

THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED:

April 20, 2016

REPORT NO. HO-16-022

HEARING DATE:

April 27, 2016

SUBJECT:

GAMMA PHI BETA CUP. Process Three Decision

PROJECT NUMBER:

420518

OWNER/APPLICANT:

Gamma Phi Beta House Association of San Diego/Sue Skala, Architect

SUMMARY:

<u>Issue</u>: Should the Hearing Officer approve the expansion of an existing San Diego State University affiliated sorority house at 6121-6123 Montezuma Road, within the College Area Community Plan?

Staff Recommendation: APPROVE Conditional Use Permit No. 1479619.

Community Planning Group Recommendation: On October 15, 2015, the College Area Community Planning Board voted 18-0-0 to recommend approval of the proposed project with the conditions that all outstanding review issues be resolved and that the neighboring property owners do not object (Attachment 8). All review issues were resolved prior to scheduling the public hearing and no objections to the project have been received.

<u>Environmental Review</u>: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301(e)(1), Existing Facilities. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on March 8, 2016, and the opportunity to appeal that determination ended March 22, 2016.

BACKGROUND

The 0.41-acre project site is located at 6121-6123 Montezuma Road, near the southeast corner of Montezuma Road and Rockford Drive, immediately south of the San Diego State University (SDSU) campus, in an urban, developed neighborhood. The site is located in the RM-3-9 Zone, which is a multi-family residential zone that allows one dwelling unit per 600 square feet of lot area, or 30 units allowed onsite. The College Area Community Plan designates the site for high density residential development and allows 45-75 dwelling units per acre or 18-31 units allowed onsite. Figure 7 of the College Area Community Plan shows the project site as within an area that specifically allows sorority/fraternity houses.

The graded, level project site is developed with a two-story, 7,699-square-foot, residential structure that was originally constructed in 1950. The property is not a designated historic resource and does not meet local designation criteria as an individually significant resource under any adopted Historical Resources Board Criteria.

The site is currently utilized as a sorority house, which is an allowed use previously established by Conditional Use Permit (CUP) No. 134-PC, approved by the Planning Commission on March 22, 1967 (Attachment 7). A total of 15 surface parking spaces are provided in front of the structure along Montezuma Road, in compliance with the approved CUP. The site is developed with street curbs, gutter and contiguous sidewalks, with an existing streetlight located in the right-of-way directly in front of the site. Surrounding uses include the SDSU campus to the north, the two-story Chabad House Jewish Student Center to the west, two-story multi-family development to the east and one-story, single-family development to the south.

DISCUSSION

The proposed project would construct a 271-square-foot first floor addition and a 1,594-square-foot second floor addition to the existing sorority house, which would increase the total square footage to 9,564 square feet. The additions would occur at the rear of the structure in the southeast corner of the site substantially within the footprint of the existing structure. The first floor addition would expand the existing dining room while the second floor addition would create a new study/multi-media room, with new elevator service between the floors. The 12 existing bedrooms would remain and there would be no increase in house occupancy beyond the 36-student maximum identified in the original CUP No. 134-PC. The project would also include a remodel of the front entryway, accessibility upgrades to the entrance and some first floor areas, roof replacement, fire sprinkler installation, heating, ventilation, air conditioning and electrical upgrades and new at-grade patio areas in the rear yard.

The original 15 surface parking spaces and three driveways onto Montezuma Road that were approved by CUP No. 134-PC would remain with the proposed project. No additional parking is required for the addition as no increase in bedrooms or occupancy is proposed. As designed the proposed addition meets all applicable setback, height and floor area ratio requirements of the RM-3-9 Zone. No deviations or variances are included with this request. Although the site is constrained by the parking layout approved by the original CUP, the applicant has upgraded the front yard landscaping to include new and enlarged planting areas and additional street yard trees.

Conditional Use Permit

As described in San Diego Municipal Code (SDMC) Table 131-04B, Use Regulations Table for Residential Zones, sorority houses are allowed in the RM-3-9 Zone with the approval of a CUP. The approved CUP No. 134-PC which regulates the use of the site as a sorority house is still in effect and does not have an expiration date. In order to enlarge the structure as requested, an amendment to the approved CUP is required. Staff is supportive of the requested CUP amendment as the addition complies with all relevant development requirements. There would be no increase in bedrooms, residents or intensity of use associated with the project as the additions are limited to the dining room and study/media room common areas.

The College Area Community Plan shows the project site as within an area that specifically allows sorority/fraternity houses. With project approval, the site would continue to function as a sorority house in an area designated for such uses.

CONCLUSION

Staff has reviewed the request for a Conditional Use Permit amendment and has found the project to be in conformance with the applicable sections of the San Diego Municipal Code and believes the required findings can be approved. Therefore, staff recommends the Hearing Officer approve Conditional Use Permit No. 1479619, amending Conditional Use Permit No. 134-PC.

ALTERNATIVES

- 1. Approve Conditional Use Permit No. 1479619, with modifications.
- 2. Deny Conditional Use Permit No. 1479619, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Paul Godwin, Development Project Manager

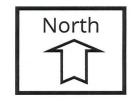
Attachments:

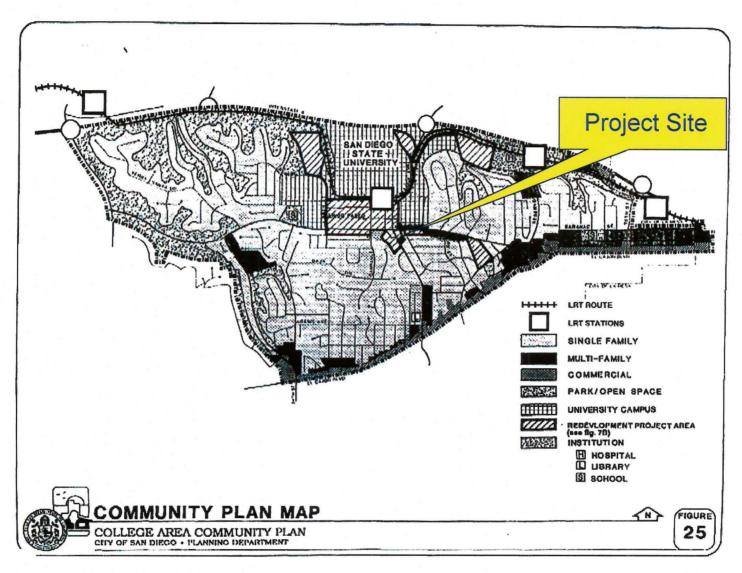
- 1. Project Location Map
- 2. Community Plan Land Use Map
- 3. Aerial Photograph
- 4. Draft Resolution with Findings
- Draft Permit with Conditions
- 6. Environmental Exemption
- 7. Copy Conditional Use Permit No. 134-PC
- 8. Community Planning Group Recommendation
- 9. Ownership Disclosure Statement
- 10. Project Plans



Project Location Map

GAMMA PHI BETA CUP - 6121-6123 MONTEZUMA ROAD PROJECT NO. 420518

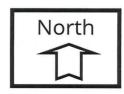






Land Use Map

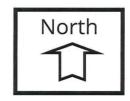
GAMMA PHI BETA CUP - 6121-6123 MONTEZUMA ROAD PROJECT NO. 420518





Aerial Photo

GAMMA PHI BETA CUP – 6121-6123 MONTEZUMA ROAD PROJECT NO. 420518



HEARING OFFICER RESOLUTION NO. _____ CONDITIONAL USE PERMIT NO. 1479619 GAMMA PHI BETA CUP - PROJECT NO. 420518

WHEREAS, GAMMA PHI BETA HOUSE ASSOCIATION OF SAN DIEGO, Owner/Permittee, filed an application with the City of San Diego for a permit to construct a 271-square-foot first-floor addition and a 1,594-square-foot second-floor addition to an existing sorority house, (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1479619), on portions of a 0.41-acre site; and

WHEREAS, the project site is located at 6121-6123 Montezuma Road in the RM-3-9 Zone of the College Area Community Plan; and

WHEREAS, the project site is legally described as all of Lot 77 and that portion of Lot 176, Collwood Park Unit No. 2, Map No. 2495; and

WHEREAS, on April 27, 2016, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 1479619 pursuant to the Land Development Code of the City of San Diego; and

WHEREAS, on March 8, 2016, 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 15301(e)(1) Existing Facilities, and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code (SDMC) Section 112.0520; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated April 27, 2016.

FINDINGS:

San Diego Municipal Code Section 126.0305 - Findings for Conditional Use Permit Approval

(a) The proposed development will not adversely affect the applicable land use plan;

The proposed project would construct a 271-square-foot first-floor dining room addition and a 1,594-square-foot second-floor study/multi-media room addition to an existing two-story sorority house, increasing the building size to 9,564 square feet. There would be no increase in the number of bedrooms or residents, nor would there be any additional parking demand associated with the addition.

The College Area Community Plan designates the site for high density residential development and allows 45-75 dwelling units per acre or 18-31 units allowed onsite.

Figure 7 of the College Area Community Plan shows the project site as within an area that specifically allows sorority/fraternity houses. With project approval, the site would continue to function as a sorority house in an area designated for such uses.

The project would support implementation of the College Area Community Plan Housing Element's goal of not permitting fraternities or sororities to locate in areas other than those designated by Figure 7 of the College Area Community Plan. The project incorporates landscape improvements, including new and enlarged planting areas and the installation of street yard trees at the front of the project site in the parking areas, which would implement the College Area Community Plan goal of increasing parking area landscaping.

Therefore, proposed development will not adversely affect the applicable land use plan.

(b) The proposed development will not be detrimental to the public health, safety, and welfare;

The proposed project would construct a 271-square-foot first-floor dining room addition and a 1,594-square-foot second-floor study/multi-media room addition to an existing two-story sorority house, increasing the building size to 9,564 square feet. There would be no increase in the number of bedrooms or residents, nor would there be any additional parking demand associated with the addition.

The project will have adequate levels of essential public services available, including police, fire, and emergency medical services. The project will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of this site contains specific conditions addressing compliance with the City's codes, policies, regulations and other regional, state, and federal regulations. The level project site is located in a developed urban neighborhood and is served by existing improved streets, sidewalks and public utilities, including water, sewer, gas and electric services. The conditions of approval require the review and approval of all development plans by professional staff prior to construction to assure the project will comply with all building code regulations. The project will be inspected by certified building and engineering inspectors to assure construction is in accordance with the approved plans and with all regulations. The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301(e)(1), Existing Facilities.

Therefore, the project will not be detrimental to the public health, safety and welfare.

(c) The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code; and

The proposed project would construct a 271-square-foot first-floor dining room addition and a 1,594-square-foot second-floor study/multi-media room addition to an existing two-story sorority house, increasing the building size to 9,564 square feet. There would be no increase in the number of bedrooms or residents, nor would there be any additional parking demand associated with the addition.

As described in SDMC Table 131-04B, Use Regulations Table for Residential Zones, sorority houses are allowed in the RM-3-9 Zone with the approval of a CUP. The approved CUP No. 134-PC which currently regulates the use of the site as a sorority house is still in effect and does not have an expiration date. With the requested CUP amendment, the site would continue to function as a sorority house with no increase in bedrooms, residents, required parking or use intensity.

As designed the proposed addition meets all applicable setback, height and floor area ratio requirements of the RM-3-9 Zone and no deviations or variances are required to implement the project. Although the site is constrained by the parking layout approved by the original CUP, the applicant has upgraded the front yard landscaping to include new and enlarged planting areas and additional street yard trees.

Therefore, the proposed development will comply with the regulations of the Land Development Code without deviations.

(d) The proposed use is appropriate at the proposed location.

The proposed project would construct a 271-square-foot first-floor dining room addition and a 1,594-square-foot second-floor study/multi-media room addition to an existing two-story sorority house, increasing the building size to 9,564 square feet. There would be no increase in the number of bedrooms or residents, nor would there be any additional parking demand associated with the addition.

Figure 7 of the College Area Community Plan shows the project site as within an area that specifically allows sorority/fraternity houses. With project approval, the site would continue to function as a sorority house in an area designated for such uses. As described in SDMC Table 131-04B, Use Regulations Table for Residential Zones, sorority houses are allowed in the RM-3-9 Zone with the approval of a CUP. The approved CUP No. 134-PC which currently regulates the use of the site as a sorority house is still in effect and does not have an expiration date. With the requested CUP amendment, the site would continue to function as a sorority house with no increase in bedrooms, residents, required parking or use intensity.

Therefore, the proposed use is appropriate at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 1479619 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Conditional Use Permit No. 1479619, a copy of which is attached hereto and made a part hereof.

Paul Godwin
Development Project Manager
Development Services

Adopted on: April 27, 2016

10#: 24005802

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24005802

CONDITIONAL USE PERMIT NO. 1479619

GAMMA PHI BETA CUP PROJECT NO. 420518

AMENDMENT TO CONDITIONAL USE PERMIT NO. 134-PC

HEARING OFFICER

This Conditional Use Permit No. 1479619, amending Conditional Use Permit No. 134-PC is granted by the [Insert Decision Maker] of the City of San Diego to Gamma Phi Beta House Association of San Diego, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0303. The 0.41-acre site is located at 6121-6123 Montezuma Road in the RM-3-9 zone of the College Area Community Plan. The project site is legally described as: All of Lot 77 and that portion of Lot 176, Collwood Park Unit No. 2, Map No. 2495.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct first- and second-floor additions to an existing sorority house, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 27, 2016, on file in the Development Services Department. The project shall include:

- a. Construct a 271-square-foot first-floor addition and a 1,594-square-foot second-floor addition to an existing two-story sorority house, increasing the total building square footage to 9,564 square feet, with no increase in the number of bedrooms or residents;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

- 1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by May 11, 2016.
- 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" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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.

ENGINEERING REQUIREMENTS:

- 11. The project proposes to export 20 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"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.
- 12. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
- 13. 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 Montezuma Road right-of-way.

- 14. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent water quality BMP maintenance, satisfactory to the City Engineer.
- 15. 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 San Diego Municipal Code, into the construction plans or specifications.
- 16. 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 Appendix E of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

- 17. 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 Office of the Development Services Department.
- 18. Prior to issuance of any engineering permits for right-of-way improvements, the Owner/Permitee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40 square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.
- 19. Prior to issuance of any construction permits for structures (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents 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 Office of 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 LDC 142.0403(b)(5).
- 20. 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 Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'
- 21. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.

- 22. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.
- 23. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, 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:

- 24. Owner/Permittee shall maintain a minimum of 15 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.
- 25. 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.
- 26. The project site is permitted a maximum of 36 residents on site and a live-in resident manager. Any increase in the number of residents will require an amendment to this Conditional Use Permit.
- 27. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as condition of approval of this permit. Where there is a conflict between a condition (including exhibits) of this permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations.
- 28. There shall be compliance with the regulations of the underlying zone unless a deviation or variance to a specific regulation is approved or granted as condition of approval of this permit. Where there is a conflict between a condition (including exhibits) of this permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations.
- 29. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as condition of approval of this permit. Where there is a conflict between a condition (including exhibits) of this permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations.
- 30. Any future requested amendment to this permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

- 31. All fences and retaining walls shall comply with the SDMC Section 142.0301.
- 32. All signs shall comply with the SDMC Chapter 14, Article 2, Division 12, "Sign Regulations".
- 33. 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.

INFORMATION ONLY:

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

APPROVED by the Hearing Officer of the City of San Diego on April 27, 2016 and [Approved Resolution Number].

Permit Type/PTS Approval No.: CUP No. 1479619 Date of Approval: April 27, 2016

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SE

Paul Godwin
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.

Gamma Phi Beta House Association of San Diego
Owner/Permittee

NAME
TITLE

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

NOTICE OF EXEMPTION

TO: <u>X</u>	Recorder/County Clerk P.O. Box 1750, MS A-33 1600 Pacific Hwy, Room 260 San Diego, CA 92101-2422	FROM:	City of San Diego Development Services Department 1222 First Avenue, MS 501 San Diego, CA 92101
	Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814		
Project No.: 4	20518	Project Title: Gan	nma Phi Beta CUP
	ion-Specific: 6121 Montezuma Road, San Die ion-City/County: San Diego/San Diego	go, California 92115	
square-foot di square-foot so entry, the add	ning room expansion, and a 1,594-square-foot	, second story study has also proposes the following	owing improvements: the remodel of the front
	864 Tares	a (Applicant), chitects (Firm) nto Drive, o, California 92106,	
() Mini () Decl () Emer (X) Cate	s: (CHECK ONE) sterial (Sec. 21080(b)(1); 15268); ared Emergency (Sec. 21080(b)(3); 15269(a)) rgency Project (Sec. 21080(b)(4); 15269 (b)(a) gorical Exemption: CEQA Exemption 15301 story Exemptions:	c))	ities)
have the poter 15301 which a (public or privamendment to	ntial for causing a significant effect on the env	ironment. The project permitting, leasing, lic se beyond that existin and a second story add	ensing, or minor alteration of existing facilities g at the time of the determination. An ition to an existing facility would allow for a
Lead Agency	Contact Person: Rhonda Benally	Т	Celephone: (619) 446-5468
	olicant: certified document of exemption finding. notice of exemption been filed by the public ag	ency approving the pr	oject? () Yes () No
It is hereby ce Signature/Title	rtified that the City of San Diego has determin L. MGWWSEnior Planner e	ed the above activity	March 8, 2016 Date
Check One: (X) Signed By () Signed by	/ Lead Agency Applicant	Date Rece	eived for Filing with County Clerk or OPR:

Revised 010410mjh

WHEREAS, the application for Conditional Use Permit No. 134-PC has been considered by the Planning Commission of the City of San Diego, California, and the Planning Commission has conducted a public hearing on this request of the GAMMA ALPHA CHAPTER OF ALPHA PHI, INC. SORORITY, to construct and operate an addition to a sorority house that will increase the accommodations to provide for a maximum of 36 students, located on the southwest corner of Montezuma Road and Rockford Drive, being Lots 207-208, Collwood Park Unit Nol 2, Map #2495, in the R-4 Zone; and

WHEREAS, the Planning Commission has made the following Findings of Fact in relation thereto:

- 1. That the proposed use at the particular location is necessary and desirable to provide a service and facility which will contribute to the well-being of the neighborhood and community because it will provide additional housing for students of San Diego State College.
- 2. That such use under the circumstances of this particular case will not be detrimental to health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity because of the conditions imposed.
- 3. That the proposed use will comply with the regulations and conditions specified in the Municipal Code for such use because the conditions imposed herein insure compliance
- 4. That the granting of this conditional use will not adversely affect the Master Plan of the City or the adopted plan of any governmental agency because the proposed use is in compliance with the adopted area plan.

NOW, THEREFORE, BE IT RESOLVED, by the City Planning Commission of San Diego, California, that permission is hereby granted to GAMMA ALPHA CHAPTER OF ALPHA PHI, INC. SORORITY to construct and operate an addition to a sorority house that will increase the accommodations to provide for a maximum of 36 students at the above described location, under the following conditions:

- I. Prior to the issuance of any building permits, complete building plans (Including signs) shall be submitted to the Planning Director for approval. Said plans shall be in substantial conformity with Exhibit "A" on file in the Office of the Planning Department. The property shall be developed in accordance with the approved building plans except where regulations of this or other governmental agencies require deviation therefrom.
- ✓ 2. Prior to the issuance of any building permits a complete landscaping plan, including a permanent watering system, shall be submitted to the Planning Director for approval. Said plans shall be in substantial conformity with Exhibit "A" on file in the Planning Department. Approved planting shall be installed prior to the issuance of an occupancy permit on any building. All landscaped plans shall be prepared by a licensed landscape architect.
- 3. That the owner shall enter into an agreement with the City guaranteeing on his own behalf or any successors in interest the participation in and waiving their right to oppose any 1911 Improvement or similar improvement proceedings initiated for the future improvement of the alley.
- 4. Off-street parking at a ratio of one parking space for every three residents shall be provided on the subject property in the approximate locations shown on Exhibit "A".



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- 5. Parking areas and driveways shall be surfaced with not less than two-inch A.C. or its equivilant and each parking space shall be marked and provided with substantial wheel stops.
- As shown on Exhibit "A", a fence or wall shall be installed along the rear property line of the subject property.
- 7. All outdoor lighting shall be so shaded and adjusted that the light therefrom is directed to fall only on the same premises where such light sources are located.
- 8. The sorority house shall not be utilized for social affairs or meetings later than 11:00 P.M. on Sunday through Thursday and 1:00 A.M. on Friday and Saturday.
- 9. Construction and operation of the proposed use shall comply at all times with the laws and regulations and requirements of this and other governmental agencies.
- 10. After the establishment of a sorority house as provided herein, the subject property shall not be used for any purpose unless specifically authorized by the Planning Commission, unless the proposed use meets every requirement of the zone existing on the subject property at the time of conversion.

That permission granted by this Conditional Use Permit shall become effective and final on the eleventh day after it is filed in the Office of the Office of the City Clerk, unless a written appeal is filed within ten (10) days after such filing in the Office of the City Clerk.

Any Conditional Use Permit, or extension of time, granted by the City shall be null and void, and shall be revoked automatically one year after its effective date. unless the use and/or construction permitted is commenced before said time expires, in accordance with Municipal Code Section 101.0506.

> CITY PLANNING COMMISSION City Of San Diego, California

March 22, 1967

FILED IN THE OFFICE OF THE CITY CLERK

MAR 3 0 1967

RIGHT OF APPEAL EXPIRES 10 DAYS AFTER ABOVE DATE



City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101

Community Planning Committee Distribution Form Part 2

THE CITY OF SAN DIEGO			Distribu	tion Form Part 2
Project Name:		Project	Number:	Distribution Date:
Gamma Phi Beta CUP		4	420518	6/29/2015
Project Scope/Location:	*			
COLLEGE AREA (Process 3) Amendment to Condition study hall/media room addition to an existing 7,651 sq the RM-3-9 zone within the College Community Plan Al Conditional Use Permit No. 134-PC for a 1,594 sq ft dir 7,651 sq ft sorority house located at 6121 Montezuma I Community Plan Area. Council District 9.COLLEGE AF 1,594 sq ft dining room expansion and study hall/media	ft sorority house rea. Council Dis ning room expan Rd. The 0.409 a REA (Process 3)	located a strict 9.CO sion and s acre site is Amendm	t 6121 Montezur PLLEGE AREA (I study hall/media in the RM-3-9 z tent to Condition	ma Rd. The 0.409 acre site is in Process 3) Amendment to room addition to an existing cone within the College al Use Permit No. 134-PC for a
Applicant Name:			Applicant P	hone Number:
Project Manager:	Phone Numbe	er: Fa	x Number:	E-mail Address:
Paul Goodwin	(619) 446-51	90 (6	19) 446-5245	, , , , , , , , , , , , , , , , , , ,
Committee Recommendations (To be completed for Initial Review):				
☐ Vote to Approve	Member	's Yes	Members No	Members Abstain
Vote to Approve With Conditions Listed Below	Member		Members No	Members Abstain
☐ Vote to Approve With Non-Binding Recommendations Listed Bel	Member	's Yes	Members No	Members Abstain
☐ Vote to Deny	Member	's Yes	Members No	Members Abstain
No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.) CONDITIONS: 1.) Resolution of existing issues with the City 2.) That the neishboring property owners do not object.				
conditions: 1.) Resolution of e	xisting i	55485	with th	e City + 1 +
		rope	rty own	ers do not object.
NAME: Jose Reynoso		16	TITLE:	hair
NAME: Jose Reynoso SIGNATURE: Jose' & Reynoso	-0		DATE: /6	hair /15/15
Attach Additional Pages If Necessary.	Please retu Project Ma City of Sar	anagemen Diego ent Service Avenue, N	t Division es Department AS 302	

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.

IX. New Business

4. *Review of Proposal for a Dining Room Expansion and Media Room/Study Hall Addition at 6121 Montezuma Rd. (Gamma Phi Beta Sorority). (Possible Action Item)

The Project Review Committee voted unanimously to recommend approval of the proposed project, contingent on resolution of outstanding issues with the City, and provided that the neighboring property owners do not object to the expansion.



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

Ownership Disclosure Statement

ipproval Type check appropriate sex to type of approval (c) request	ted: Neighborhood Use Permit Coastal Development Permit
Neighborhood Development Permit Site Development Permit Variance Tentative Map Vesting Tentative Map Map Wa	Planned Development Permit Conditional Use Permit aiver Land Use Plan Amendment • Other
Project Title Gramma Phi Beta +	Addition Project No. For City Use Only 420519
Project Address: 6/21-23 Montezuma	Aw, SD CA 92115
art I - To be completed when property is held by Individual	(s)
low the owner(s) and tenant(s) (if applicable) of the above reference to have an interest in the property, recorded or otherwise, and state the dividuals who own the property). A signature is required of at least or the Assistant Executive Director of the San Diego Redevelopment evelopment Agreement (DDA) has been approved / executed by the anager of any changes in ownership during the time the application is	dge that an application for a permit, map or other matter, as identified with the intent to record an encumbrance against the property. Pleas and property. The list must include the names and addresses of all perme type of property interest (e.g., tenants who will benefit from the permene of the property owners. Attach additional pages if needed. A signary Agency shall be required for all project parcels for which a Disposition of City Council. Note: The applicant is responsible for notifying the Property owners. Attach additional pages in ownership are to be given the subject property. Failure to provide accurate and current ownership are to when the subject property.
Name of Individual (type or print): SAMMA PHI BETA HOUSE ASSU	Name of Individual (type or print):
Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency Street Address:
SAN DIEBO CA 92115 City/State/Zip:	City/State/Zip:
Project No: 1740 174 No: 4-13-15	Phone No: Fax No:
nghature: Date:	Signature : Date:
Name of Individual (type or print):	Name of Individual (type or print):
Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
none no.	
Signature : Date:	Signature : Date:

