



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: September 27, 2017 REPORT NO. HO-17-063

HEARING DATE: October 4, 2017

SUBJECT: JAMAICA COURT, PROCESS THREE DECISION

PROJECT NUMBER: [531778](#)

OWNER/APPLICANT: Jamaicamon LLC./Robert Bateman

SUMMARY

Issue: Should the Hearing Officer approve the creation of two residential condominium units (under construction) at 833 and 835 Jamaica Court within the Mission Beach Precise Plan and Local Coastal Program area?

Staff Recommendation:

1. Approve Tentative Map Waiver No. 1869678;
2. Approve Coastal Development Permit No. 1870030.

Community Planning Group Recommendation: On June 20, 2017, the Mission Beach Precise Planning Board voted unanimously to recommend approval of the proposed project without recommendations.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305 (minor alternations in land use limitations). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on August 17, 2017 and the opportunity to appeal that determination ended August 31, 2017.

BACKGROUND

The 0.055-acre site is located at 833 and 835 Jamaica Court in the Mission Beach Planned District (MBPD) R-S zone, the Coastal Height Limitation Overlay zone, the Coastal Overlay zone (Appealable Area), the Parking Impact Overlay zone (Beach Impact Area), the Residential Tandem Parking Overlay zone and the Transit Area Overlay zone within the Mission Beach Precise Plan and Local Coastal Program.

The project site is a previously graded, flat lot with frontage along Jamaica Court with alley access at the rear. The development of the duplexes was approved under a previous discretionary approval (Coastal Development Permit No. 1229301) and the construction was approved under Building Permit No. 1443153, Project No. 412405.

The site located approximately 212 feet from Mission Bay and approximately 700 feet from the Pacific Ocean. The project is located within a fully developed residential neighborhood and is not between the nearest public roadway and the sea or shoreline of any body of water located within the Coastal Overlay Zone.

DISCUSSION

The project would create two new condominium units (currently under construction). One unit is approximately 1,200 square feet and the other is approximately 1,500 square feet within a three-story structure. The units include a two-car garage, a two-car tandem carport and a roof deck. The approved units comply with all development regulations including lot size, setbacks, parking, and height on a site developed with all public utilities in place to serve the residences.

The applicant is requesting the approval of a Tentative Map Waiver per San Diego Municipal Code (SDMC) Section 125.0120 to create two residential condominium units and to waive the requirement to underground existing offsite overhead utilities.

The subdivision qualifies for the Waiver of the Requirements to Underground Existing Offsite Overhead Utilities, in that the conversion involves a short span of overhead facility (less than a full block in length) and the conversion would not represent a logical extension to an underground facility.

A Coastal Development Permit pursuant to SDMC Section 126.0702 is required for any subdivision of land within the Coastal Overlay Zone.

The Mission Beach Precise Plan and Local Coastal Program designate the site as residential use at 36 dwelling units per acre. The 0.055-acre site would allow for up to two residential units. One of the goals of the Mission Beach Precise Plan and Local Coastal Program is "the continuation of the existing medium-density character of Mission Beach exemplified by the overall low profile and random mix of housing types and styles". The proposal implements this goal with the prescribed density of two condominium units that will meet the height regulations and are of a varying style from the surrounding structures.

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

Conclusion:

City staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings and conditions to support approval of the project (Attachments 3 and 4). Staff recommends the Hearing Officer approve the project as proposed.

ALTERNATIVES

1. Approve Tentative Map Waiver No. 1869678 and Coastal Development Permit No. 1870030, with modifications.
2. Deny Tentative Map Waiver No. 1869678 and Coastal Development Permit No. 1870030, if the findings required to approve the project cannot be affirmed.

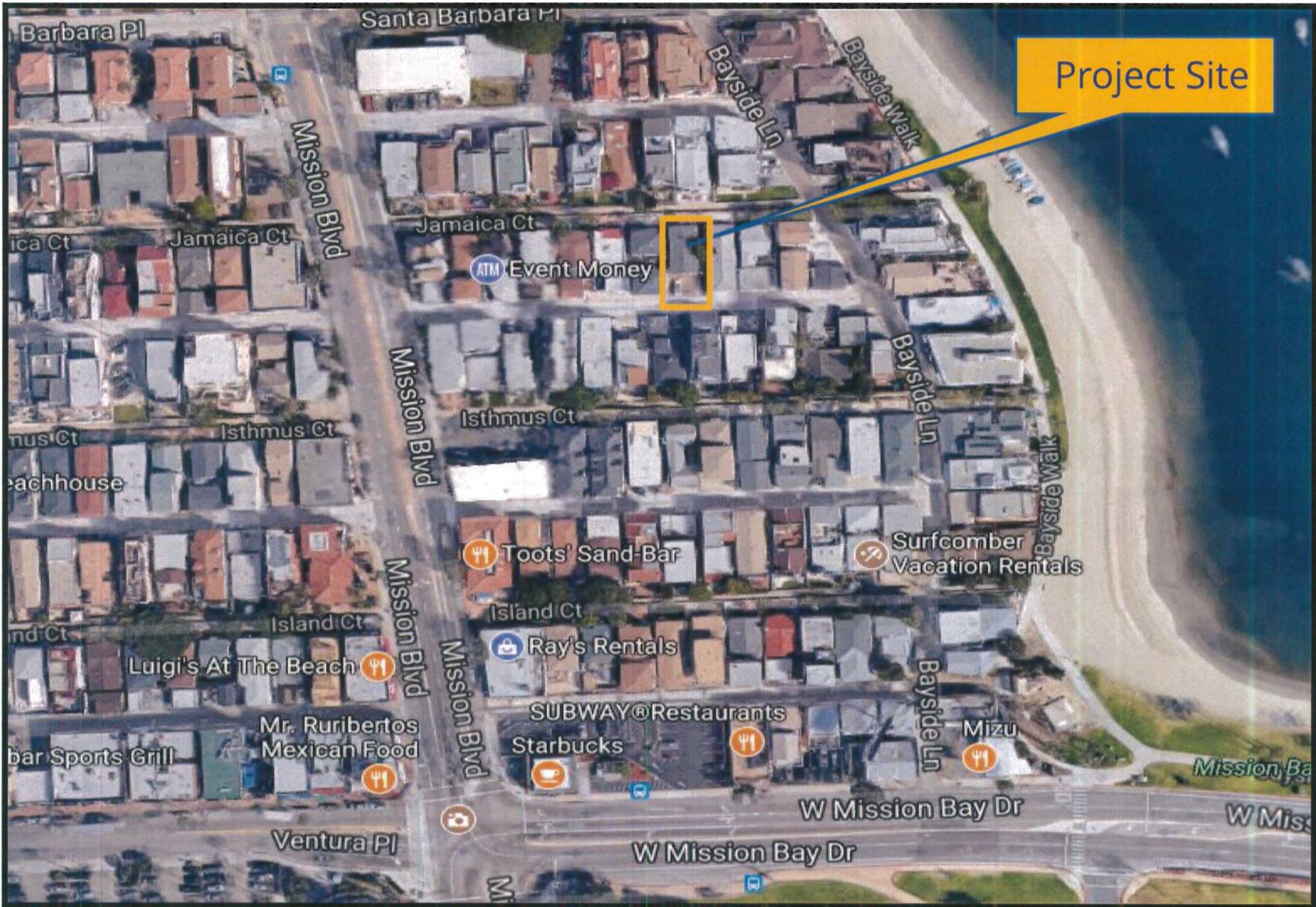
Respectfully submitted,



Renee Mezo
Development Project Manager

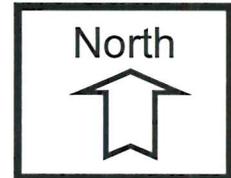
Attachments:

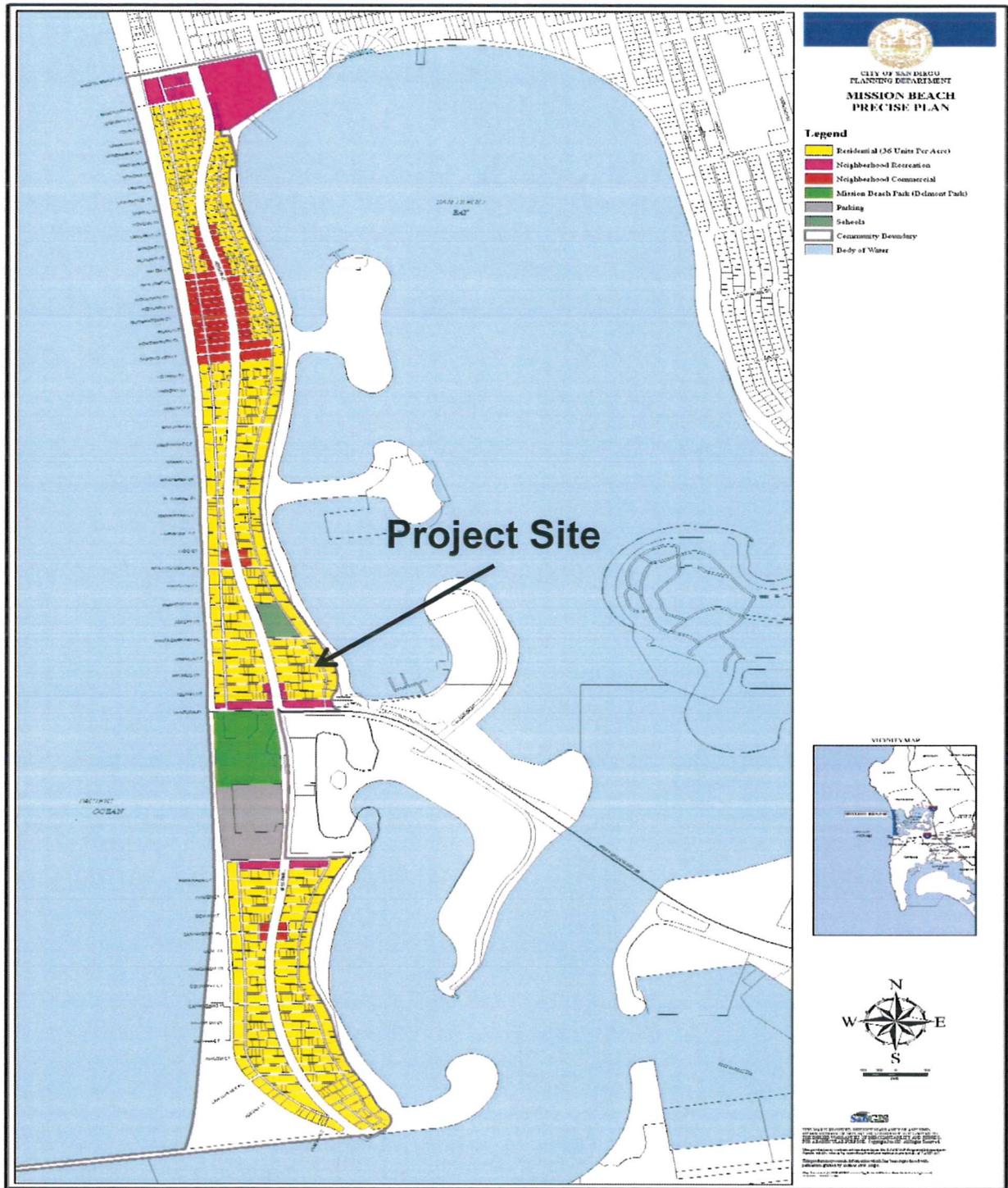
1. Aerial Photograph
2. Community Plan Land Use Map
3. Draft Permit Findings with Conditions
4. Draft Map Resolution and Conditions
5. Environmental Exemption
6. Community Planning Group Recommendation
7. Ownership Disclosure Statement
8. Tentative Map Waiver Exhibit



Aerial Photo

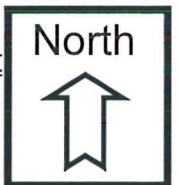
Jamaica Court Tentative Map Waiver / 833 & 835 Jamaica Street
PROJECT NO. 531778





Land Use Map

Jamaica Court Tentative Map Waiver/ 833 & 835 Jamaica Street
PROJECT NO. 531778



HEARING OFFICER
RESOLUTION NO. XXXX
COASTAL DEVELOPMENT PERMIT NO. 1870030
JAMAIC COURT - PROJECT NO. 531778
DRAFT

WHEREAS Jamaicamon LLC., Owner/Permittee, filed an application with the City of San Diego for the creation of condominium units currently under construction, and to waive the requirement to underground existing offsite overhead utilities. The 0.055-acre project site is located at 833 and 835 Jamaica Court in the Mission Beach Planned District (MBPD) R-S zone, the Coastal Height Limitation Overlay zone, the Coastal Overlay zone (Appealable Area), the Parking Impact Overlay zone (Beach Impact Area), the Residential Tandem Parking Overlay zone and the Transit Area Overlay zone within the Mission Precise Plan and Local Coastal Program. The property is legally described as Lot "D", Block 104 of Mission Beach, Map No. 1651; and

WHEREAS, on October 4, 2017, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1870030 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on August 17, 2017, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an environmental determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 *et. seq.*) under CEQA Guidelines Section 15305 (minor alternations in land use limitations); 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 October 4, 2017.

Findings for Coastal Development Permit San Diego Municipal Code Section 126.0708

- 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 project proposes to waive the requirement for a Tentative Map for the creation of two condominium units currently under construction and to waive the requirement to underground existing offsite overhead utilities. The 0.055-acre site is located at 833 and 835 Jamaica Court in the R-S zone of the Mission Beach Planned District within the Mission Beach Precise Plan area and Local Coastal Program.

There are no existing or proposed public accessways on or adjacent to the project site identified in the Mission Beach Precise Plan and Local Coastal Program. The proposed project lies entirely within private property and will not encroach upon any accessways existing or proposed. The Mission Beach Precise Plan and Local Coastal Program do not identify any public views through or adjacent to the project site. The condominium units currently under construction comply with the Land Development Code and Local Coastal Program requirements including setback and height regulations. Therefore, the project would not encroach upon any existing or proposed public accessway and would not impact public views or other coastal areas as specified in the Local Coastal Program land use plan.

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

The project site has been previously graded and is currently being developed. The site is located within a fully developed neighborhood that does not contain nor is adjacent to any environmentally sensitive lands. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands and no impacts to environmentally sensitive lands would occur with this subdivision.

- 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 Mission Beach Precise Plan and Local Coastal Program designates the site as residential with a density of 36 dwelling units per acre for a maximum of two dwelling units on the 0.055-acre site. Therefore, the project is consistent with the policies, goals, and objectives of the applicable land use plans and complies with all regulations of the certified Implementation Program.

One of the goals of the Mission Beach Precise Plan and Local Coastal Program is “the continuation of the existing medium-density character of Mission Beach exemplified by the overall low profile and random mix of housing types and styles”. The proposal implements

this goal with the prescribed density of two condominium units that will meet the height regulations and are of a varying style from the surrounding structures.

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

- 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 located at 833 and 835 Jamaica Court, approximately 212 feet from Mission Bay and approximately 700 feet from the Pacific Ocean. The project is located within a fully developed residential neighborhood and is not between the nearest public roadway and the sea or shoreline of any body of water located within the Coastal Overlay Zone. Therefore, the proposed project 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. 1870030 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. 1870030, a copy of which is attached hereto and made a part hereof.

Renee Mezo
Development Project Manager
Development Services

Adopted on: October 4, 2017

ATTACHMENT: Coastal Development Permit Conditions
IO#: 12002110

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: 12002110

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 1870030

JAMAICA COURT - PROJECT NO. 531778

HEARING OFFICER

DRAFT

This Coastal Development Permit No. 1870030 is granted by the Hearing Officer of the City of San Diego to Jamaicamon LLC., Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0702. The 0.055-acre site is located at 833 and 835 Jamaica Court in the Mission Beach Planned District (MBPD) R-S zone, the Coastal Height Limitation Overlay zone, the Coastal Overlay zone (Appealable Area), the Parking Impact Overlay zone (Beach Impact Area), the Residential Tandem Parking Overlay zone and the Transit Area Overlay zone within the Mission Precise Plan and Local Coastal Program. The project site is legally described as Lot "D", Block 104 of Mission Beach, Map No. 1651.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to create residential condominium units.

The project shall include:

- a. The creation of two residential condominium units (under construction);
- b. Off-street parking; and
- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable

guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by October 18, 2020.

2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.

3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

9. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this

Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENGINEERING REQUIREMENTS:

12. The Coastal Development shall comply with all conditions of Tentative Map Waiver No. 1869678.

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

PLANNING/DESIGN REQUIREMENTS:

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

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

APPROVED by the Hearing Officer of the City of San Diego on October 4, 2017 and Resolution No. XXXX.

HEARING OFFICER RESOLUTION NUMBER R-XXXX

TENTATIVE MAP WAIVER NO. 1869678
JAMAICA COURT- PROJECT NO. 531778
DRAFT

WHEREAS, Jamaicamon LLC., Subdivider, and San Diego Land Surveying & Engineering, Inc., Surveyor, submitted an application to the City of San Diego for Tentative Map Waiver No. 1869678, to waive the requirement for a Tentative Map to create residential condominium units (under construction), and to waive the requirement to underground existing offsite overhead utilities. The project site is located at 833 and 835 Jamaica Court in the Mission Beach Planned District Residential South Base Zone (R-S), Coastal Overlay Zone (appealable area), FAA Part 77 Notification Area, Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Beach Area), Residential Tandem Parking Overlay Zone, and the Transit Area Overlay Zone of the Mission Beach Precise Plan and Local Coastal Program. The property is legally described as Lot "D", Block 104 of Mission Beach, Map No. 1651; and

WHEREAS, the Map proposes the subdivision of a 0.055-acre site into two residential condominium units; and

WHEREAS, on August 17, 2017, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an environmental determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 *et. seq.*) under CEQA Guidelines Section 15305 (minor alternations in land use limitations); and there was no appeal of the environmental determination filed within the time period provided by San Diego Municipal Code section 112.0520; and

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

WHEREAS, the project consists of two residential units under construction for which final inspection has not been done; and

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

WHEREAS, the request to waive the undergrounding of existing overhead utilities has been determined to be appropriate pursuant to San Diego Municipal Code section 144.0242(c); and

WHEREAS, on October 4, 2017, the Hearing Officer of the City of San Diego considered Tentative Map Waiver No. 1869678, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to Sections 125.0122 (Tentative Map Waiver) and 144.0240 (Underground) of the San Diego Municipal Code and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Hearing Officer having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Tentative Map Waiver No.1869678:

Findings for a Tentative Map Waiver Section 125.0440**1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.**

The Mission Beach Precise Plan and Local Coastal Program designates the site as residential with a density of 36 dwelling units per acre for a maximum of two dwelling units on the 0.055-acre site.

One of the goals of the Mission Beach Precise Plan and Local Coastal Program is “the continuation of the existing medium-density character of Mission Beach exemplified by the overall low profile and random mix of housing types and styles”. The proposal implements this goal with the prescribed density of two condominium units that will meet the height regulations and are of a varying style from the surrounding structures.

Another goal of the Mission Beach Precise Plan and Local Coastal Program is “the permanent control of height and building bulk so that structures in Mission Beach will not have adverse effects on surrounding property, the beaches, and the community in general”. The condominium units currently under construction did not require deviations for building height or any other development standards. The project implements the regulations and guidelines of the Mission Beach Community Plan. Therefore, the project is consistent with the policies, goals, and objectives of the applicable land use plan.

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

The Mission Beach Precise Plan and Local Coastal Program designates the site as residential with a density of 36 dwelling units per acre for a maximum of two dwelling units on the 0.055-acre site. The project complies with all development regulations including lot size, setbacks and parking and no deviations are proposed. 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 Mission Beach Precise Plan and Local Coastal Program designates the site as residential with a density of 36 dwelling units per acre for a maximum of two dwelling units on the 0.055-acre site. The project site is a previously graded, flat lot. The site has frontage along Jamaica Court with alley access at the rear. The site is located in a developed, urban neighborhood and is surrounded on all sides by existing residential development and that the site is served by existing utilities. The development was previously approved under Coastal Development Permit No. 1229301 and subsequently issued Building Permit No. 1443153, Project No. 412405. Therefore, the site is physically suitable for 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 Tentative Map Waiver was reviewed for conformance with the applicable zoning and development regulations of the Land Development Code. The review included requiring compliance with storm water runoff requirements during and after construction. The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305 (minor alternations in land use limitations). The project is located within an urbanized and built environment where there are no watercourses on or adjacent to the site. Therefore, the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife on 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 Tentative Map Waiver was reviewed and determined to be in compliance with the Municipal Code and Subdivision Map Act. The Tentative Map Waiver and associated development permit includes conditions and corresponding exhibits of approvals, including undergrounding onsite utilities, storm water and construction water runoff, adequate parking and, public improvements, in order to achieve compliance with the regulations of the San Diego Municipal Code. The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15305 of the State CEQA Guidelines. Therefore, the project 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 proposed subdivision does not contain or propose any new easements for the development. Jamaica Court fronts the property to the north and an alley abuts the property to the south, where public access will be maintained. Therefore, the design of the subdivision and proposed improvements would 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.

No new development will result from the subdivision of the site. The site is under construction with two residential dwelling units and all public and private improvements are existing or under construction. Each unit allows 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 site currently contains two dwelling units under construction. The applicant will pay the in-lieu fee to the City to meet the affordable housing requirement. Within walking distance, public transportation route lines are located to the west; shopping areas and commercial enterprises are located to the west; and Mission Beach and Mission Bay are located to the east and west. The decision maker has determined that the provision of two residential units and the associated increase in the need for public services and the available fiscal and environmental resources are balanced by adequate public transit in the immediate area, the proximity of shopping, and essential services and recreation in the nearby developed urban area.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Tentative Map Waiver No. 1869678, including the waiver of the requirement to underground existing offsite overhead utilities, is hereby granted to Jamaicamon LLC., subject to the attached conditions, which are made a part of this resolution by this reference.

By _____
Renee Mezo
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Waiver Conditions
Internal Order No. 12002110

HEARING OFFICER
CONDITIONS FOR TENTATIVE MAP WAIVER NO. 1869678
JAMAICA COURT - PROJECT NO. 531778
ADOPTED BY RESOLUTION NO. XXXX ON OCTOBER 4, 2017
DRAFT

GENERAL

1. This Tentative Map Waiver will expire October 18, 2020.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Certificate of Compliance unless otherwise noted.
3. A Certificate of Compliance shall be recorded in the Office of the San Diego County Recorder, prior to the Tentative Map Waiver expiration date.
4. 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.

ENGINEERING

5. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
6. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
7. The Subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPD's shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

MAPPING

8. Prior to the recordation of the Certificate of Compliance, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax

certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition. Please note if tax bond is required as indicated in the tax certificate, please make sure that it is paid or posted, and submit evidence (e.g., filed bond letter or receipt from Clerk of the Board) indicating the required tax bond amount has been paid or bonded.

9. Prior to the issuance of a Certificate of Compliance, City staff will perform a field monument inspection to verify that all property corners are being marked with survey monuments. If any of the survey monument is missing, it must be replaced with a new monument, and a Corner Record or Record of Survey (whichever is applicable) shall be filed with the County Recorder pursuant to the Professional Land Surveyors Act. A copy filed with the Corner Record or Record of Survey must be submitted to satisfy this requirement prior to the approval and recordation of the Certificate of Compliance.

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. 12002110

NOTICE OF EXEMPTION

(Check one or both)

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

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

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

Project No.: 531778

Project Title: JAMAICA COURT DUPLEX

Project Location-Specific: 833 and 835 Jamaica Court, San Diego, CA 92109

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

Description of nature and purpose of the Project: MAP WAIVER for two newly constructed duplex at 833 and 835 Jamaica Court, Unit 1 square footage is 1,161, Unit 2 square footage is 1,478 (2,639 total). The project site is located within the MBPD-R-S zone of the Mission Beach Planned District, the FAA Part 77 Notification Area, the Coastal Height Limitation Overlay Zone, the Coastal Overlay Zone (Appealable Area), the Parking Impact Overlay Zone (Beach Impact Area), the Residential Tandem Parking Overlay Zone, the Transit Area Overlay Zone, and the Mission Beach Precise Plan and Local Coastal Program Area. The construction of the duplexes was approved under a previous discretionary approval (Coastal Development Permit No. 1229301). The approved duplexes comply with all height and bulk regulations and are located on a site that is currently developed with all public utilities in place to serve the residence.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Alex Bateman, San Diego Land Surveying, 9665 Chesapeake Dr. #445, San Diego, CA 92123

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))
- Categorical Exemption: 15305 (Minor Alterations in Land Use Limitations)
- Statutory Exemptions:

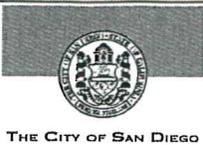
Reasons why project is exempt: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15305 (Minor Alterations in Land Use Limitations). The exemption is appropriate because 15305 allows for minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effects on the environment were identified; the project is not adjacent to a scenic highway; the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

Lead Agency Contact Person: C. Holowach

Telephone: (619) 446-5187

If filed by applicant:

Revised 010410mjh



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

Community Planning Committee Distribution Form Part 2

Project Name: Jamaica Court Duplex		Project Number: 531778	Distribution Date: 03/06/2017
Project Scope/Location: MISSION BEACH - Fee IO# 12002110; Process 3, Coastal Development Permit and Map Waiver to create new condominium units (currently under construction). The 0.055-acre site is located at 833 Jamaica Street, in the Mission Beach Planned District / R-S zone of the Mission Beach Community Plan area, within appealable coastal zone and CHLOZ, within Council District 2.			
Applicant Name: Alex Bateman		Applicant Phone Number: (858) 565-8362	
Project Manager: Tim Daly	Phone Number: (619) 446-5356	Fax Number: (619) 446-5245	E-mail Address: TPDaly@sandirgo.gov
Committee Recommendations (To be completed for Initial Review):			
<input checked="" type="checkbox"/> Vote to Approve	Members Yes 7	Members No 0	Members Abstain —
<input type="checkbox"/> Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Deny	Members Yes	Members No	Members Abstain
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			<input type="checkbox"/> Continued
CONDITIONS:			
NAME: MIKE MEYER		TITLE:	
SIGNATURE: <i>Mike Meyer</i>		DATE: 6-22-17	
<i>Attach Additional Pages If Necessary.</i>		Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	
Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services . Upon request, this information is available in alternative formats for persons with disabilities.			



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 **Project No. For City Use Only**
 Jamaica Duplex 531778
Project Address:
 833 & 835 Jamaica Court

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):
 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: _____

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

Project Title: Jamaica Duplexes	Project No. (For City Use Only)
-------------------------------------------	----------------------------------------

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation
 Limited Liability -or-
 General) What State? CA
 Corporate Identification No. _____
 Partnership

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 names, titles 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 corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached Yes No

Corporate/Partnership Name (type or print):
 Jamaicamon LLC

Owner Tenant/Lessee

Street Address:
 815 Manhattan Court

City/State/Zip:
 San Diego, CA 92109

Phone No: _____ Fax No: _____
 619-992-1434

Name of Corporate Officer/Partner (type or print):
 Bill C. Frontis

Title (type or print):
 Manager

Signature :  Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

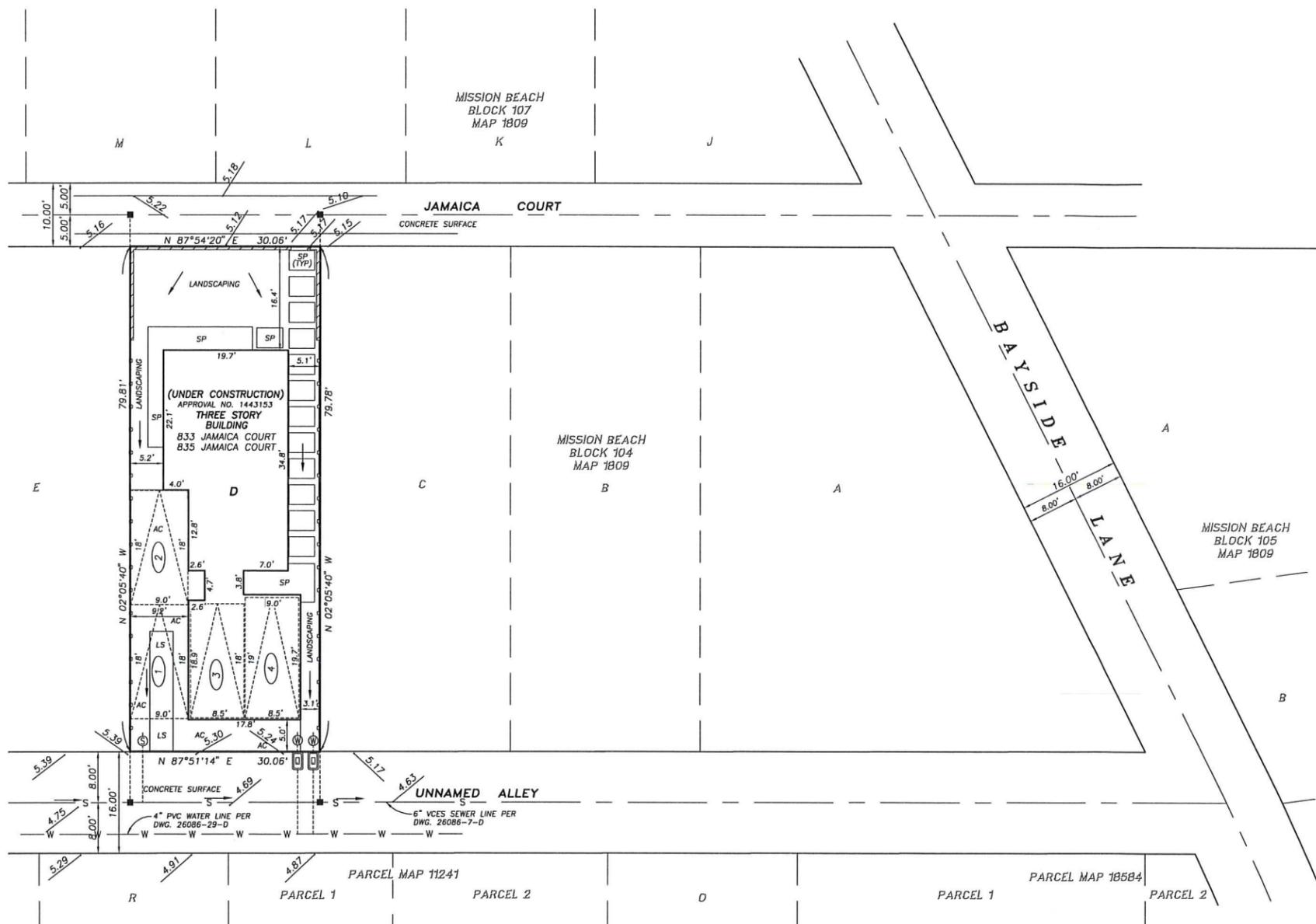
Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

833 & 835 JAMAICA COURT

Map Waiver No. 1869678, Project No. 531778
Coastal Development Permit No. 1870030



**CITY OF SAN DIEGO
DEVELOPMENT SUMMARY**

- SUMMARY OF REQUEST:**
CREATE 2 RESIDENTIAL CONDOMINIUM DWELLING UNITS CURRENTLY UNDER CONSTRUCTION & FILE A CERTIFICATE OF COMPLIANCE.
- STREET ADDRESS:** 833 & 835 JAMAICA COURT
ON THE SIDE BETWEEN MISSION BOULEVARD AND BAYSIDE LANE
- SITE AREA:**
TOTAL SITE AREA (GROSS): (2,399 SF) (0.055 AC.)
NET SITE AREA: (2,399 SF) (0.055 AC.)
- DENSITY: (RESIDENTIAL)**
MAXIMUM NO. DWELLING UNITS ALLOWED PER ZONE: 2
NUMBER OF EXISTING UNITS TO REMAIN ON SITE: 2
NUMBER OF PROPOSED DWELLING UNITS ON SITE: 2
TOTAL NUMBER OF UNITS PROVIDED ON THE SITE: 2
- YARD/SETBACK:**
FRONT YARD: 15'
SIDE YARD: 3 1/2'
REAR YARD: 0'
- 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	1	2	2
3 BR UNIT	1	2	2
TOTAL REQUIRED BY ZONE			4
TOTAL PROVIDED ON-SITE			4

UNIT AREAS

LOT 'D'	NUMBER OF TYPE	SQUARE FOOTAGE PER UNIT	TOTAL PER TYPE
UNIT 1 (2 BEDROOMS)	1	1,161	1,161
UNIT 2 (3 BEDROOMS)	1	1,478	1,478
TOTAL	2		2,639

ZONING INFORMATION
EXISTING AND PROPOSED ZONE: MBPD-R-S
COMMUNITY PLAN NAME: MISSION BEACH
OVERLAY ZONES - PARKING IMPACT (BEACH IMPACT), COASTAL CITY, COASTAL HEIGHT LIMIT, RESIDENTIAL TANDEM PARKING TRANSIT AREA

MONUMENTATION & MAPPING
ALL MONUMENTS HAVE BEEN FOUND PER CORNER RECORD 39437. ANY MONUMENTS DESTROYED DURING CONSTRUCTION WILL BE RESET AND A CORNER RECORD FILED.

EXISTING IMPROVEMENTS
SEWER DRAWING NO. 26086-7-D
WATER DRAWING NO. 26086-29-D

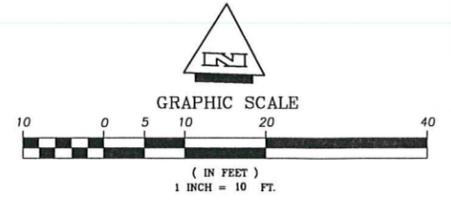
EXISTING & PROPOSED EASEMENTS:
NONE

STREET LIGHT NOTE:
ENGINEERING REVIEW HAS DETERMINED THAT THIS SUBDIVISION WILL NOT BE REQUIRED TO INSTALL STREET LIGHTS BECAUSE THE CITY ONLY REQUIRES ALLEY STREET LIGHTS IN HIGH CRIME CENSUS TRACTS AT THE REQUEST OF THE POLICE DEPARTMENT AND THE STREET LIGHTS COULD ONLY BE INSTALLED ON SD&E POWER POLES WHICH ARE TO BE REMOVED EVENTUALLY AS PART OF THE CITYWIDE UNDERGROUNDING PROGRAM.

- DEVELOPMENT NOTES:**
- 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 CONDOMINIUM DWELLING UNITS IS 2.
 - NUMBER OF EXISTING LOTS = 1
NUMBER OF PROPOSED LOTS = 1
 - THE SITE IS CURRENTLY UNDER CONSTRUCTION BY SEPARATE PERMIT. PTS NO. 4412405 APPROVAL NO. 1443153 - 833 & 835 JAMAICA CT.
 - THIS MAP WAIVER IS WAIVING THE TENTATIVE MAP AND FINAL PARCEL MAP. A CERTIFICATE OF COMPLIANCE WILL BE FILED IN LIEU OF THE PARCEL MAP.
 - STORM WATER REQUIREMENTS WERE ADDRESSED WITH PTS NO. 412405.
 - THE EXISTING WATER AND SEWER SERVICES WILL REMAIN.

OWNER/DEVELOPER:
JAMAICAMON LLC
815 MANHATTAN COURT
SAN DIEGO, CA 92109

BILL C. FRONTIS, MANAGER



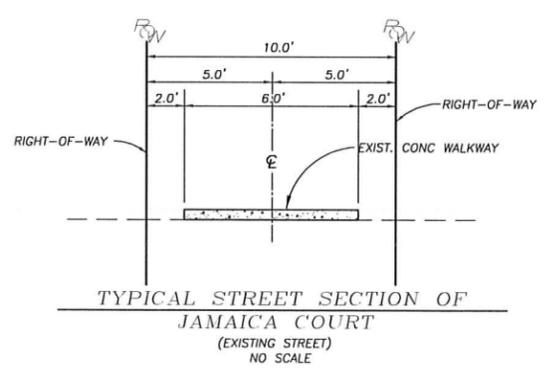
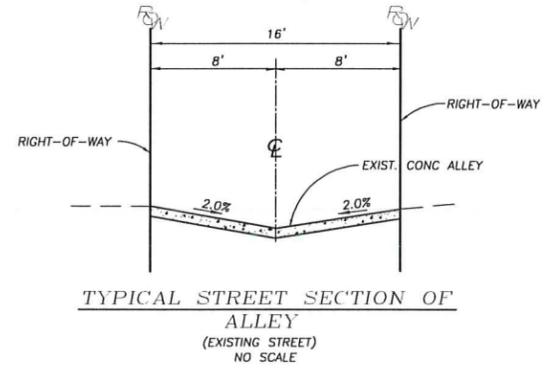
- LEGEND:**
- INDICATES FOUND LEAD AND DISC STAMPED "L.S. 7046"
 - INDICATES DIRECTION OF DRAINAGE
 - ⊗ INDICATES WATER METER
 - ⊙ INDICATES PARKING SPACE
 - AC INDICATES ASPHALTIC CONCRETE
 - LS INDICATES LANDSCAPING
 - SP INDICATES STONE PAVERS
 - (TYP) INDICATES TYPICAL
 - S--- INDICATES SEWER LATERAL
 - W--- INDICATES WATER SERVICE
 - S--- INDICATES 6' HIGH REDWOOD FENCE
 - S--- INDICATES SEWER LINE
 - W--- INDICATES WATER LINE
 - INDICATES PROPERTY LINE/MAP WAIVER BOUNDARY

UTILITY TABLE:

UTILITY	OVERHEAD	UNDERGROUND
GAS		X
ELECTRIC		X
TELEPHONE		X
CATV		X

THE SUBDIVIDER SHALL ENSURE THAT ALL ONSITE UTILITIES SERVING THE SUBDIVISION SHALL BE UNDERGROUNDED WITH THE APPROPRIATE PERMITS

PROFESSIONAL LAND SURVEYOR:
SAN DIEGO LAND SURVEYING & ENGINEERING, INC.
9665 CHESAPEAKE DRIVE, SUITE 445
SAN DIEGO, CALIFORNIA 92123 (858) 565-8362
DRAWING NO. MW 833-835 Jamaica Ct.dwg
Robert J. Bateman 04/24/2017
ROBERT J. BATEMAN, P.L.S. 7046 DATE



Prepared By: SAN DIEGO LAND SURVEYING AND ENGINEERING, INC. 9665 CHESAPEAKE DRIVE, SUITE 445 SAN DIEGO, CA 92123-1354 PHONE: 658-565-8362 FAX: 658-565-4354 EMAIL: rbateman@sdlse.com	<p>VICINITY MAP NO SCALE</p>
Consultants:	
Basis of Bearings: THE CENTERLINE OF JAMAICA COURT, AS SHOWN ON PARCEL MAP NO. 18584. I.E. S 87°54'20" W	Project Soil Condition: Existing developed site.
City of San Diego Benchmark: STANDARD STREET SURVEY MONUMENT ON THE EASTERLY 4FT LINE AT THE INTERSECTION OF MISSION BOULEVARD AND JAMAICA COURT. ELEVATION= 4.885 M.S.L.	Source of Topography: Field survey by San Diego Land Surveying on 9-26-2014
Project Legal Description: LOT "D" IN BLOCK 104 OF MISSION BEACH, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1851 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 14, 1914.	Project Permits Required: Map Waiver Certificate of Compliance
LAMBERT COORDINATES: NAD 27 = 222-1691 NAD 83 = 1862-6252 A.P.N. 423-671-08	Project Data: Number of Stories: 3 Proposed use: Residential Existing use: Residential Zone Designation: MBPD-R-S Year of Construction (new construction):
Project Name: 833 & 835 JAMAICA COURT	Project Address: 833 Jamaica Court San Diego, CA 92109
Project Owner: Jamaicamon LLC 815 Manhattan Court San Diego, CA 92109	
Sheet Title: MAP WAIVER No. 1869678 Project No. 531778	Scale: 1" = 10' Original Date: January 10, 2017 Revised: April 24, 2017 Revised: