THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: November 23, 2016 REPORT NO. HO-16-074

HEARING DATE: November 30, 2016

SUBJECT: FAY AVENUE CDP/TMW, Process Three Decision

PROJECT NUMBER: 481476

OWNER/APPLICANT: Igor Ivanov/Robert Bateman, San Diego Land Surveying and Engineering

SUMMARY:

Issue: Should the Hearing Officer approve the conversion of three dwelling units to residential condominium units on a 0.161-acre site located at 7432-7436 Fay Avenue within the La Jolla Community Plan and Local Coastal Program Land Use Plan area?

Staff Recommendations:

1. APPROVE Coastal Development Permit No. 1696084.
2. APPROVE Tentative Map Waiver No. 1696972.

Community Planning Group Recommendation: On August 4, 2016, the La Jolla Community Planning Association voted 8-2-3 to ratify the action of its Development Permit Review subcommittee that findings cannot be made to approve the project. Reference the Discussion section of this report.

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on September 22, 2016 and the opportunity to appeal that determination ended October 6, 2016.

BACKGROUND

The 0.161-acre project site is located at 7432-7436 Fay Avenue, between Pearl and Genter Streets (Attachment 1). The property is in the RM-1-1 zone, and the Coastal (Non-Appealable Area 2), the Coastal Height Limitation, the Parking Impact (Coastal), the Transit Area, and the Residential Tandem Parking Overlay Zones within the La Jolla Community Plan (LJCP) and Local Coastal Program (LCP) land use plan. The site has been previously improved with three dwelling units; a one story, three-bedroom dwelling unit fronting Fay Avenue, and a duplex consisting of two, two-bedroom dwelling

units above two, two-car garages in the rear of the property with access from the alley (Bishops Lane). There are four additional uncovered parking spaces in front of the garages. According to the County Assessor's Building Records, the three-bedroom unit is approximately 1,336 square feet in gross floor area (GFA) built as early as 1917. The duplex is approximately 1,408 square feet in GFA constructed pursuant to Building Permit No. B53961 approved on August 29, 1962. The project site is within a neighborhood improved with a mix of one- and two-story multi-unit residential development in the immediate vicinity with commercial establishments located at the north end of the block along Pearl Street (Attachment 3).

The underlying RM-1-1 Zone is a multiple dwelling unit zone that allows a maximum of one dwelling unit per 3,000 square feet of lot area. The site could accommodate a total of two dwelling units based on the Zone. The LJCP designates the site for Low Medium Residential use at a density of 9-15 dwelling units per acre (du/ac) (Attachment 2). The existing three-unit development yields a density of 18.63 du/ac and exceeds the allowable density per LJCP land use designation, and the maximum units allowed per the RM-1-1 Zone. The existing development conforms to Zone Variance No. 4971 and Yard Variance No. 4972 approved by the Zoning Administrator on June 22, 1962 (Attachment 10). The Zoning Administrator approved the addition of a two-unit residential complex to an existing dwelling unit, for a total of three dwelling units on the property. In addition, the Zoning Administrator approved the structure to be placed four feet from the property line abutting the 20-foot wide alley to allow adequate access into the parking spaces. The development conforms to the previously approved building plans (Building Permit No. B53961), which shows three dwelling units on the site, with the duplex built over garages and setback 24 feet from the alley right-of-way adjacent to the property.

The property was previously reviewed and considered by the Historical Resources Board in 2001, at which time City Historic Resources staff recommended that the property not be designated due to a lack of significance. The Board supported this recommendation, and the property was not designated. Since the Board's decision, the building has been modified by the replacement of all original wood frame and sash windows with vinyl windows, further degrading its integrity. In March 2016, staff confirmed the 2001 decision that the site lacks significance for historic designation.

DISCUSSION

Project Description

The project requires a Coastal Development Permit per San Diego Municipal Code (SDMC) section 126.0702 for the proposed subdivision within the Coastal Overlay Zone. The project requires a Tentative Map Waiver per SDMC section 125.0120(b)(2)(A) for the proposed subdivision of the 0.161-acre site into one lot for a three-unit residential condominium conversion.

The project proposes to convert three existing dwelling units into three residential condominium units and waive the requirement to underground off-site, overhead utilities (Attachment 14). The existing density of three units on the premises is allowed pursuant to Zone Variance No 4971. The development provides four off street parking spaces in garages as originally approved, with a driveway 24 feet in length measured from the garages to the adjacent alley right-of-way, which could accommodate an additional four off-street parking spaces. The existing, previously approved four off-street parking spaces, exceed the three spaces required for a condominium conversion project

within the Transit Overlay Zone per SDMC Section 142.0525. All existing off-street parking previously approved is required to be maintained per SDMC Section 142.0525, Table 142-05C, footnote 8.

The project proposes the planting of two street trees (Queen Palms), and one Queen Palm in the front yard with street yard landscaping exceeding the minimum requirement as shown on the Landscape Exhibit (Attachment 15). Staff has determined that the existing development has been constructed in accordance with the density, gross floor area, and parking per prior approved Variances and plans, and complies with the parking and landscape requirements for condominium conversions. The project permit includes conditions requiring the reconstruction of the damaged sidewalk adjacent to the site on Fay Avenue to current City standards, the removal of the non-utilized driveway and construction of a full-height curb, gutter, and sidewalk adjacent to the site on Fay Avenue, and the reconstruction of a full width alley adjacent to the project site (Attachment 6, Conditions 15-17).

As required by SDMC section 144.0504, the applicant has submitted a building conditions report for the project. The report dated July 12, 2016, prepared by Marengo Morton Architects, Inc., concludes that the property is in good overall condition, and includes several recommendations for the repair and replacement of certain building elements to meet current code requirements prior to the approval of the map.

Community Plan and Local Coastal Program Analysis

The LJCP designates the site and surrounding areas to the north, south, east, and west as Low Medium Residential use at a density of 9-15 du/ac. The existing project density of 18.63 du/ac exceeds this land use designation. The three units on the property are allowed pursuant to Zone Variance No. 4971 granted in 1962. The project proposes the conversion of the existing three units into residential condominiums for home ownership opportunities and does not affect the previously approved density Variance and building permits. The proposed conversion to residential condominium units supports LJCP recommendations of developing a variety of housing types and styles in La Jolla, providing opportunities for affordable and balanced housing, supporting higher densities along transit corridors and adjacent to pockets of service sector employment, and maintaining community character by preserving existing streetscape themes and ensuring residential development comply with the landscape and streetscape guidelines. The proposed conversion to residential condominiums contributes to providing more variety and affordable home ownership opportunities in the area. The site is located within the Transit Area Overlay Zone, with public transit and a wide range of commercial/retail service establishments within walking distance. The project proposes the planting of two Queen Palms and street yard landscaping preserving the existing community character.

The project is approximately a half mile from the Pacific Ocean. It is not located between the ocean and the first public roadway paralleling the ocean. There is no existing or proposed public accessway to the beach, view corridors, viewsheds, intermittent or partial vista views, or scenic overlooks on the or adjacent to the project site, as identified in the LJCP/LCP land use plan (Attachment 12). The project is a subdivision for the conversion of existing dwelling units into condominiums and does not propose to expand the existing development footprint or building envelope, located entirely on private property. The project, therefore, would not affect public access to, or public views of, the Pacific Ocean.

Community Planning Group Recommendation

On August 4, 2016, the La Jolla Community Planning Association voted 8-2-3 to ratify the action of its subcommittee, Development Permit Review (DPR), that findings cannot be made (Attachment 11). The DPR's recommendation that findings cannot be made to approve a Coastal Development Permit and Tentative Map Waiver for the conversion of three existing dwelling units to three residential condominium units is based upon the following issues: 1) "a change in ownership patterns is a change in circumstances that questions the "no change in circumstances" claimed by the applicant and would extinguish the existing variance"; 2) "the proposal is inconsistent with neighborhood development pattern which is predominately two units/parcel"; 3) "the submittal is incomplete because it lacks information on CC&R's for short-term property maintenance and provisions for long-term rehabilitation for buildings built in 1940 and 1962"; and 4) " there are too many unknowns regarding potential new development and its effects on neighborhood character."

With respect to issues 1, 2 and 4 above, the neighborhood consists of predominantly multi-unit residential development with commercial establishments to the north along Pearl Street. The three existing dwelling units on the site are permitted, and were built in accordance with Zone Variance No. 4871 granted in 1962, and associated building permits. The project proposes the conversion of the existing units into residential condominiums for home ownership opportunities. No new development is proposed. The proposed condominium conversion of existing residential units does not affect the previously approved density Variance, and does not impact the existing development pattern or neighborhood character in the area. Furthermore, any new development on the site would be subject to permit requirements and development regulations in effect at the time of project submittal, and will be reviewed for consistency with the LJCP/LCP land use plan.

With respect to issue No. 3, Covenants, Conditions and Restrictions (CC&Rs) for short-term/long-term maintenance/ rehabilitation of the buildings are not required by the SDMC in order to approve a Coastal Development Permit or a Tentative Map Waiver. As required by SDMC section 144.0504, a building conditions report has been prepared for the project by the applicant and accepted by staff. The report includes recommendations for the repair and replacement of certain building elements. In addition, the completion of specified improvements, to the satisfaction of the City Engineer, will be required prior to the approval of the parcel map to ensure the public health, safety, and welfare. These improvements include electrical upgrades, provision of operable windows/doors in each sleeping room for emergency escape or rescue, installation of operable smoke alarms, the replacement of building components and systems with a remaining life of five years or less, and compliance with required parking, street trees, and street yard landscaping requirements for condominium conversion.

Waiver of the Requirement to Underground Utilities

There are existing off-site overhead utilities within the alley (Bishops Lane) abutting the project site. Pursuant to SDMC section 144.0240(b)(5), the applicant has requested a waiver of the requirement to underground existing overhead utility facilities. The project qualifies for a waiver from the requirement to underground these facilities in accordance with SDMC section 144.0242(c)(1)(B) in that the conversion involves a short span of overhead utilities (less than a full block in length) and would not represent a logical extension to an underground facility. Onsite utilities, as conditioned

by this Tentative Map Waiver (TMW Condition No. 20), must be undergrounded to the satisfaction of the City Engineer.

Conclusion

Staff has reviewed the application for the Coastal Development Permit and Tentative Map Waiver and has determined that the project complies with all previously approved entitlements and all applicable regulations and policy documents. Staff has provided draft findings and draft conditions to support approval of the project (Attachments 5-8). Staff recommends the Hearing Officer approve the project as proposed.

ALTERNATIVES

1. Approve Coastal Development Permit No. 1696084 and Tentative Map Waiver No. 1696972. with modifications.

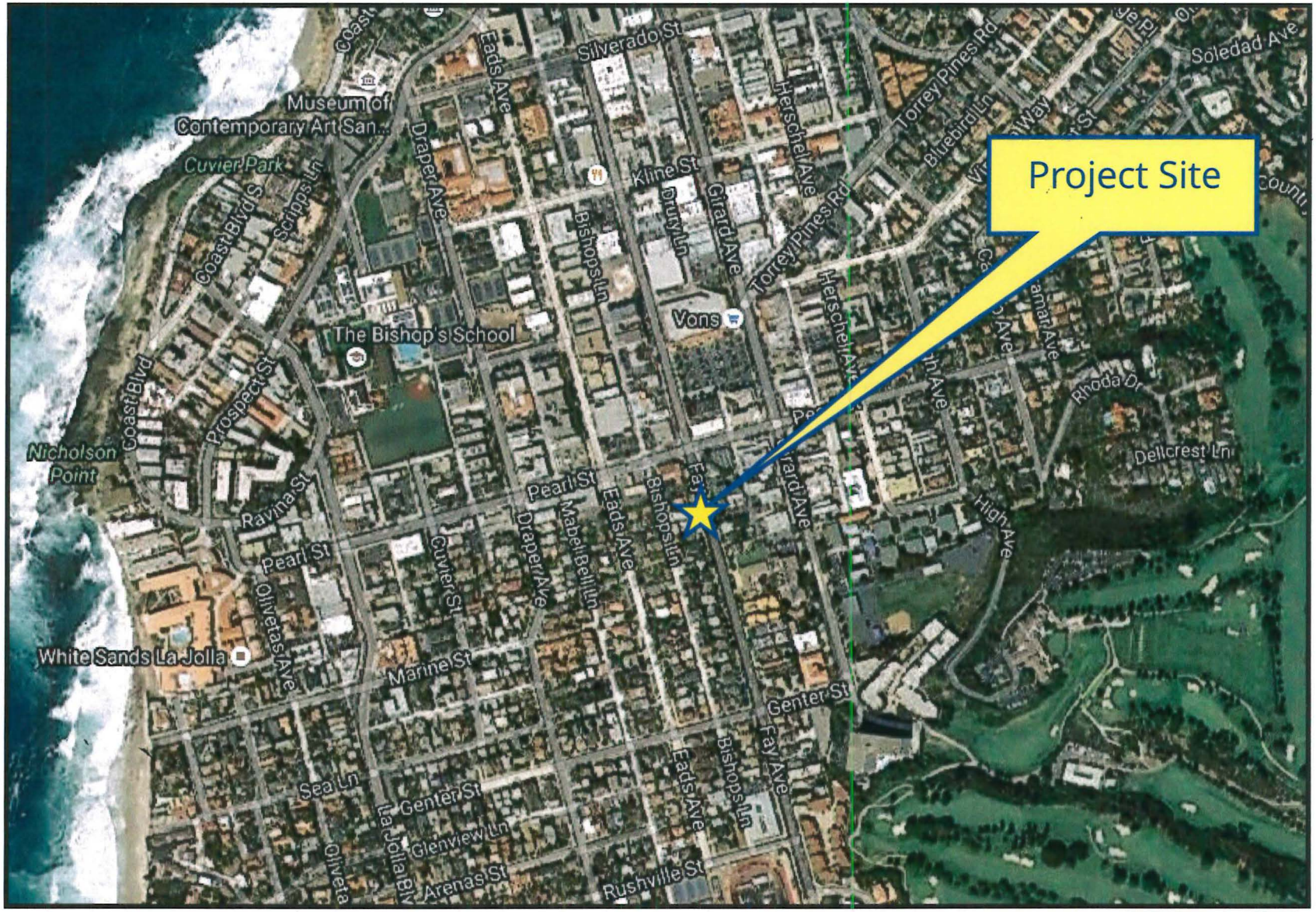
2. Deny Coastal Development Permit No. 1696084 and Tentative Map Waiver No. 1696972 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Firouzeh Tirandazi, 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 Exemption
10. Existing Zone Variance No. 4971 and Yard Variance No. 4972
11. Community Planning Group Recommendation
12. Community Plan – Identified Public Vantage Points
13. Ownership Disclosure Statement
14. Map Exhibit-Tentative Map Waiver
15. Landscape Plan



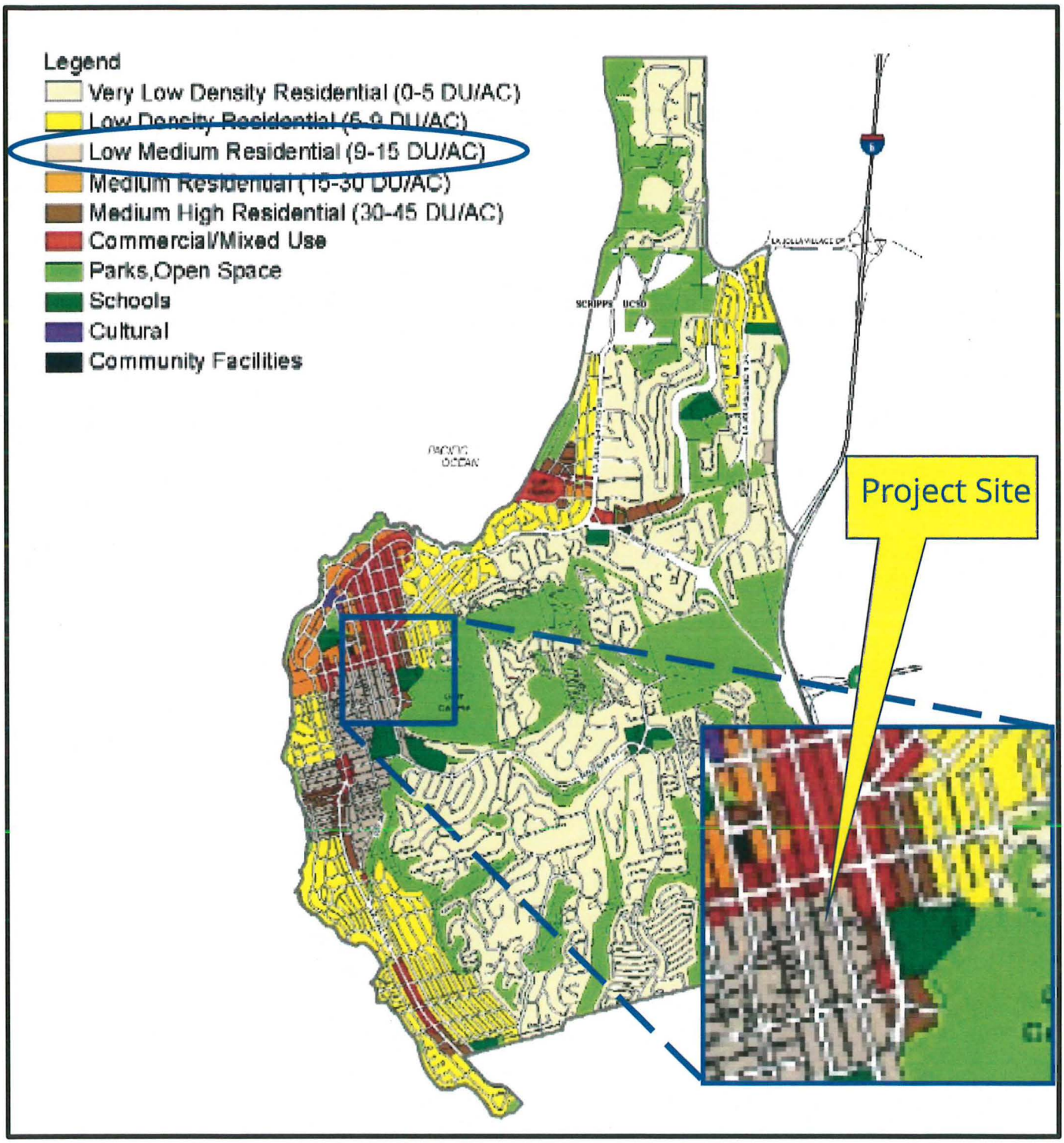
Location Map

FAY AVENUE CDP/TMW– Project No. 481476

7432-7436 Fay Avenue

North

ATTACHMENT 1



La Jolla Land Use Map

FAY AVENUE CDP/TMW – Project No. 481476
7432-7436 Fay Avenue

North

Project Site
Pearl St
Eads Ave
Bishops Ln
First Citizens Bank
Fay Ave
Bauer Rare Books
Gracie
Posh
Blush - Organic Spray Tanning
Armone's
We Love T
My A
Design Stu
76
Taco Shop
Salon
eauty
La Jolla Village Montessori School
Sorella Della Taverr
Flutterby Eyelash Extensions

HEARING OFFICER
RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT NO. 1696084
FAY AVENUE CDP/TMW - PROJECT NO. 481476

WHEREAS, IGOR IVANOV, Owner/Permittee, filed an application with the City of San Diego for a permit to convert three existing dwelling units into three residential condominium units (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1696084), on portions of a 0.161-acre site;

WHEREAS, the project site is located 7432-7436 Fay Avenue, in the RM-1-1 zone, and the Coastal (Non-Appealable Area 2), the Coastal Height Limitation, the Parking Impact (Coastal), the Transit Area, and the Residential Tandem Parking Overlay Zones within the La Jolla Community Plan and Local Coastal Program Land Use Plan;

WHEREAS, the project site is legally described as Lot 21 and 22 in Block 6 of La Jolla Park, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 352, filed in the Office of the County Recorder of San Diego, March 22, 1887;

WHEREAS, on November 30, 2016, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1696084 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on September 22, 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 (Existing Facilities) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code 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 November 30, 2016.

FINDINGS:

Coastal Development Permit - Section 126.0708 (a)

1. **The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.**

   The 0.161-acre project site is an interior lot located approximately a half mile from the Pacific Ocean. There is no existing or proposed public accessway to the beach, view

corridors, viewsheds, intermittent or partial vista views, or scenic overlooks on or adjacent to the project site, as identified in the La Jolla Community Plan (LJCP) and Local Coastal Program (LCP) land use plan (Figure 9). The project is a proposed subdivision for the conversion of three existing dwelling units into condominiums, constructed in accordance with Zone Variance No. 4971 and Yard Variance No. approved by the Zoning Administrator on June 22, 1962. The project does not propose to expand the existing development footprint or building envelope, located entirely on private property. Therefore, the project will not encroach upon any existing physical accessway legally used by the public or any proposed public accessway, and will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the LJCP/LCP land use plan.

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

The 0.161-acre project site has been previously graded and developed, and is located in an urbanized and fully developed neighborhood. The site is currently improved with three dwelling units consisting of one three-bedroom dwelling unit fronting Fay Avenue, and a duplex with two-bedrooms each above two, two-car garages in the rear of the property with access provided via the alley (Bishops Lane). The project is a proposed subdivision for the condominium conversion of the existing residential units on the property for home ownership opportunities. The project site does not contain any environmentally sensitive lands as defined in San Diego Municipal Code (SDMC) Section 113.0103. Therefore, the proposed development will not adversely affect any environmentally sensitive lands.

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 LJCP designates the site for Low Medium Residential use at a density of 9-15 dwelling units per acre (du/ac). The underlying RM-1-1 Zone is a multiple dwelling unit zone that allows a maximum of one dwelling unit per 3,000 square feet of lot area. The site could accommodate a total of two dwelling units based on the Zone. The three-unit development on the site yields a density of 18.63 du/ac, and exceeds the density allowed per the LJCP land use designation, and the maximum number of dwelling units allowed per the underlying zone. However, the three dwelling units on the property are allowed pursuant to Zone Variance No. 4871 granted by the Zoning Administrator in 1962. The project proposes the conversion of existing residential units into condominiums for home ownership opportunities, which does not affect the previously approved density Variance.

The proposed conversion to residential condominiums supports LJCP recommendations of developing a variety of housing types and styles in La Jolla, providing opportunities for affordable and balanced housing, providing higher densities along transit corridors and adjacent to pockets of service sector employment, and maintaining community character by preserving existing streetscape themes and ensuring residential development comply with the landscape and streetscape guidelines. The proposed conversion to residential condominiums contributes to providing more variety and affordable home ownership opportunities in the area. The site is located within the Transit Area Overlay Zone, with

public transit and a wide range of commercial/retail service establishments within walking distance. The project proposes the planting of three Queen Palms and street yard landscaping preserving the existing community character.

The project site is approximately a half mile from the Pacific Ocean. There is no existing or proposed public accessway to the beach, view corridors, viewsheds, intermittent or partial vista views, or scenic overlooks on or adjacent to the project site, as identified in the LJCP/LCP land use plan (Figure 9). The existing development has been constructed in accordance with the density, gross floor area, and parking pursuant to prior approved Variance and plans. The project does not propose to expand the previously approved building footprint or building envelop. The proposed subdivision complies with the SDMC pertaining to condominium conversions including required parking and landscaping. Based on the above analysis, the development is in conformity with the certified LJCP/LCP 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 a 0.161-acre site located at 7432-7436 Fay Avenue. The project site is located approximately a half mile from the Pacific Ocean, and not located between the ocean and the nearest public road paralleling the ocean located within the Coastal Overlay Zone. Therefore, the proposed development and approval of the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 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. 1696084, a copy of which is attached hereto and made a part hereof.

_____

Firouzeh Tirandazi
Development Project Manager
Development Services

Adopted on: _____

IO#: 24006586

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: 24006586 SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 1696084
FAY AVENUE CDP/TMW - PROJECT NO. 481476
HEARING OFFICER

This Coastal Development Permit No. 1696084 is granted by the Hearing Officer of the City of San Diego to IGOR IVANOV, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0708. The 0.161-acre site is located at 7432-7436 Fay Avenue, in the RM-1-1 zone, and the Coastal (Non-Appealable Area 2), the Coastal Height Limitation, the Parking Impact (Coastal), the Transit Area, and the Residential Tandem Parking Overlay Zones within the La Jolla Community Plan and Local Coastal Program Land Use Plan area. The project site is legally described as: Lot 21 and 22 in Block 6 of La Jolla Park, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 352, filed in the Office of the County Recorder of San Diego, March 22, 1887.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to convert three existing dwelling units into three residential condominium units described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated November 30, 2016, on file in the Development Services Department.

The project shall include:

a. Conversion of three existing dwelling units including two, 2-bedroom units and one, 3-bedroom unit, into three residential condominiums;

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 December 15, 2019.

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. This Coastal Development Permit shall comply with the provisions of Tentative Map Waiver No. 1696972.

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" 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.

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.

AFFORDABLE HOUSING REQUIREMENTS:

12. Owner/Permittee shall comply with the provisions of Chapter 14, Article 2, Division 13 of the San Diego Municipal Code ("Inclusionary Affordable Housing Regulations") by paying the Condominium Conversion Inclusionary Affordable Housing Fee in one of the following ways:

a. Deferring payment of the Condominium Conversion Inclusionary Affordable Housing Fee until the close of escrow of the first condominium sold at the development by entering into a written agreement with the San Diego Housing Commission securing payment of the Condominium Conversion Inclusionary Affordable Housing Fee, which shall be recorded against the development and secured by a recorded deed of trust in favor of the San Diego Housing Commission. If Owner/Permittee elects future payment of the Condominium Conversion Inclusionary Affordable Housing, the fee shall be calculated

using the rate in effect at the close of escrow of the first condominium unit sold at the development; or

b. Pre-paying the Condominium Conversion Inclusionary Affordable Housing Fee to the City based upon the aggregate square footage of all residential units in the project. If Owner/Permittee pre-pays the Condominium Conversion Inclusionary Affordable Housing, the fee shall be calculated using the rate in effect on the date of pre-payment.

13. Prior to recordation of the Parcel Map, the Owner/Permittee shall demonstrate conformance with the San Diego Municipal Code provisions for Tenant Relocation Benefits (San Diego Municipal Code section 144.0505), to the satisfaction of the Development Services Department and the Housing Commission.

ENGINEERING REQUIREMENTS:

14. The project proposes to export no material from the project site. Any excavated material that is 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. Prior to the recording of the Parcel Map, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the damaged portions of the sidewalk with current City Standard sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractor's stamp, adjacent to the site on Fay Avenue, satisfactory to the City Engineer.

16. Prior to the recordation of the Parcel Map, the Owner/Permittee shall assure, by permit and bond, the removal of all non-utilized driveways and construction of current City Standard full-height curb, gutter, and sidewalk, adjacent to the site on Fay Avenue, satisfactory to the City Engineer.

17. Prior to the recordation of the Parcel Map, the Owner/Permittee shall assure by permit and bond, the reconstruction of a full-width City Standard alley adjacent to the project site, property line to property line, satisfactory to the City Engineer.

18. 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.

19. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.

20. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

21. Prior to issuance of any 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 be in substantial conformance with the Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. 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.

22. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements, including in the right-of-way, consistent with the Land Development Manual Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.

23. 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. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

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

PLANNING/DESIGN REQUIREMENTS:

25. Owner/Permittee shall maintain a minimum of four 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.

26. The Owner/Permittee shall post a copy of each approved discretionary Permit or Tentative Map in its sales office for consideration by each prospective buyer.

27. 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 November 30, 2016 and Resolution No. HO_____.

Coastal Development Permit No. 1696084
Date of Approval:_____

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

_____
Firouzeh Tirandazi
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.

IGOR IVANOV
Owner/Permittee

By _____
Igor Ivanov

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

RESOLUTION NO. _____
DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE HEARING OFFICER ADOPTING THE FINDINGS AND APPROVING TENTATIVE MAP WAIVER NO. 1696972 FOR FAY AVENUE CDP/MW – PROJECT NO. 481476

WHEREAS, Igor Ivanov, Subdivider, and San Diego Land Surveying and Engineering, Inc., Surveyor, submitted an application with the City of San Diego for Tentative Map Waiver No. 1696972, to waive the requirement for a Tentative Map for a three-unit residential condominium conversion project, and to waive the requirement to underground existing offsite overhead utilities. The project site is located at 7432-7436 Fay Avenue, between Pearl and Genter Streets, in the RM-1-1 zone, and the Coastal (Non-Appealable Area 2), the Coastal Height Limitation, the Parking Impact (Coastal), the Transit Area, and the Residential Tandem Parking Overlay Zones within the La Jolla Community Plan and Local Coastal Program Land Use Plan. The property is legally described as Lot 21 and 22 in Block 6 of La Jolla Park, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 352, filed in the Office of the County Recorder of San Diego, March 22, 1887; and

WHEREAS, the Map proposes the subdivision of a 0.161-acre site into one (1) lot for a three (3) unit residential condominium conversion; and

WHEREAS, on September 22, 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 (Existing Facilities) 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 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)(1)(B) based on the fact that 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 November 30, 2016, the Hearing Officer of the City of San Diego considered Tentative Map Waiver No. 1696972, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to sections 125.0122 (Tentative Map Waiver),125.0444 (Condominium Conversion), and 144.0240 (underground) of the San Diego Municipal Code and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Hearing Officer having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Tentative Map Waiver No. 1606072:

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

The 0.161-acre project site is located at 7432-7436 Fay Avenue, between Pearl and Genter Streets within the RM-1-1 Zone of the La Jolla Community Plan (LJCP) and Local Coastal Program (LCP) land use plan. The site could accommodate a maximum of two dwelling units based on the RM-1-1 Zone, and a density of 9-15 dwelling units per acre (du/ac) based on the LJCP land use designation. The property is developed with three dwelling units yielding a density of 18.63 du/ac, which exceeds the allowable density per LJCP land use designation, and the maximum units allowed per the RM-1-1 Zone. The existing development conforms

to Zone Variance No. 4971 approved by the Zoning Administrator on June 22, 1962, which allowed the addition of a two-unit residential complex to an existing dwelling unit, for a total of three dwelling units on the property. The project proposes the conversion of the existing three units into residential condominiums for home ownership opportunities and does not affect the previously approved density Variance and plans.

The proposed conversion to residential condominiums supports LJCP recommendations of developing a variety of housing types and styles in La Jolla, providing opportunities for affordable and balanced housing, providing higher densities along transit corridors and adjacent to pockets of service sector employment, and maintaining community character by preserving existing streetscape themes and ensuring residential development comply with the landscape and streetscape guidelines. The proposed conversion to residential condominiums contributes to providing more variety and affordable home ownership opportunities in the area. The site is located within the Transit Area Overlay Zone, with public transit and a wide range of commercial/retail service establishments within walking distance. The project proposes the planting of three Queen Palms and street yard landscaping preserving the existing community character.

There is no existing or proposed public accessway to the beach, view corridors, viewsheds, intermittent or partial vista views, or scenic overlooks on the or adjacent to the project site, as identified in the LJCP/LCP land use plan, and therefore, the project would not affect public access to, or public views of, the Pacific Ocean. Therefore, the proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable LJCP/LCP land use plan.

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

The project proposes to convert three existing residential units to condominiums on a 0.161-acre site located at 7432-7436 Fay Avenue, within the RM-1-1 Zone of the LJCP/LCP land use plan. Other than the subdivision to allow condominium ownership, no additional development or intensification of use is requested. The underlying RM-1-1 Zone is a multiple dwelling unit zone that allows a maximum of one dwelling unit per 3,000 square feet of lot area. The 6,995.65-square-foot site could accommodate a total of two dwelling units based on the Zone. The existing density of three units on the premises is allowed pursuant to Zone Variance No 4971. The development provides four off-street parking spaces in garages as originally approved, with a driveway 24 feet in length measured from the garages to the adjacent alley right-of-way, which can accommodate an additional four off-street parking spaces.

The existing off-street parking spaces exceed the three spaces required for the subject condominium conversion project that is located within the Transit Overlay Zone per San

Diego Municipal Code (SDMC) section 142.0525. All existing off-street parking previously approved (two, two-car garages) is required to be maintained per SDMC Section 142.0525. The project is proposing two street trees and street yard landscaping. As required by SDMC section 144.0504, a building conditions report has been prepared for the structures proposed for this condominium conversion, which concludes that the property is in good overall condition, and includes several recommendations for the repair and replacement of certain building elements to meet current code requirements prior to the approval of the map. The existing development has been constructed in accordance with the density, gross floor area, and parking per prior approved Variances and plans, and complies with the parking and landscape requirements for condominium conversions. 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 project site is an interior lot located within an urbanized portion of the City developed since the early 1900s. The site is zoned RM-1-1 and allows multi-unit residential development. The 0.161-acre site is similar in size and topography to adjacent sites and is developed with three dwelling units in accordance with Zone Variance No. 4971. The conversion proposes no change in use or density previously approved, therefore the site is physically suitable with the type and density of the 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 environmental analysis of the project determined that the proposed three-unit residential condominium conversion project would not have the potential for causing a significant effect on the environment. The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines. The project site is located within an urbanized environment where there are no watercourses or environmentally sensitive lands harboring fish or wildlife on or adjacent to the site. 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.

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

The design of the subdivision was reviewed and determined to be in compliance with the Municipal Code and Subdivision Map Act. The Tentative Map Waiver and associated development permit include conditions and corresponding exhibits of approvals relevant to adequate parking, public improvements, undergrounding of utilities and payment of applicable fees in order to achieve compliance with the regulations of the San Diego Municipal Code. The completion of specified improvements, to the satisfaction of the City Engineer, will be required prior to the approval of the final map to ensure the public health,

safety, and welfare. These improvements include electrical upgrades, provision of operable windows/doors in each sleeping room for emergency escape or rescue, installation of operable smoke alarms, the replacement of building components and systems with a remaining life of five years or less, and compliance with required parking and required street tree and street yard landscaping requirements for condominium conversion. The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities). Therefore, the design of the subdivision or the type of improvements 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.**

The 0.161-acre project site fronts on Fay Avenue and also has alley access off Bishops Lane at the rear of the site. The property does not contain any public easements that have been acquired by the public at large for access through or use of property within the proposed subdivision. Therefore, the design of the subdivision or the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

The project proposes the conversion of three existing residential units to condominiums. Other than the subdivision to allow condominium ownership, no additional development or intensification of use is requested. The surrounding properties and neighborhood are fairly level with no substantial elevation or landform changes. The project is surrounded by existing one- and two-story structures and is situated mid-block on Fay Avenue with an east-west building orientation. The two structures on the property allow for passive heating opportunities through daylight openings. Those openings also provide for passive cooling through cross-ventilation of 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 project is a proposed subdivision for the conversion of three existing dwelling units into residential condominiums for home ownership opportunities. The applicant has chosen the option of paying an inclusionary affordable housing fee to meet their affordable housing requirement rather than provide the affordable dwelling units on site. The site is conveniently served by existing public transit and a wide range of retail/commercial establishments north of the project site on Pearl Street, and public facilities in including schools, a recreation center, and a library nearby. The conversion of three dwelling units to residential condominiums would not increase the need for public services in the region. No additional demand for public services or available fiscal and environmental resources would

be associated with the conversion of three existing residential units to condominium ownership.

9. **The notices required by San Diego Municipal Code section 125.0431 have been given in the manner required.** A 60-Day Notice of Intent to Convert to Condominiums and Notice of Tenant Rights have been provided to all tenants. Therefore, all applicable notices required by the San Diego Municipal Code section 125.0431 have been provided in the manner required.

10. **The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing.** All costs associated with the processing of this Tentative Map Waiver were paid by the applicant. The subdivision was not developed to provide housing for the elderly, disabled or to provide low income housing.

11. **For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed.** The subdivision was not developed to provide housing for the elderly, disabled or to provide low income housing.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Tentative Map Waiver No. 1696972, including the waiver of the requirement to underground existing offsite overhead utilities is hereby granted to Igor Ivanov, subject to the attached conditions which are made a part of this resolution by this reference.

By _____

Firouzeh Tirandazi
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Waiver Conditions

Internal Order No. 24006586

HEARING OFFICER
CONDITIONS FOR TENTATIVE MAP WAIVER NO. 1696972
FAY AVENUE CDP/TMW - PROJECT NO. 481476
ADOPTED BY RESOLUTION NO. _____ ON _____

GENERAL

1. This Tentative Map Waiver will expire December 15, 2019.

2. A consolidation Parcel Map shall be recorded as a condition of approval of the Tentative Map Waiver.

3. 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 Parcel Map unless otherwise noted.

4. Prior to the Tentative Map Waiver expiration date, a Parcel Map to consolidate and subdivide the 0.161-acre site into three residential condominium units shall be recorded in the Office of the San Diego County Recorder.

5. Prior to the recordation of the Parcel 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.

6. The Parcel Map shall conform to the provisions of Coastal Development Permit No. 1696084.

7. 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.

CONDOMINUM CONVERSION

8. The Subdivider shall provide a Notice of Tenants Rights and Notices for Condominium Conversion, consistent with the Land Development Manual to be provided as follows:

   a. For existing tenants, within 10 days of the project application for the condominium conversion being deemed complete; or

b. For prospective tenants, upon application for the rental of a unit in the proposed condominium conversion.

9. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the Subdivision Map Act.

10. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion in conformance with Subdivision Map Act section 66427.1(a)(2)(E). The provisions of this condition shall neither alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Civil Code sections 1941, 1941.1 and 1941.2.

11. The Subdivider shall provide the tenants of the proposed condominiums with written notification within 10 days after approval of a Parcel Map for the proposed conversion, in conformance with Subdivision Map Act section 66427.1(a)(2)(D).

12. The Subdivider shall give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (San Diego Municipal Code § 125.0431(a)(4)).

13. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Subdivision Map Act section 66427.1(a)(2)(F) and San Diego Municipal Code section 125.0431(a)(5). The right shall commence on the date the subdivision public report is issued, as provided in section 11018.2 of the Business and Professions Code, and shall run for a period of not less than 90 days, unless the tenant gives prior written notice of his or her intention not to exercise the right. (San Diego Municipal Code § 125.0431(a)(5)).

14. The Subdivider shall provide a copy of the Building Conditions Report to a prospective purchaser prior to the opening of an escrow account. (San Diego Municipal Code § 144.0504(c)).

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

AFFORDABLE HOUSING

16. Prior to recordation of the Parcel 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.*).

17. Prior to the recordation of the Parcel Map, the Subdivider shall demonstrate conformance with the San Diego Municipal Code provisions for Coastal Overlay Zone Affordable Housing Replacement Regulations (San Diego Municipal Code § 143.0810 *et seq.*), to the satisfaction of the Development Services Department and the San Diego Housing Commission.

18. Prior to the recordation of the Parcel Map, the Subdivider shall demonstrate conformance with the San Diego Municipal Code provisions for Tenant Relocation Benefits (San Diego Municipal Code § 144.0505), to the satisfaction of the Development Services Department and the Housing Commission.

ENGINEERING

19. Prior to the recordation of the Parcel Map, all Conditions of the associated Coastal Development Permit No. 1696084 shall be satisfied, satisfactory to the City Engineer.

20. The Subdivider shall ensure that all 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.

21. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.

22. 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 Tentative 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

23. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.

24. The Parcel 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.

    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.

LANDSCAPE

25. Prior to recordation of the Parcel Map, 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 the Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department.

26. Prior to recordation of the Parcel Map, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections.

INFORMATION:

- The approval of this 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 Tentative 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 Tentative Map Waiver, may protest the imposition within 90 days of the approval of this Tentative 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. 24006586

ATTACHMENT 9

NOTICE OF EXEMPTION

(Check one or both)

TO: __X__ Recorder/County Clerk
P.O. Box 1750, MS A-33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2400

_____ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

Project Name: Fay Avenue

Project No. / SCH No.: 481476 / N/A

Project Location-Specific: 7432 - 7436 Fay Avenue, San Diego, California 92037

Project Location-City/County: San Diego/San Diego

Description of nature and purpose of the Project: A COASTAL DEVELOPMENT PERMIT and MAP WAIVER to convert three existing residential units into three residential condominium units. No construction is proposed. The 0.16 acre project site is located at 7432 - 7436 Fay Avenue. The project site is designated Low Medium Density Residential (9 – 15 dwelling units per acre) and within the RM-1-1 zone (Residential – Multiple Unit, permits a maximum density of 1 dwelling unit for each 3,000 square feet of lot area). Additionally, the project site is within the Coastal Overlay Zone (Non-Appealable Area 2), the Coastal Height Limitation Overlay Zone, the Coastal Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, the Transit Area Overlay Zone, and the La Jolla Community Plan and Local Coastal Program. (LEGAL DESCRIPTION: Lots 21 and 22 in Block 6 of La Jolla Park, according to Map No. 352.)

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Deborah Marengo, Marengo Coastal Dev. Inc., 7724 Girard Avenue, San Diego, California 92037, (619) 994-1246

Exempt Status: (CHECK ONE)

( ) Ministerial (Sec. 21080(b)(1); 15268);
( ) Declared Emergency (Sec. 21080(b)(3); 15269(a));
( ) Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
(X) Categorical Exemption: 15301 (Existing Facilities)

Reasons why project is exempt: The City of San Diego conducted an environmental review, which determined the project would not have the potential for causing a significant effect on the environment in that the project is consistent with the community plan and the applicable zone. The project would not result in any significant environmental impacts. The project meets the criteria set forth in CEQA Section 15301 that consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply.

Lead Agency Contact Person: L. Sebastian Telephone: (619) 236-5993

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? ( ) Yes ( ) No

It is hereby certified that the City of San Diego has determined the above activity to be exempt from CEQA

L. Sebastian

Signature/Title

September 22, 2016

Date

Check One:

(X) Signed By Lead Agency

( ) Signed by Applicant

Date Received for Filing with County Clerk or OPR:

THE CITY OF SAN DIEGO

Date of Notice: September 22, 2016

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24006586

PROJECT NAME/NUMBER: FAY AVENUE / 481476

COMMUNITY PLAN AREA: La Jolla

COUNCIL DISTRICT: 1

LOCATION: 7432 - 7436 Fay Avenue, San Diego, California 92037

PROJECT DESCRIPTION: A COASTAL DEVELOPMENT PERMIT and MAP WAIVER to convert three existing residential units into three residential condominium units. No construction is proposed. The 0.16 acre project site is located at 7432 - 7436 Fay Avenue. The project site is designated Low Medium Density Residential (9 – 15 dwelling units per acre) and within the RM-1-1 zone (Residential – Multiple Unit, permits a maximum density of 1 dwelling unit for each 3,000 square feet of lot area). Additionally, the project site is within the Coastal Overlay Zone (Non-Appealable Area 2), the Coastal Height Limitation Overlay Zone, the Coastal Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, the Transit Area Overlay Zone, and the La Jolla Community Plan and Local Coastal Program. (LEGAL DESCRIPTION: Lots 21 and 22 in Block 6 of La Jolla Park, according to Map No. 352.)

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15301 (Existing Facilities)

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15301 that consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environmental were identified; the project is not adjacent to a

scenic highway; nor is the project identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

DEVELOPMENT PROJECT MANAGER:	Firouzeh Tirandazi
MAILING ADDRESS:	1222 First Avenue, MS 301, San Diego, CA 92101-4153
PHONE NUMBER:	619-446-5325

On September 22, 2016 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 (October 6, 2016). 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.

June 22, 1962

RE: ZONE VARIANCE - Case No. 4971
Application No. 21473
YARD VARIANCE - Case No. 4972
Application No. 21474

Daisy H. Lewis &
Alma Lewis Kaither (Greene)
7436 Fay Avenue
La Jolla, California

Dear Property Owners:

The Zoning Administrator has considered the application of Daisy H. Lewis & Alma Lewis Kaither aka Alma Lewis Greene to construct 3-unit apartment house making a total of 4 units on parcel with 3 units at rear served by 7' access court on Lots 21 and 22, Block 6, La Jolla Park at 7436 Fay Avenue, Zone R-4; and after consideration of the following finding of facts, has DENIED the 3-unit apartment house, but APPROVED a duplex, making a total of 3 units on parcel, subject to the following condition:

1. That final plans showing three (3) off-street parking spaces shall be submitted to and approved by the Zoning Administrator prior to the issuance of a building permit.

FINDING OF FACTS

After thorough consideration of the statements contained in the application, the report of the investigator thereon, a personal inspection of the property and surrounding district, and the statements made by the Zoning Administrator at the hearing on June 15, 1962, all of which are by reference made a part hereof, it was found that the four requirements for granting a variance as enumerated in Section 101.0503 of the Municipal Code have been established by the following facts:

1. The subject R-2 parcel, consisting of two 25' x 140' lot on the west side of Fay Avenue, 150' south of the C Zone along Pearl Street, is improved with an older single family dwelling to the rear of which is an older sub-standard garage which is not presently being used for off-street parking. Most of the improvements in the area are on 2 lots, and there are numerous R-2 uses in the area, many using the 20' alley at the rear of the property as primary access. Variances have been granted to construct 3 units on 2 lots on 3 parcels in the area, but there have been no applications requesting 4 units on 2 R-2 lots. One of these cases for 3 units on 2 lots was approved with a 6' access court.

The plot plan submitted shows 5 off-street parking spaces to the rear or west of the property in the 30' rear yard observed by the proposed 3-unit structure. Since these spaces are at 90° angle to the property line, a 20' alley would not suffice for turning. It would be necessary to place the proposed structure 4' further to the east to make these parking spaces usable.

2. The strict application of the provisions of the ordinance would deprive the applicants of the reasonable right to improve their property in a manner consistent with others in the area. The adjustment as granted by the City is the minimum adjustment that will accomplish this purpose.

3. The granting of the adjustment will be in harmony with the general purposes and intent of the ordinance which provides for such adjustments where unusual circumstances exist, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, particularly because of the condition imposed.

4. The granting of the variance will not adversely affect the Master Plan of the City.

This variance is not a permit or license, and any permits and licenses required by law must be obtained from the proper department. Furthermore, if any condition of this grant is violated, or if the same be not complied with in every respect, then this variance shall be subject to revocation.

Any zone variance granted by the City shall be null and void, and shall be revoked automatically six months 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.

The permission granted by this variance shall become effective and final on the eleventh day after it is filed in the office of the City Clerk, unless a written appeal is filed within ten (10) days after such filing in the Zoning Division of the Planning Department Office at 524 W. "C" Street. See Municipal Code Section 101.0507.

Yours very truly,

CITY PLANNING DEPARTMENT

D; E. South
Zoning Administrator

DES:ML:fl

Filed in Office
of City Clerk

JUN 22 1962

RIGHT OF APPEAL expires
10 DAYS
after the above date.

Minutes of the Hearing of the Zoning Administrator
Friday — 2:00 p.m.
City Council Chambers
June 15, 1962

ATTENDANCE: D. E. South, Zoning Administrator; F. Lail, Secretary

Case No. 4971
ZONE VARIANCE
Case No. 4972
YARD VARIANCE
Lewis, Kaither,
aka Greene

DAISY H. LEWIS & AIMA LEWIS KAITHER aka AIMA LEWIS GREENE - to construct 3-unit apartment house making a total of 4 units on parcel with 3 units at rear served by 7' access court on Lots 21, 22, Block 6, La Jolla Park at 7436 Fay Avenue, La Jolla, Zone R-2.

PRESENT: MRS. AIMA L. GREENE, 7436 Fay Avenue, La Jolla; her contractor also was present with some questions.

DISCUSSION: MR. SOUTH read the findings of the investigator and stated that it appears to him that she is asking for more than any of the others in the area have, and she would have to show some good reasons as to why application should be granted. MRS. GREENE stated that if the old house was not there she could build 2 duplexes on the two lots. MR. SOUTH replied that that was true, but as soon as a building crosses the common lot line it becomes one parcel and only two units would be permitted. MRS. GREENE agreed that 3 units could be built there all right without crowding since the lots are pretty deep. MR. SOUTH commented that he did not know whether the area would go for re-zoning to R-4 or not. MRS. GREENE stated that all she had talked to about it were in agreement with R-4, and they had put in for the change but were told that they should have gone further over on Eads for signatures and she has not circulated this as yet and had turned it over to a real estate agent.

MR. SOUTH stated that if she would be satisfied with 3 units, he would approve that, but if she wanted 4 he would have to deny it.

CONTRACTOR asked Mr. South if it would be possible to build 2 units over garages so that if the zone did change the garages could be converted to apartments. MR. SOUTH replied that would be permissible as long as rough plumbing was not installed for proposed units in garage.

MRS. GREENE agreed to the 2 new units and CONTRACTOR agreed to submit new plans to Mr. South.

DECISION: MR. SOUTH then denied the 3 new units, but approved 2 new units, making a total of 3 units on parcel, with off-street parking for all units, subject to plans being submitted and approved before issuance of building permit.

2 That the aforesaid circumstances or conditions are such that the strict application of the provisions of the ordinance would deprive the Applicant of the reasonable use of the land or buildings, that the granting of the

LEGAL -
LOTS - 21-22
BLOCK 6
LA JOLLA PARK
MAP 352

4971, 72

2. That the aforesaid circumstances or conditions are such that the strict application of the provisions of the ordinance would deprive the Applicant of the reasonable use of the land or buildings, that the granting of the adjustment is necessary for the reasonable use of the land or building and that the adjustment as granted by the City is the minimum adjustment that will accomplish this purpose.

ATTACHMENT 10

Tirandazi, Firouzeh

From: info@lajollacpa.org
Sent: Friday, September 02, 2016 12:49 PM
To: Tirandazi, Firouzeh
Subject: Fay MW/CDP / Project 481476

Hello Firouzeh, Findings could not be made for this one. Thank you, Cindy

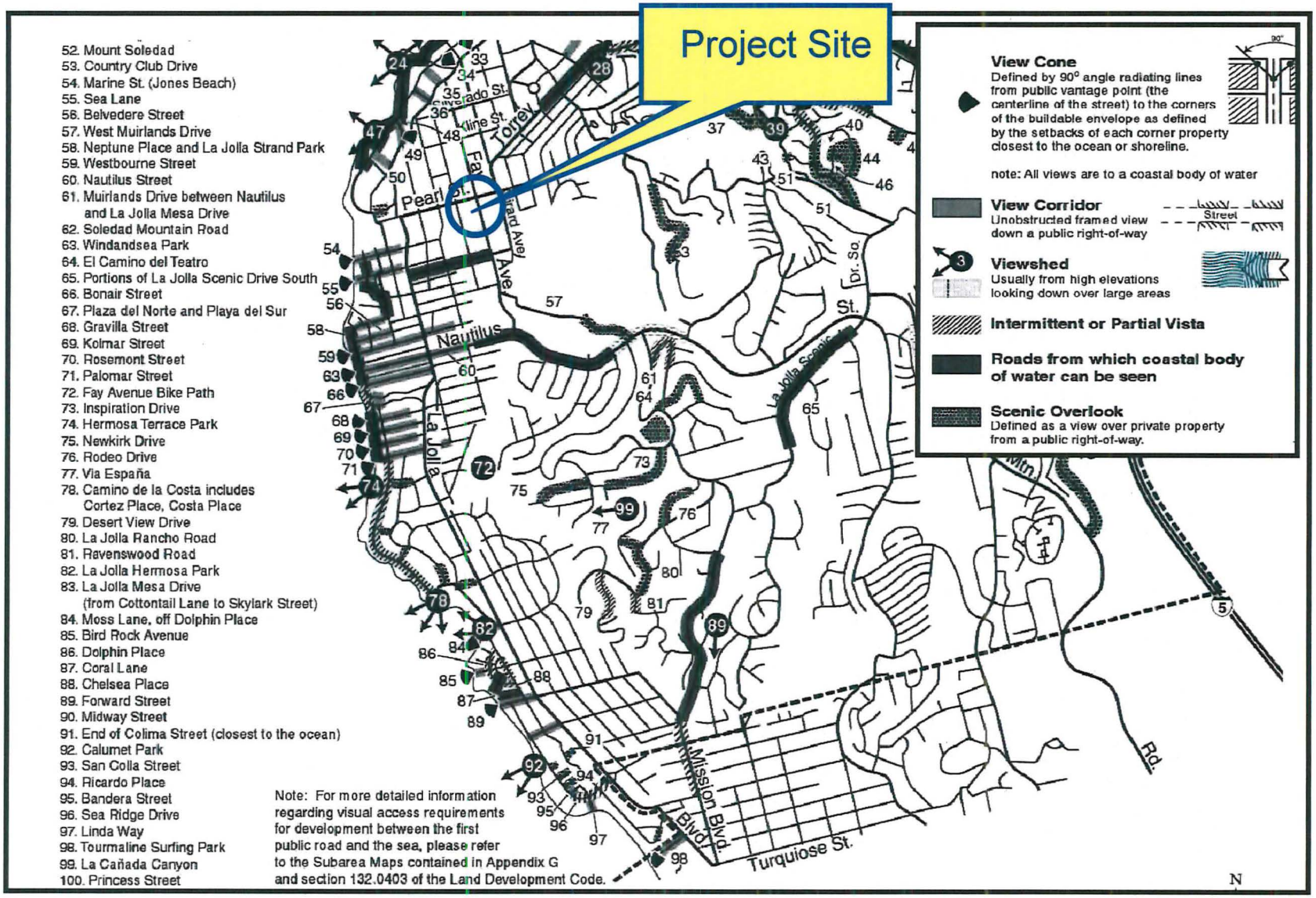
FAY AVENUE MAP WAIVER 7432-7434-7436 Fay Avenue CDP & TM Waiver **ACTION ITEM**

La Jolla (Process 3) Coastal Development Permit and Tentative Map Waiver for the conversion of three existing dwelling units to three residential condominium units. The 0.16-acre site is located at 7432, 7434, and 7436 Fay Avenue in the RM-1-1 Zone, and the Coastal (Non-appealable Area 2), Coastal Height Limitation, Coastal Parking Impact (Coastal), Transit Area, and Residential Tandem Parking Overlay Zones within the La Jolla Community Plan and Local Coastal Program area.

DPR RECOMMENDATION: Findings CAN NOT be made to approve a Coastal Development Permit and Tentative Map Waiver for the conversion of three existing dwelling units to three residential condominium units at 7432-7434-7436 Fay Avenue, based upon the following issues: a change in ownership patterns is a change in circumstances that questions the "no change in circumstances" claimed by the applicant and would extinguish the existing variance; the proposal is inconsistent with neighborhood development pattern which is predominately two units per property/parcel; the submittal is incomplete because it lacks information on CC & R's for short-term property maintenance and provisions for long-term rehabilitation for buildings built in 1940 and 1962; there are too many unknowns regarding potential new development and its effects on neighborhood character. 3-2-0

Robert Bateman presents. He was asked to bring conforming evidence to Affordable Housing, which he did previous to this meeting. He states this project provides affordable housing options that lead to a balanced community. No public comment. Trustee Little asks questions on variances which is addressed.

Motion to ratify DPR Action that Findings cannot be made (Courtney/Weiss) In Favor: Ahern, Boyden, Brady, Emerson, Little, Rasmussen, Shannon, Weiss. Opposed: Collins, Courtney. Abstain: Will, Shannon. Both state that they are too unfamiliar with project to vote, in Will's case due to the fact that he missed the LJCPA deliberation period this evening. Greatrex (Chair). Not Present to Vote: Donovan. Motion carries 8-2-3.



Identified Public Vantage Points (Figure 9)

FAY AVENUE CDP/TMW – Project No. 481476

7432-7436 Fay Avenue

North

ATTACHMENT 12

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

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: ☐ Neighborhood Use Permit ☒ Coastal Development Permit ☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit ☐ Variance ☐ Tentative Map ☐ Vesting Tentative Map ☒ Map Waiver ☐ Land Use Plan Amendment • ☐ **Other** _____

Project Title
Fay Avenue Condominium Conversion

Project No. *For City Use Only*
481476

Project Address:
7432, 7434, 7436 Fay Avenue

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, 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) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of **all** persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. 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.

Additional pages attached ☐ **Yes** ☐ **No**

Name of Individual (type or print):
Igor Ivanov
☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency
Street Address:
7724 Girard Avenue, 2nd Floor
City/State/Zip:
La Jolla, CA 92037
Phone No: 858-459-3769
Fax No: 858-459-3768
Signature : Date: 4.5.16

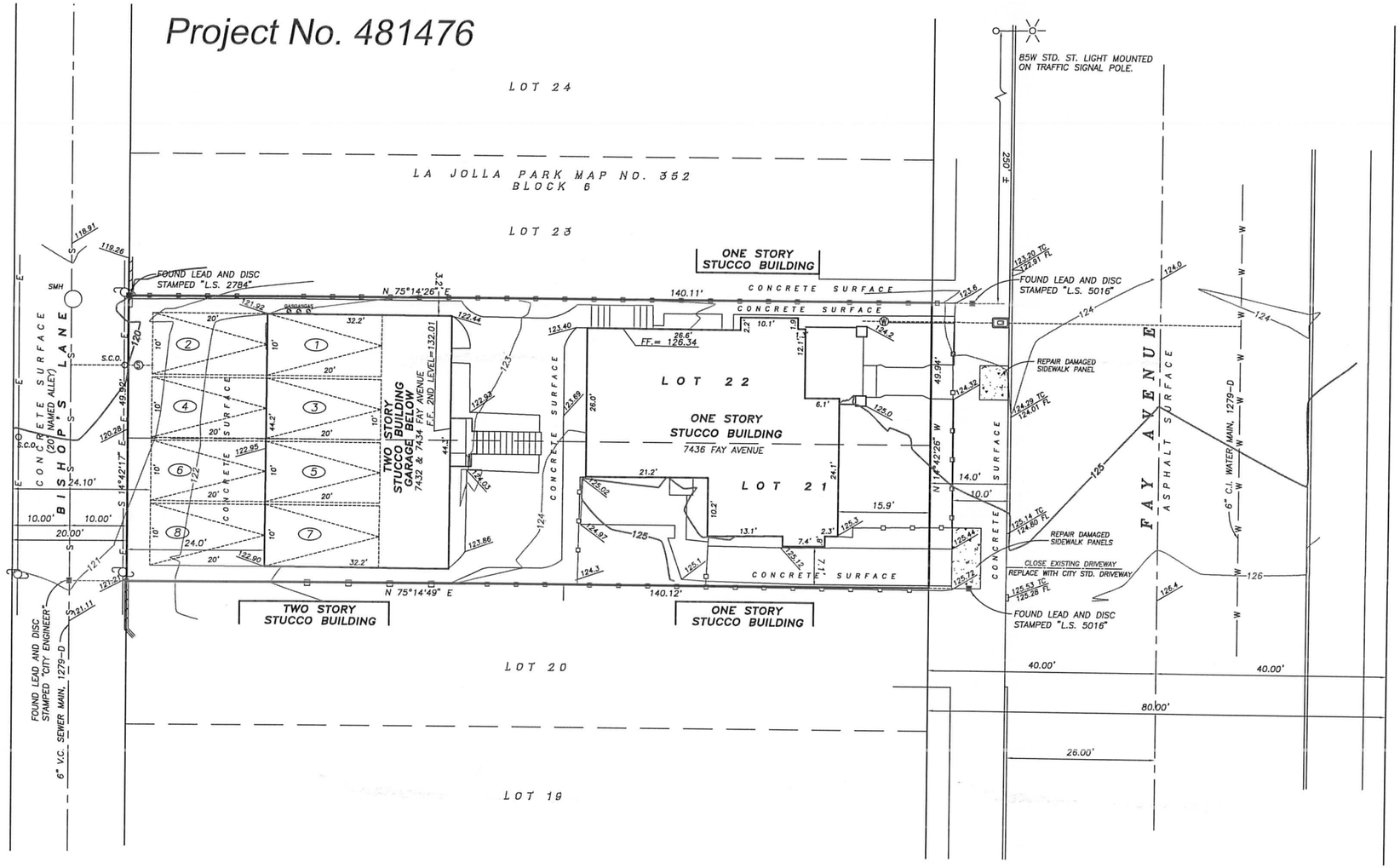
Name of Individual (type or print):
☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency
Street Address:
City/State/Zip:
Phone No: Fax No:
Signature : Date:

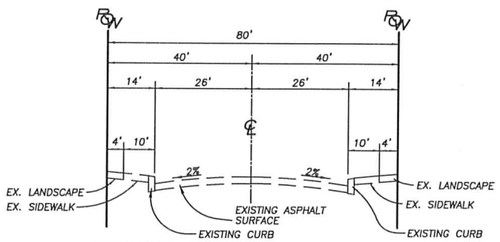
Name of Individual (type or print):
☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency
Street Address:
City/State/Zip:
Phone No: Fax No:
Signature : Date:

Name of Individual (type or print):
☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency
Street Address:
City/State/Zip:
Phone No: Fax No:
Signature : Date:

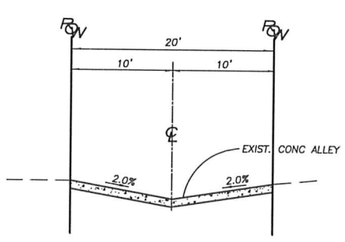
7432-36 FAY AVENUE TENTATIVE MAP WAIVER No. 1696972

Project No. 481476





TYPICAL STREET SECTION OF FAY AVENUE
(EXISTING STREET)
NO SCALE



TYPICAL STREET SECTION OF ALLEY (BISHOP'S LANE)
(EXISTING STREET)
NO SCALE

LEGEND:

- INDICATES FOUND LEAD AND DISC STAMPED "L.S. 5016, EXCEPT AS NOTED
- INDICATES WATER METER
- INDICATES GAS METER
- INDICATES PARKING SPACE
- FF INDICATES FINISHED FLOOR
- TC INDICATES TOP OF CURB
- FL INDICATES FLOW LINE
- DI INDICATES DRAIN INLET
- INDICATES WOOD FENCE
- INDICATES SEWER LATERAL
- INDICATES WATER SERVICE
- W — W INDICATES WATER LINE
- S — S INDICATES SEWER LINE
- E — E INDICATES OVERHEAD ELECTRIC LINE
- INDICATES WALL
- INDICATES PROPERTY LINE/TMW BOUNDARY

DEVELOPMENT NOTES:

1. THIS IS A MAP OF 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 UNITS IS 3
2. NUMBER OF EXISTING LOTS = 2
   NUMBER OF PROPOSED LOTS = 1
3. THE OVERHEAD ELECTRIC LINES ARE LOCATED IN THE ALLEY, NOT ALONG THE FRONTAGE.
4. THIS MAP WAIVER IS WAIVING THE TENTATIVE MAP ONLY.
5. ALL EXISTING LEGAL PARKING SPACES SHALL REMAIN AND BE MAINTAINED EVEN IF THAT NUMBER EXCEED THE CALCULATED MINIMUM PARKING REQUIREMENT FOR A CONDOMINIUM CONVERSION.
6. SUBDIVIDER TO REMOVE AND REPLACE ALLEY PAVING FULL-WIDTH ADJACENT TO SUBJECT PROPERTY.

OWNER/DEVELOPER:

IGOR IVANOV
7724 GIRARD AVENUE
LA JOLLA, CA 92037

IGOR IVANOV

GRAPHIC SCALE
10 0 5 10 20 40
(IN FEET)
1 INCH = 10 FT.

ZONING INFORMATION

EXISTING AND PROPOSED ZONE: RM-1-1
COMMUNITY PLAN NAME: LA JOLLA
OVERLAY ZONES: RESIDENTIAL TANDEM PARKING
TRANSIT AREA
PARKING IMPACT
COASTAL CITY

UNIT AREAS LIVING SPACE

TYPE OF UNIT	NUMBER OF TYPE	SQUARE FOOTAGE PER UNIT	TOTAL PER TYPE
2 BR UNIT	2	702	1404
3 BR UNIT	1	1,362	1,362
TOTAL	3	–	2,766

UTILITY TABLE:

UTILITY	OVERHEAD	UNDERGROUND
CATV	X	
ELECTRIC	X	
GAS		X
TELEPHONE	X	

MONUMENTATION & MAPPING

A PARCEL MAP WILL BE FILED AT THE COUNTY RECORDER'S OFFICE PRIOR TO THE EXPIRATION OF THE TENTATIVE MAP WAIVER. A DETAILED PROCEDURE OF SURVEY WILL BE SHOWN ON THE PARCEL MAP AND ALL PROPERTY CORNERS WILL BE SET ON THE PARCEL MAP.

EXISTING & PROPOSED EASEMENTS:

EXISTING EASEMENT – NONE

PROPOSED EASEMENT – NONE

EXISTING IMPROVEMENTS

SEWER DRAWING NO. 1279-D
WATER DRAWING NO. 1279-D

CITY OF SAN DIEGO
DEVELOPMENT SUMMARY

1. SUMMARY OF REQUEST:
   MAP WAIVER TO CONVERT/CREATE 3 RESIDENTIAL CONDOMINIUM UNITS
2. STREET ADDRESS: 7432-7436 FAY AVENUE
   ☐N ☐S ☐E ☒W SIDE
   BETWEEN PEARL STREET AND GENTER STREET
3. SITE AREA:
   TOTAL SITE AREA: (6995.65 SF) (0.161 AC.)
   NET SITE AREA: (6995.65 SF) (0.161 AC.)
4. DENSITY: (RESIDENTIAL)
   MAXIMUM NO. DWELLING UNITS ALLOWED PER ZONE: 3
   NUMBER OF EXISTING UNITS TO REMAIN ON SITE: 3
   NUMBER OF PROPOSED DWELLING UNITS ON SITE: 0
   TOTAL NUMBER OF UNITS PROVIDED ON THE SITE: 3
5. YARD/SETBACK — MINIMUM
   FRONT: 10'
   STREET SIDE YARD: 6'
   INTERIOR SIDE YARD: 6'
   REAR YARD: 1'
6. PARKING:
   PARKING CRITERIA:
   ☒ RESIDENTIAL ☐ COMMERCIAL ☐ INDUSTRIAL
   ☐ MIXED USE ☐ OTHER

TYPE OF UNIT	NUMBER OF TYPE	PARKING REQUIRED PER UNIT	TOTAL PER TYPE
2 BR UNIT	2	1.0	2
3 BR UNIT	1	1.25	1.25
TOTAL REQUIRED BY ZONE			3.25
TOTAL PROVIDED ON-SITE			8

PROFESSIONAL LAND SURVEYOR:

SAN DIEGO LAND SURVEYING & ENGINEERING, INC.
9665 CHESAPEAKE DRIVE, SUITE 445
SAN DIEGO, CALIFORNIA 92123 (858) 565-8362
PROJECT NO. 350-611-09 Fay Ave 7432 MW.dwg

Robert J. Bateman 08-17-2016
ROBERT J. BATEMAN, P.L.S. 7046 DATE

PROFESSIONAL LAND SURVEYOR ROBERT J. BATEMAN No. 7046 CALIFORNIA

Prepared By:
SAN DIEGO LAND SURVEYING AND ENGINEERING, INC
9665 CHESAPEAKE DRIVE, SUITE 445
SAN DIEGO, CA 92123-1354
PHONE: 858-565-8362
FAX: 858-565-4354 EMAIL: rbateman@sdlse.com

Consultants:

Basis of Bearings:
THE WESTERLY RIGHT-OF-WAY LINE OF FAY AVENUE AS SHOWN ON CORNER RECORD 2667.
I.E. N 14°57'20" W

Benchmark:
NORTHEAST BRASS PLUG
FAY AVENUE AND PEARL STREET
ELEVATION= 113.882 M.S.L.

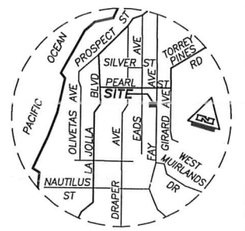
Project Legal Description:
LOTS 21 AND 22 IN BLOCK 6 OF LA JOLLA PARK, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 352 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 22, 1887.

LAMBERT COORDINATES :
NAD 27 = 246-1685 NAD 83 = 1,886-6,245

A.P.N. 350-611-09

Project Name:
Fay Avenue Condo Conversion

Sheet Title:
MAP WAIVER NO. 1696972
I.O. No. 24006586 Project No. 481476



VICINITY MAP
NO SCALE

Project Soil Condition: Existing developed site.

Source of Topography:
Field survey by San Diego Land Surveying on 2-26-2016

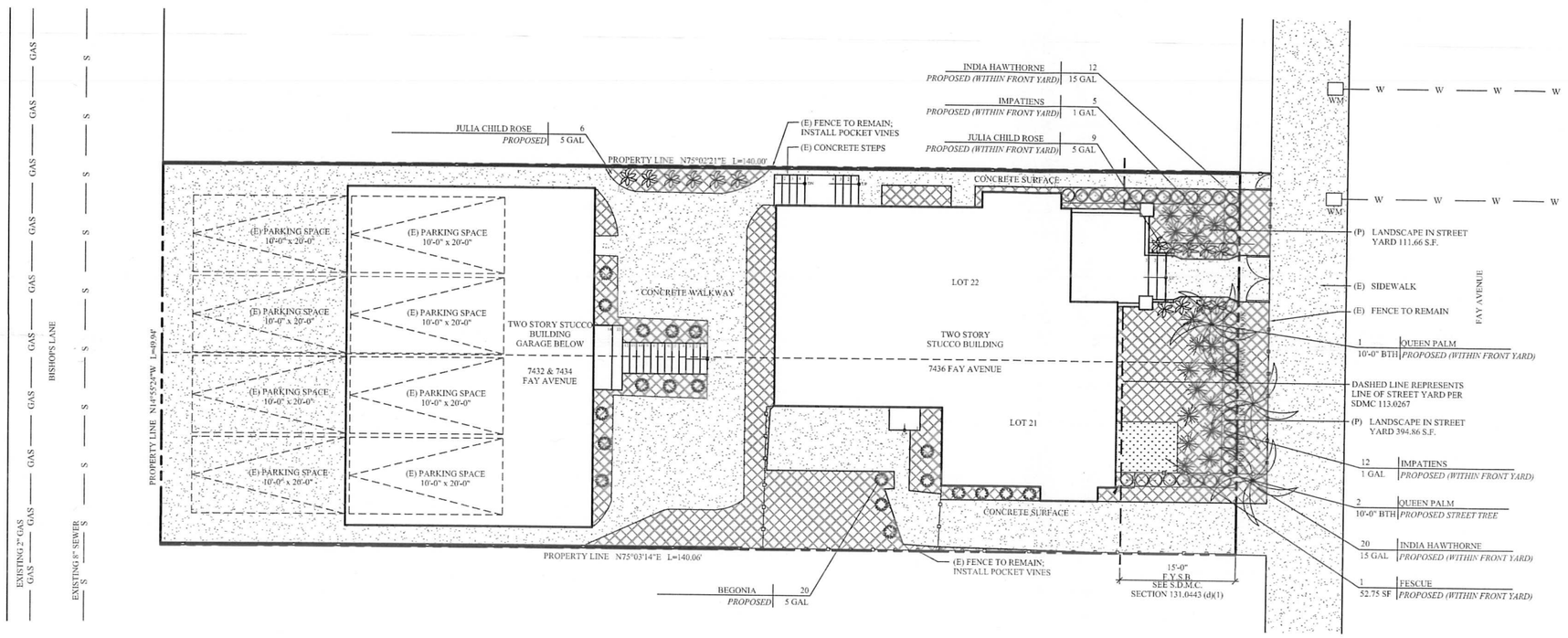
Project Permits Required:
TENTATIVE MAP WAIVER
Coastal Development Permit

Project Data:
Number of Stories: 2
Proposed use: Residential
Existing use: Residential
Zone Designation: RM-1-1
La Jolla Planned District,
Year of Construction: 1940

Project Address:
7432-36 Fay Avenue
San Diego, CA 92103

Project Owner:
IGOR IVANOV
7724 GIRARD AVENUE
LA JOLLA, CA 92037

Scale: 1" = 10'
Original Date: April 4, 2016
Revised: June 22, 2016
Revised: August 17, 2016



1 PROPOSED LANDSCAPE PLAN ON EXISTING SITE

0 4' 8' 16'

SCALE: 1/8" = 1'-0"

LANDSCAPE NOTES

1. ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE STANDARDS OF SAN DIEGO PLANNED DISTRICT ORDINANCE, THE CITY-WIDE LANDSCAPE REGULATIONS AND THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL LANDSCAPE STANDARDS AND ALL OTHER LANDSCAPE RELATED CITY AND REGIONAL STANDARDS.
2. LONG TERM MAINTENANCE: ALL REQUIRED LANDSCAPE AND IRRIGATION SHALL BE MAINTAINED BY THE OWNER. THE LANDSCAPE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT. ALL LANSCAPE AND IRRIGATION IN THE PUBLIC RIGHT OF WAY SHALL ALSO BE MAINTAINED BY THE OWNER.
3. TREE ROOT BARRIERS: A MINIMUM ROOT ZONE OF 40 SF IN AREA SHALL BE PROVIDED FOR ALL TREES. THE MINIMUM DIMENSION OF THIS AREA SHALL BE 5 FEET, PER LDC 142.0403 (b)(5).
4. ALL REQUIRED PLANTING AREAS SHALL BE COVERED WITH MULCH TO A MINIMUM DEPTH OF 3", EXCLUDING AREAS PLANTED WITH GROUNDCOVER. ALL EXPOSED SOIL AREAS WITHOUT VEGETATION SHALL ALSO BE MULCHED TO THIS MINIMUM DEPTH.
5. MINIMUM TREE SEPARATION DISTANCE:

TRAFFIC SIGNALS (STOP SIGN)	20 FEET
UNDERGROUND UTILITY LINES	5 FEET
ABOVE GROUND UTILITY STRUCTURES	10 FEET
DRIVEWAY (ENTRIES)	10 FEET
STREET INTERSECTIONS	25 FEET
SEWER LINES	10 FEET

6. ALL REQUIRED LANDSCAPED AREAS SHALL BE PERMANENTLY IRRIGATED AND MAINTAINED IN ACCORDANCE WITH THE LANDSCAPE GUIDELINES OF THE LAND DEVELOPMENT MANUAL.
7. IRRIGATION: AN AUTOMATIC, ELECTRONICALLY CONTROLLED IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED BY LDC 142.0403(c) FOR PROPER IRRIGATION, DEVELOPMENT, AND MAINTENANCE OF THE VEGETATION IN A HEALTHY-DISEASE-RESISTANT CONDITION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED.
8. ALL GRADED, DISTURBED OR ERODED AREAS THAT WILL NOT BE PERMANENTLY PAVED OR COVERED BY STRUCTURES SHALL BE PERMANENTLY REVEGETATED AND IRRIGATED AS SHOWN IN TABLE 142.04F AND IN ACCORDANCE WITH THE STANDARDS IN THE LAND DEVELOPMENT MANUAL.
9. FOUR (4) EXISTING TREES TO BE REMOVED
10. A MINIMUM ROOT ZONE OF 40 SF IN AREA SHALL BE PROVIDED FOR ALL TREES. THE MINIMUM DIMENSION FOR THIS AREA SHALL BE 5 FEET, PER SDMC 142.0403(b)(5).
11. NO TREES OR SHRUBS WHOSE HEIGHT WILL REACH 3'-0" AT MATURITY SHALL BE INSTALLED WITHIN 5' OF ANY PUBLICLY MAINTAINED WATER FACILITIES OR WITHIN 10' OF ANY PUBLICLY MAINTAINED SEWER FACILITIES.

LANDSCAPE REQUIREMENTS

TABLE 142.04C
CONDOMINIUM CONVERSION REQUIREMENTS:

STREET YARD:
PLANTING AREA REQUIRED: 50%
PLANT POINTS REQUIRED: .05 POINTS

REMAINING YARD:
PLANTING AREA REQUIRED: N/A
PLANT POINTS REQUIRED: N/A

ADDITIONAL STREET YARD REQUIREMENTS: [PER 142.0405(b)(1)(B)]
UP TO 10% OF THE REQUIRED STREET YARD PLANTING AREA LOCATED OUTSIDE THE VEHICULAR USE AREA FOR MULTIPLE DWELLING UNITS RESIDENTIAL DEVELOPMENT MAY CONSIST OF HARDSCAPE OR UNATTACHED UNIT PAVERS.

STREET TREES REQUIRED: 1
STREET TREES PROVIDED: 2

LANDSCAPE LEGEND

QUEEN PALM
Arecastrum Romanzoffiana
10'-0" Brown Trunk Height, 48" Box
QUANTITY: 3

FESCUE
Festuca Arndinacea

Planting Area
Cover with 3" deep mulch per SDMC 142.0413(c)

HARDSCAPE

INDIA HAWTHORNE
Raphiolepis Indica
Shrub
15 Gallon, 3'-0" High, 24" Wide
Quantity = 32

IMPATIENS
Impatiens Walleriana
Perennial
1 Gallon
Quantity = 17

JULIA CHILD ROSE
Rosa Floribunda
Shrub
5 Gallon
Quantity = 9

BEGONIA
Begoniaceae
Shrub
5 Gallon
Quantity = 20

PLANT SPECIES	QTY
NOTES	SIZE

LANDSCAPE CALCULATIONS

STREET YARD:		
PLANTING AREA REQUIRED: [PER SDMC 142.04C]	PLANTING AREA PROVIDED:	EXCESS AREA PROVIDED:
TOTAL AREA: 750.5 S.F. X 0.50 = 375.25 S.F.	506.51 S.F.	131.26 S.F.
STREET YARD:		
PLANTING POINTS REQUIRED: [PER SDMC 142.04C]	PLANTING POINTS PROVIDED:	EXCESS POINTS PROVIDED:
TOTAL POINTS: 750.5 S.F. X 0.05 = 37.53 POINTS	405 POINTS	367.47 POINTS
POINTS FROM TREES: 50 POINTS		
REMAINING YARD: (PLANTING AREA REQUIRED PER SDMC 142.0404 & TABLE 142.04C) - TOTAL AREA: N/A		
TOTAL LANDSCAPE PROVIDED: TOTAL AREA = 1,407.26 S.F.		
TOTAL HARDSCAPE PROVIDED: TOTAL AREA = 2,658.64 S.F.		

Marengo Morton Architects
7724 Girard Ave.
Second Floor
La Jolla, CA 92037
Tel. (858) 459-3769
Fax. (858) 459-3768
Michael Morton AIA
Claude Anthony Marengo DESA

LICENSED ARCHITECT MICHAEL RENE MORTON C-19371 REN. 04/30/2017 STATE OF CALIFORNIA

All design, ideas and arrangements as indicated on these drawings are the legal property of Marengo Morton Architects, Incorporated and the specific project for which they were prepared as indicated on the project title block. Reproduction, publication or re-use by any method, in whole or part, without the express written consent of Marengo Morton Architects, Incorporated is prohibited. There shall be no changes, substitutions, modifications or deviations from these drawings or accompanying specifications without the consent of Marengo Morton Architects, Incorporated. Visual, physical, or electronic contact or use of these drawings and attached specifications shall constitute the acceptance of all these restrictions.

FAY RESIDENCE
7432-7436 FAY AVENUE
LA JOLLA, CA 92037

REVISIONS
2016-08-11 CITY SUBMITTAL

PHASE: DESIGN
PROJECT NO.: 2016-03
REVIEWED BY: CAM
DRAWN BY: GR
DATE: 11/4/2016

Marengo Morton Architects, Inc. is providing, by agreement with certain parties, materials stored electronically. The parties recognize that data, plans, specifications, reports, documents, or other information recorded on or transmitted as electronic media (including but not necessarily limited to: "CAD documents") are subject to undetectable alteration, either intentional or unintentional, due to, among other causes, transmission, conversion, media degradation, software error, or human alteration. Accordingly, all such documents are provided to the parties for informational purposes only and not as an end product nor as a record document. Any reliance thereon is deemed to be unreasonable and unjustifiable. The signed and sealed hard copy drawings on file with the Authority of Record are the Architect's Instruments of Service and are the only true and correct documents of record.

SHEET TITLE: PROPOSED LANDSCAPE PLAN ON EXISTING SITE

L-1.0

SHEET 1 OF 1

C:\Transporter\Transporter Library\Projects\2016 Projects\2016-03 7436 Fay Ave\CADD Drawings\Architectural\Design Phase\Sheets\L-1.0 LDX-LANDSCAPE PLAN_7436 Fay Ave.dwg Nov 07,2016-12:43pm