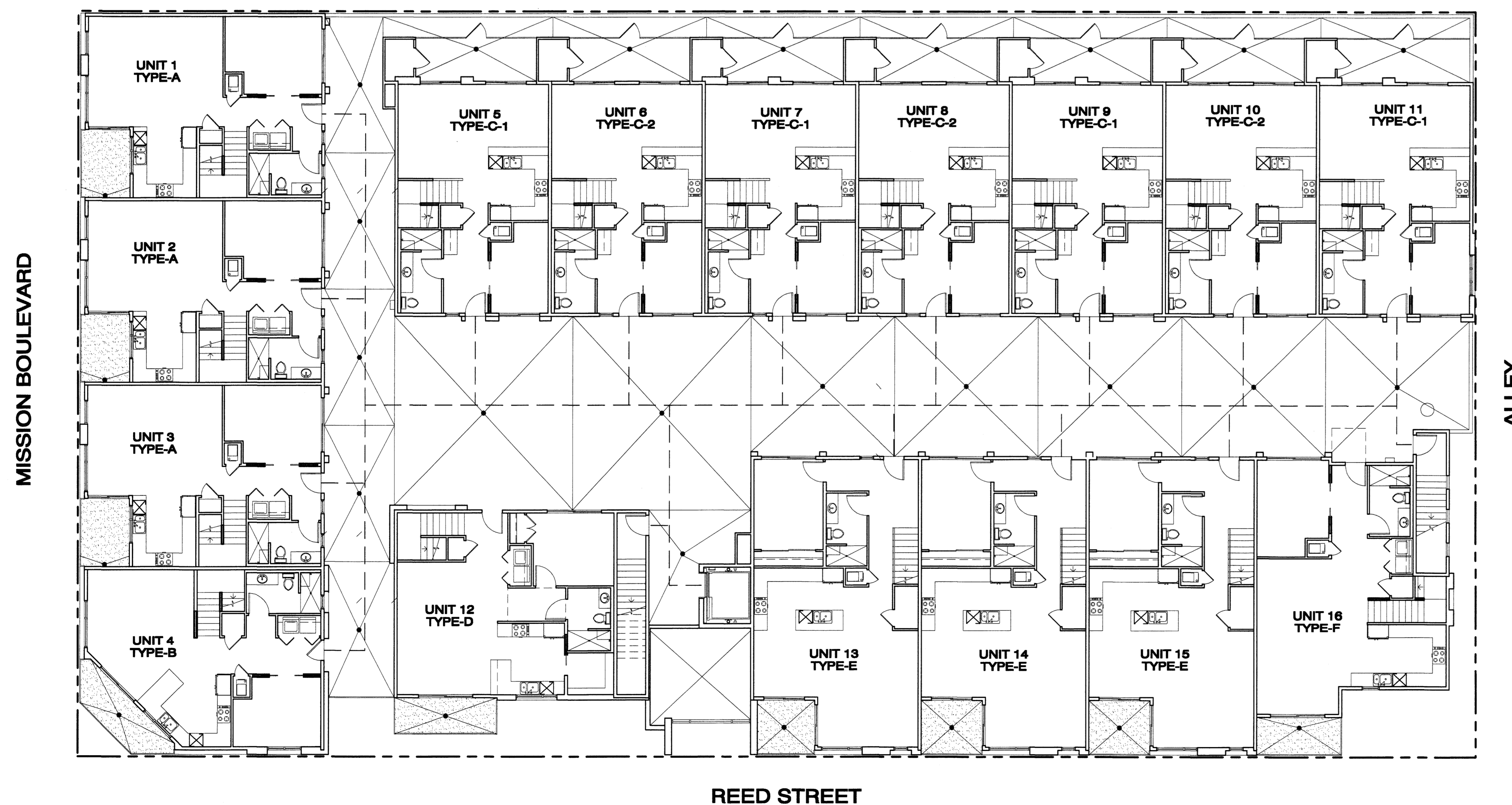
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Sheet 2 of 4 Sheets

VESTING TENTATIVE MAP NO. 2316360
 PTS NO.624557
 CONDOMINIUM CREATION
 CDP NO. 2235376

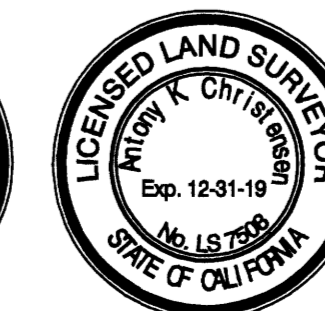


LOWER LEVEL



SECOND LEVEL

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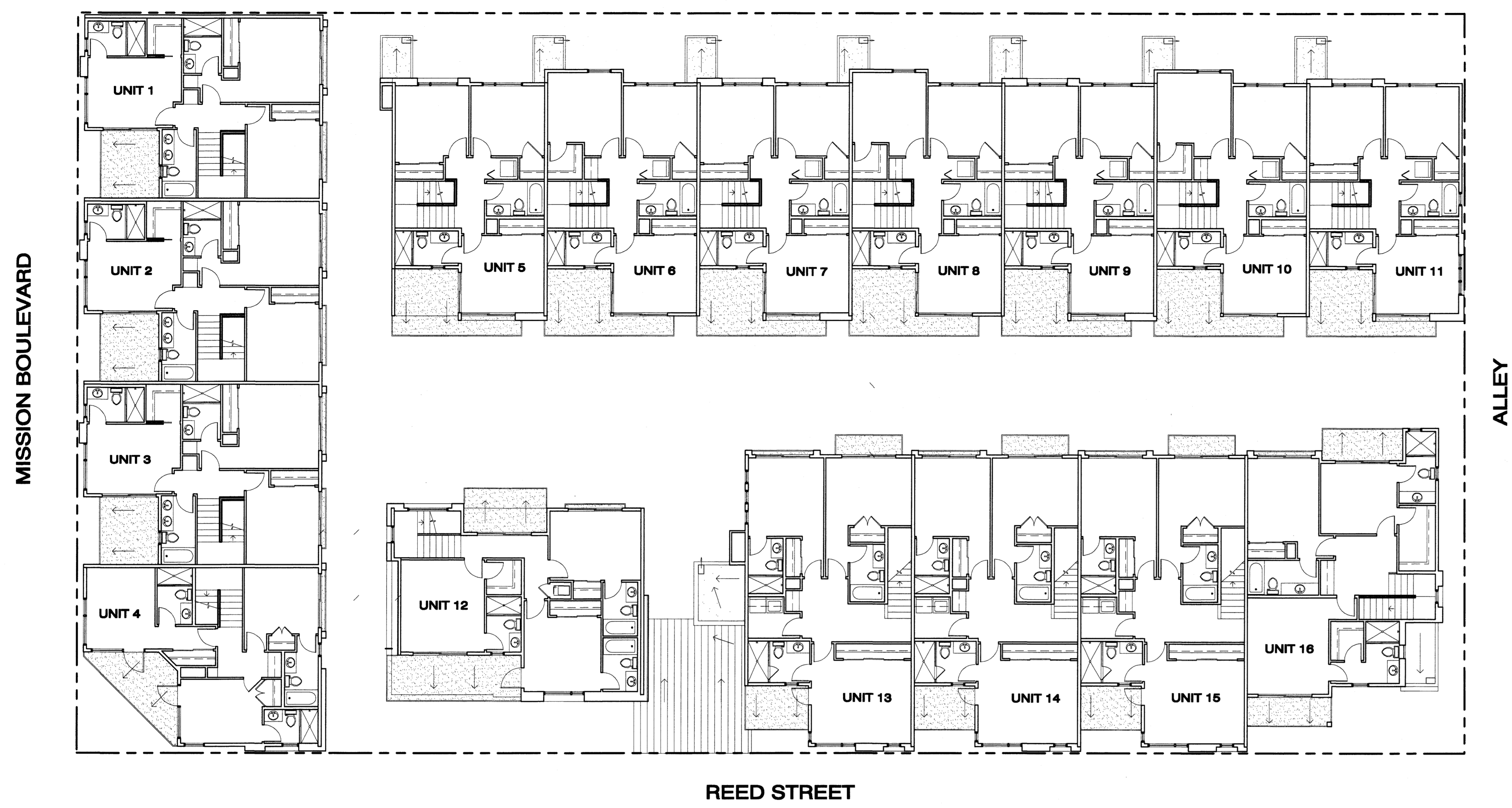
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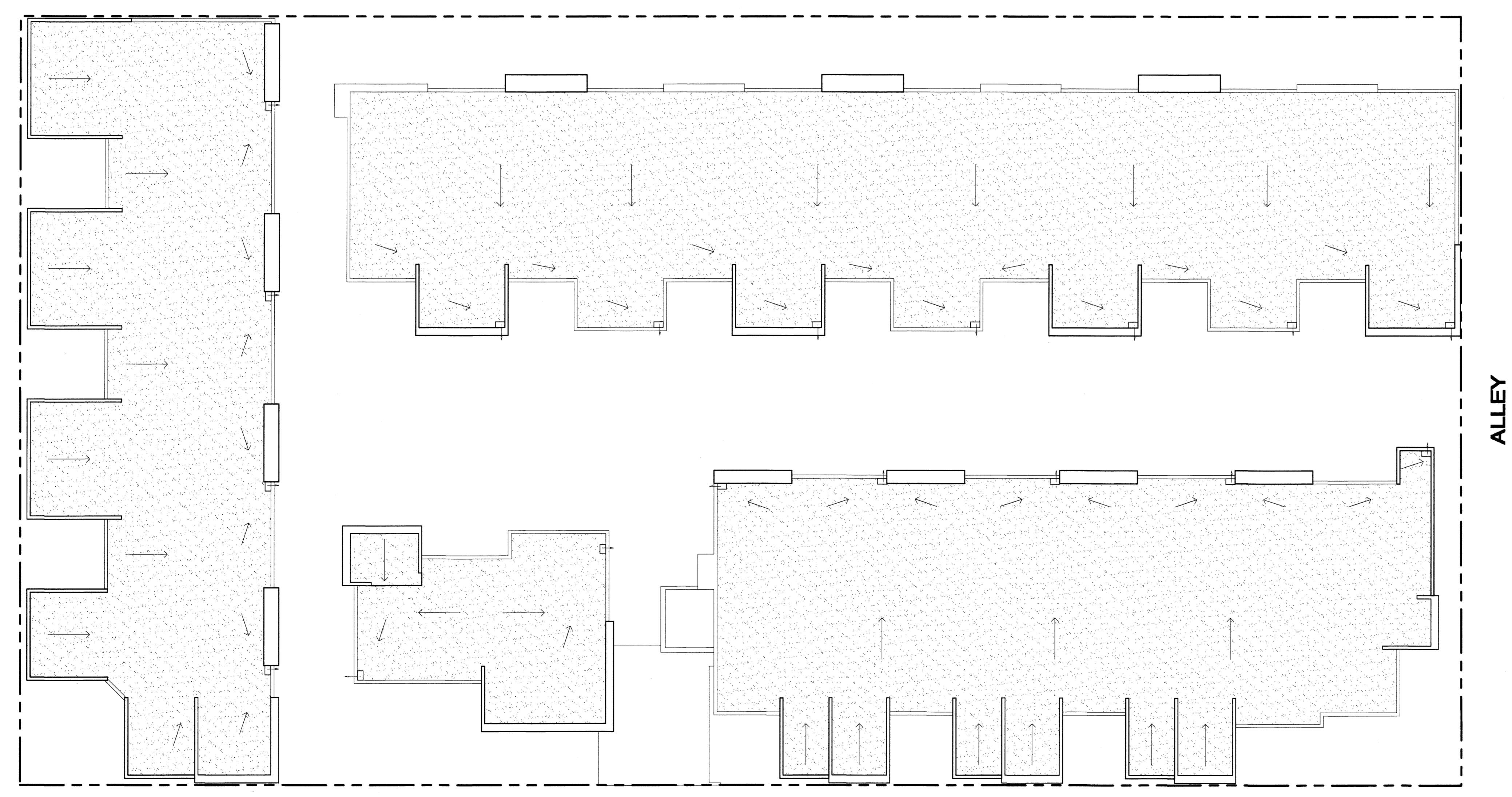
Sheet 3 of 4 Sheets

VESTING TENTATIVE MAP NO. 2316360
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REED STREET

THIRD LEVEL



REED STREET

ROOF LEVEL

MISSION BOULEVARD

ALLEY

ALLEY

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Sheet 4 of 4 Sheets