THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: August 21, 2008 **REPORT NO. PC-08-106**

ATTENTION: **Planning Commission, Agenda of September 4, 2008**

SUBJECT: LIBERATORE RESIDENCE – PROJECT NO. 113555
PROCESS 4

OWNER/
APPLICANT: Federico Liberatore
Skip Shaputnic/ Architect

SUMMARY

Issue(s): Should the Planning Commission approve the construction of a new Guest-Quarters over a partially underground garage on a 5,836 square-foot lot with an existing single family residence at 3371 Valemont Street within the Peninsula Community Planning Area?

Staff Recommendation:

1. **CERTIFY** Negative Declaration No. 113555; and

2. **APPROVE** Neighborhood Use Permit No. 381871; and

3. **APPROVE** Site Development Permit No. 470555; and

4. **APPROVE** Variance No. 470554.

Community Planning Group Recommendation: The Peninsula Community Planning Group voted 8-1-3 to recommend denial of the proposed project on September 20, 2007. This issue is discussed further within this report (Attachment 10).

Environmental Review: Negative Declaration No. 113555 has been prepared for this project pursuant to the California Environmental Quality Act (CEQA). The City of San Diego has conducted an Initial Study and determined that the proposed project will not have a significant environmental effect and the preparation of an Environmental Impact Report is not required.

Fiscal Impact Statement: The cost of processing this application is paid for by the

DIVERSITY

applicant.

Code Enforcement Impact: None with this action. There are no open cases within Neighborhood Code Compliance for this property.

Housing Impact Statement: The project proposal to construct a new two-story, detached structure consisting of a guest quarters over a two-car garage on a 0.13-acre site, would result in no net gain or loss of dwelling units to the Peninsula Community plan area.

BACKGROUND

The proposed project is located at 3371 Valemont Street (Attachment 1), in the RS-1-7 Zone (single family residence), Coastal Height Limit Overlay Zone, Airport Approach Overlay Zone, within the Roseville Heights neighborhood of the Peninsula Community Plan and Local Coastal Program Land Use Plan (LCP) (Attachment 2). The site is designated within the Peninsula Community Plan for single-family residential land use at a density of 6-9 dwelling units per acre (Attachment 3).

The property is located at Valemont Street, between Akron Street and Bangor Street and has two legal frontages (Valemont/Ullman alley at the top of the property and partially unimproved Valemont Street below). The site is surrounded by existing single-family homes, many of which have alley access (Attachment 2).

The property slopes downhill from the alley to the rear lot line along the Valemont Street frontage to the north, creating a significant grade difference of approximately 36 feet.

The project is requesting a Neighborhood Use Permit (NUP), a Site Development Permit (SDP) and a Variance in accordance with the City of San Diego Land Development Code.

- The Neighborhood Use Permit is required for the construction of a two-story, detached, guest-quarters and a garage.
- The request for a Variance is to permit a street access which does not conform with the applicable development regulations of the Land Development Code.
- The Site Development Permit (Process Four) is required for construction of a private driveway in the public right-of-way where the applicant is not the record owner of the property where the driveway is proposed (per SDMC 126.0502(d)(7)).

DISCUSSION

Project Description:

This project proposes to construct a new 1,340 square-foot, two story structure consisting of a 688- square-foot Guest-Quarters above a 652-square-foot, two-car garage on a 5,836 square-foot

lot. The site is currently developed with a 1,567-square-foot one-story single dwelling unit that was constructed in 1954, and would remain.

Access to the property is currently only from the Valemont/Ullman alley, with a one-car garage and a 15-foot long driveway located at the southern front of the single-family residence. The lot is roughly rectangular with a steep gradient from the southern portion [186 feet above mean sea level (AMSL)] of the property down to the north [150 feet AMSL].

The proposed project would extend the Valemont Street public right-of-way as a private driveway to access the site at the north end of the property. This driveway would provide vehicle access to the proposed garage and the north side of the property (Attachment 5).

Project-Related Issues:

Site Development Permit - A Site Development Permit is required in accordance with a Process 4 decision to allow for an encroachment into the public right-of-way where the applicant is not the record owner of the property (crossing the center line on the opposite side of the public right-of-way). The requested encroachment would permit the private driveway within Valemont Street in accordance with SDMC 126.0502(d)(7).

The proposed driveway extension would be entirely within the dedicated public right-of-way and signs would be posted at the bottom of Valemont Street indicating single lane traffic, as it currently exists. The driveway extension would terminate in a dead end, as the existing driveway currently does, and there would be a new three (3) point turnaround provided for emergency, public use and convenience.

Variance - The improvements would require a variance from the underlying RS 1-7 zone requirements to allow for street access; the regulations prohibit access from a street when access can be taken from the alley. The proposed guest quarters creates the need to access required parking to be taken from the Street through a private driveway opening and would therefore require a Variance. The existing residence maintains access for required parking from the alley.

The steep gradient of the project site and the location of the existing dwelling unit prohibit extending the existing driveway to the proposed guest quarters. The only way to provide vehicular access to the guest quarters and add additional parking spaces as required per the Land Development Code is to allow for a driveway extension through Valemont Street. The lot size is adequate to support the proposed guest quarters, therefore, strict application of the ordinance would deny the applicant reasonable use of the subject property to construct a guest quarters. The location of the new structure will allow the applicant reasonable use of their property and will improve previously conforming conditions by increasing the parking on site.

City staff believes the proposed variance should be considered reasonable as the subject site has special circumstances and conditions which apply to the land which do not generally apply on other land or premises in the project vicinity. The variance can be considered necessary to provide a reasonable development on the property in that the site is zoned for single-family development and

the project proposes the construction of a guest quarters as allowed by the SDMC. The variance would provide a better use of the site than would be rendered with strict compliance of the zone which would likely deny the applicant of developing a guest quarters on the site (Attachment 9).

Community Plan Analysis: The project site is designated for single-family residential development in the Peninsula Community Plan at a density of 6-9 dwelling units per acre. Surrounding land uses are single-family residential. A main objective of the residential element is to, "Conserve character of existing stable single-family neighborhoods throughout Peninsula including the very low-density character of certain neighborhoods." This is particularly important because this proposal is within the Protected Single-Family Neighborhoods map in the community plan. As there is an existing single-family dwelling unit on-site, the request for an additional guest quarters would not impact the density. The proposal is also within a transitional area of the community identified as having, "large lot area-potential for lot splits."

The proposal would also implement the following objectives in the community plan, "Encourage sensitive placement of structures in steeply sloped residential areas to minimize removal of natural vegetation, grading and landform alteration" and "Preserve existing landscaping and vegetation within established residential neighborhoods", this proposal being within the Roseville neighborhood, one of the older community neighborhoods. The applicant will preserve all native trees during the excavation required for access through the canyon.

The proposal for a new two-story detached structure including guest quarters over a two-car garage on the subject site would conform to the thirty foot height limit established by Proposition D, as well as be consistent with the current mix of architectural styles in the neighborhood.

Therefore, due to the above considerations, this proposal achieves consistency with the adopted land use plan and local coastal program.

Environmental Analysis:

The Environmental Analysis Section conducted an Initial Study to determine if the proposed project would result in environmental impacts. Potential impacts to biological resources were initially identified. The project site is not located within or adjacent to the City's Multi-Habitat Planning Area (MHPA). The project site is located within an existing urbanized area. However, it appeared that the project site had potential sensitive vegetation on and adjacent to the site, therefore, a biological letter report prepared by Klein-Edwards Professional Services (dated September 12, 2007) was required. That report concluded that the project would not result in any impacts to either sensitive flora and/or fauna, and as such, no mitigation measures were required and a Negative Declaration No. 113555 had been prepared for this project, in accordance with State CEQA Guidelines.

Drainage: Storm Water run-off has been a long-standing problem for this part of the neighborhood. Storm Water run-off will be significantly improved in conjunction with this Project. Storm discharge from a drain day-lights in the right-of-way located just west of the

subject site, and will be connected to a new underground storm drain system. This system will collect on and off site water that will be directed into a storm drain located under the proposed driveway. It will then be discharged into the existing drainage ditch located on the south side of Valemont Street, thus reducing the flooding potential that exists to downhill properties. To minimize the amount of surface flow going downhill on the pavement, the proposed driveway will slope 2% to the existing drainage ditch.

A Water Quality Technical Report was prepared which outlines the best management practices for construction and drainage on the site to ensure drainage and run-off is appropriately dealt with.

Community Group: The Peninsula Community Planning Group voted 8-1-3 to recommend denial of the proposed project on September 20, 2007, on the basis that the requested variance had no benefit to the public [Attachment 10]. Staff notes that "public benefit" is not a required finding to approve a Variance.

Conclusion:

Staff has reviewed the proposed project and determined the project is consistent with the purpose and intent of all applicable sections of the San Diego Municipal Code regarding the RS-1-7 Zone, as allowed through the Site Development Permit and Variance Process. Staff has concluded that the proposed project will not adversely affect the General Plan or the Peninsula Community Plan. Staff has determined the required findings can be supported as substantiated in the draft resolution and recommends approval of the proposed project.

ALTERNATIVES

1. **Approve** Neighborhood Use Permit No. 381871, Site Development Permit No. 470555 and Variance No. 470554, **with modifications.**

2. **Deny** Neighborhood Use Permit No. 381871, Site Development Permit No. 470555 and Variance No. 470554, **if the findings required to approve the project cannot be affirmed.**

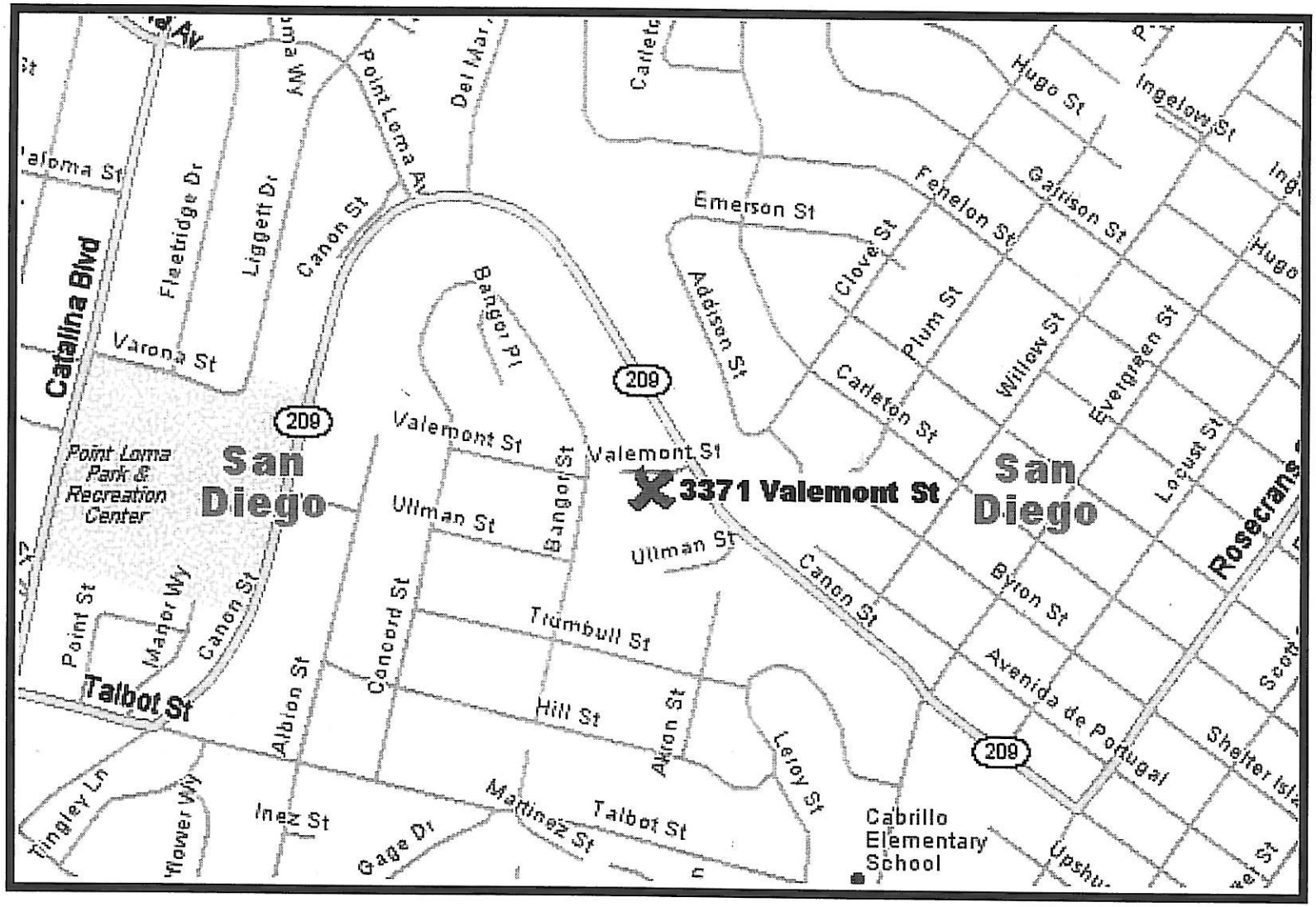
Respectfully submitted,

Mike Westlake
Program Manager
Development Services Department

Laila Iskandar
Program Manager
Development Services Department

Attachments:

1. Project Location Map
2. Aerial Photograph
3. Land Use Map
4. Project Data Sheet
5. Project Development Plans
6. Site Photos
7. Existing Driveway within Valemont Street by others
8. Draft Permit with Conditions
9. Draft Resolution with Findings
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement



Project Location Map

LIBERATORE RESIDENCE - PROJECT NO. 113555

3371 Valemont Street.

ATTACHMENT 1

Development Services Department
Project Management

Location

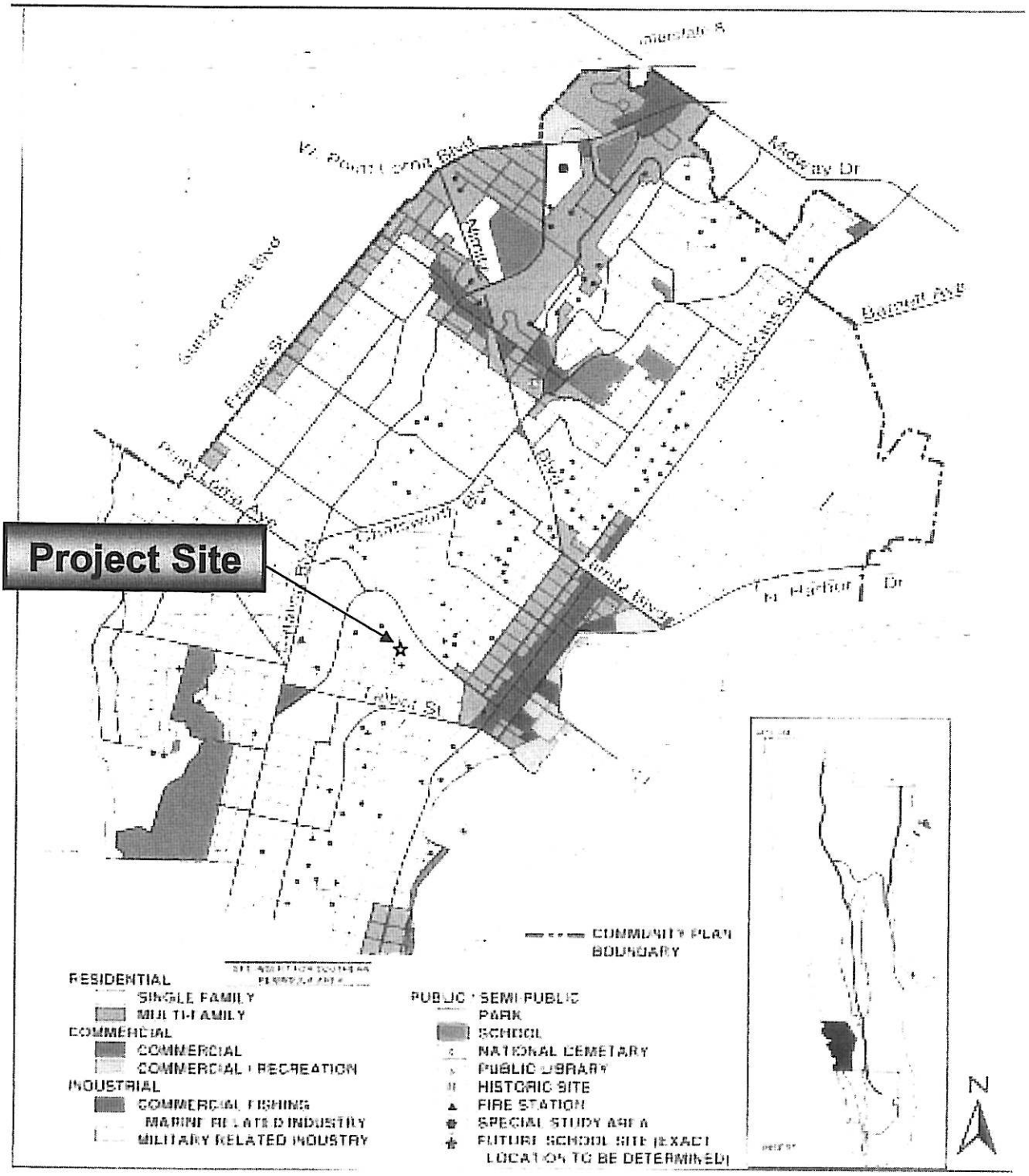
ATTACHMENT 2

ATTACHMENT 3

Land Use Map

Peninsula: Liberatore Residence - Project No. 113555

CITY OF SAN DIEGO · DEVELOPMENT SERVICES



PROJECT DATA SHEET

PROJECT NAME:	Liberatore Residence
PROJECT DESCRIPTION:	688 sf guest quarters and 652 sf garage on a 5,836 sf site currently developed with a 1,567 sf single-family residence.
COMMUNITY PLAN AREA:	Peninsula
DISCRETIONARY ACTIONS:	SDP (private driveway in full ROW), NUP (guest quarters), Variance (street access)
COMMUNITY PLAN LAND USE DESIGNATION:	Single-Family Residential (9 du/ac)

CURRENT ZONING INFORMATION:

ZONE: RS-1-7

HEIGHT LIMIT: 30' max – proposed = 30'

LOT SIZE: 5,000 sf min - existing = 5,836 sf

FLOOR AREA RATIO: 0.59 max - proposed = 0.50 (max GFA for GQ = 689 sf (20% of max FAR – Proposed = 688 sf)

FRONT SETBACK: 6' min - proposed = 6'

SIDE SETBACK: 4' min – proposed = Proposed 4' (east side) and 13.5 feet (west side) Existing residence observes 4' on both sides

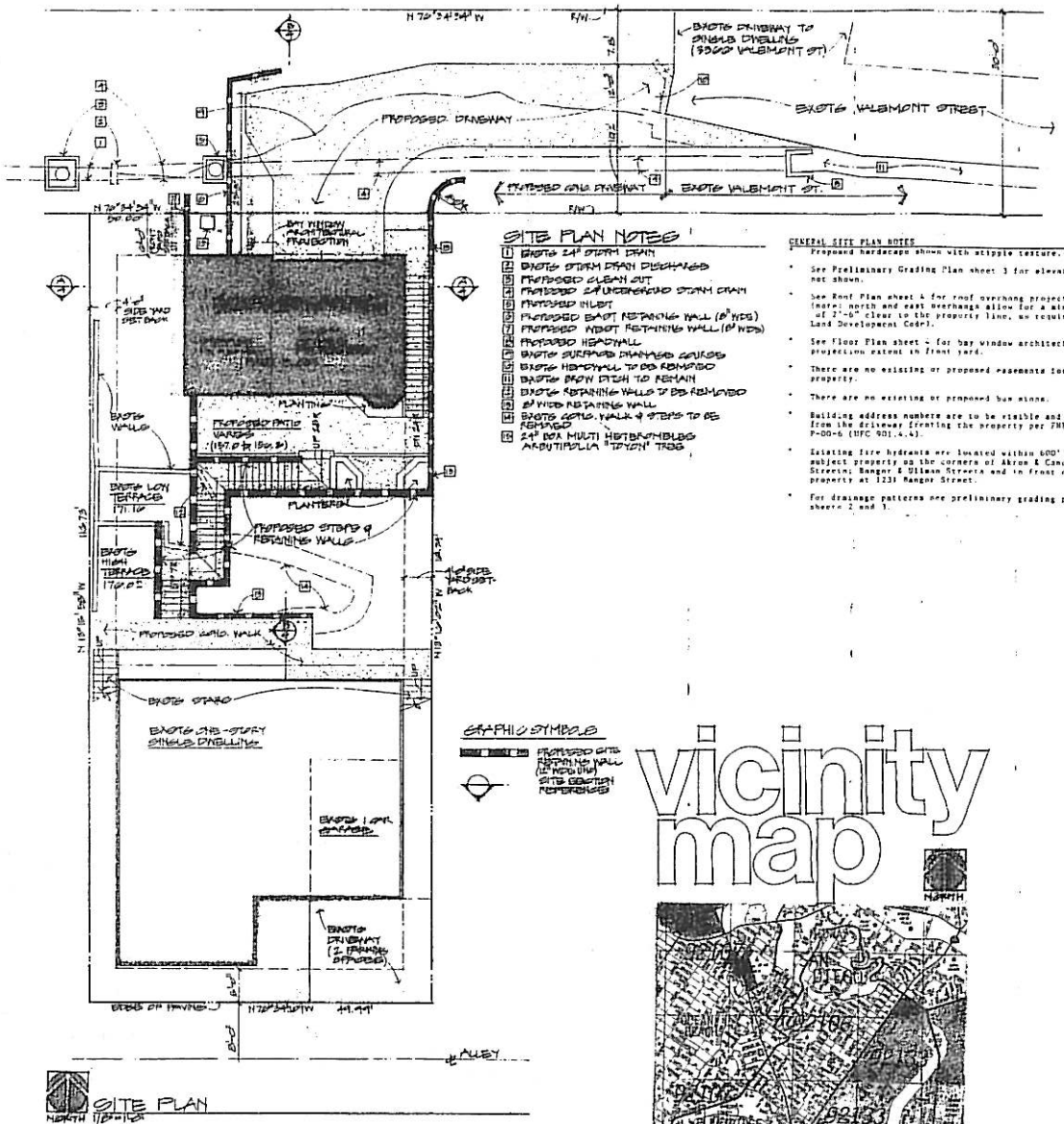
STREETSIDE SETBACK: N/A

REAR SETBACK: 5' min – Existing residence observes 5'

PARKING: 3 parking spaces min – proposed = 2 new spaces + one existing enclosed space (3 total)

ADJACENT PROPERTIES:	**LAND USE DESIGNATION & ZONE**	**EXISTING LAND USE**
NORTH:	Single-Family; RS-1-4	Single-Family
SOUTH:	Single-Family; RS-1-7	Single-Family
EAST:	Single-Family; RS-1-7	Single-Family
WEST:	Single-Family; RS-1-7	Single-Family

DEVIATIONS OR VARIANCES REQUESTED:	Variance for 1) Driveway off Valemont (unimproved) where a driveway is not allowed 2) 6-foot retaining wall in front setback where maximum 3 feet is allowed.
COMMUNITY PLANNING GROUP RECOMMENDATION:	The Peninsula Community Planning Group voted 8-1-3 to recommend denial of the proposed project on September 20, 2007.



SITE PLAN

SITE PLAN NOTES

1. EXISTING 24" STORM DRAIN
2. EXISTING STORM DRAIN DISCHARGE
3. PROPOSED CLEAN OUT
4. PROPOSED 24" UNDERGROUND STORM DRAIN
5. PROPOSED INLET
6. PROPOSED EAST RETAINING WALL (8" MIN)
7. PROPOSED NORTH RETAINING WALL (8" MIN)
8. PROPOSED HEADWALL
9. EXISTING SURFACED DRAINAGE SWALES
10. EXISTING HEDGEWALL TO BE REMOVED
11. EXISTING BROW DITCH TO REMAIN
12. EXISTING RETAINING WALLS TO BE REMOVED
13. 8" MIN RETAINING WALL
14. EXISTING CONC. WALK & STEPS TO BE REMOVED
15. 24" BOX MULTI TRUNKED ARBUTINDLIA "MARINA" TREE

GENERAL SITE PLAN NOTES

- Proposed hardscape shown with stipple texture.
- See Preliminary Grading Plan sheet 3 for elevations not shown.
- See Roof Plan sheet 4 for roof overhang projections (note: north and east overhangs allow for a minimum of 2'-6" clear to the property line, as required by Land Development Code).
- See Floor Plan sheet 4 for bay window architectural projection extent in front yard.
- There are no existing or proposed easements for this property.
- There are no existing or proposed bus stops.
- Building address numbers are to be visible and legible from the driveway fronting the property per FNPS Policy P-00-6 (UFC 901.4.4).
- Existing fire hydrants are located within 600' of subject property on the corners of Akron & Canon Streets; Ranger & Ulloam Streets and in front of the property at 1231 Ranger Street.
- For drainage patterns see preliminary grading plans sheets 2 and 3.

GRAPHIC SYMBOLS

PROPOSED SITE RETAINING WALL (12" MIN) (TYP)
SITE SECTION REFERENCE

sheet index

1 TITLE SHEET & SITE PLAN
2 TOPOGRAPHIC MAP
3 PRELIMINARY GRADING PLAN & DETAILS
4 PRELIMINARY GRADING PLAN & DETAILS
5 FLOOR & ROOF PLANS; SITE SECTIONS
6 ELEVATIONS
7 CONCEPTUAL LANDSCAPE PLAN

DEVELOPMENT SUMMARY

The proposed project consists of the construction of a new two-story detached single family residence on the northerly portion of the subject property, subsequent to an approximately 24 foot long division in accord with Section 144.0240 of the San Diego Municipal Code. The existing one-story dwelling will be demolished. The existing wells partially in the right of way with brow ditch will be removed. A new brow ditch will be installed at the existing curb drain, and modification of the existing curb drain and modification of the existing surface drainage will be required. Engineering will be required for a new brow ditch. Section 142.0340 (c) (2) (A) (ii) (aa) (bb) (cc) (dd) (ee) (ff) (gg) (hh) (ii) (jj) (kk) (ll) (mm) (nn) (oo) (pp) (qq) (rr) (ss) (tt) (uu) (vv) (ww) (xx) (yy) (zz) (aaa) (bbb) (ccc) (ddd) (eee) (fff) (ggg) (hhh) (iii) (jjj) (kkk) (lll) (mmm) (nnn) (ooo) (ppp) (qqq) (rrr) (sss) (ttt) (uuu) (vvv) (www) (xxx) (yyy) (zzz) (aaaa) (bbbb) (cccc) (dddd) (eeee) (ffff) (gggg) (hhhh) (iiii) (jjjj) (kkkk) (llll) (mmmm) (nnnn) (oooo) (pppp) (qqqq) (rrrr) (ssss) (tttt) (uuuu) (vvvv) (wwww) (xxxx) (yyyy) (zzzz) (aaaaa) (bbbbb) (ccccc) (ddddd) (eeeee) (fffff) (ggggg) (hhhhh) (iiiii) (jjjjj) (kkkkk) (lllll) (mmmmm) (nnnnn) (ooooo) (ppppp) (qqqqq) (rrrrr) (sssss) (ttttt) (uuuuu) (vvvvv) (wwwww) (xxxxx) (yyyyy) (zzzzz) (aaaaaa) (bbbbbb) (cccccc) (dddddd) (eeeeee) (ffffff) (gggggg) (hhhhhh) (iiiiii) (jjjjjj) (kkkkkk) (llllll) (mmmmmm) (nnnnnn) (oooooo) (pppppp) (qqqqqq) (rrrrrr) (ssssss) (tttttt) (uuuuuu) (vvvvvv) (wwwwww) (xxxxxx) (yyyyyy) (zzzzzz) (aaaaaaa) (bbbbbbb) (ccccccc) (ddddddd) (eeeeeee) (fffffff) (ggggggg) (hhhhhhh) (iiiiiii) (jjjjjjj) (kkkkkkk) (lllllll) (mmmmmmm) (nnnnnnn) (ooooooo) (ppppppp) (qqqqqqq) (rrrrrrr) (sssssss) (ttttttt) (uuuuuuu) (vvvvvvv) (wwwwwww) (xxxxxxx) (yyyyyy) (zzzzzz) (aaaaaaaa) (bbbbbbbb) (cccccccc) (dddddddd) (eeeeeeee) (ffffffff) (gggggggg) (hhhhhhhh) (iiiiiiii) (jjjjjjjj) (kkkkkkkk) (llllllll) (mmmmmmmm) (nnnnnnnn) (oooooooo) (pppppppp) (qqqqqqqq) (rrrrrrrr) (ssssssss) (tttttttt) (uuuuuuuu) (vvvvvvvv) (wwwwwwww) (xxxxxxxx) (yyyyyyyy) (zzzzzzzz) (aaaaaaaaa) (bbbbbbbbb) (ccccccccc) (ddddddddd) (eeeeeeeee) (fffffffff) (ggggggggg) (hhhhhhhhh) (iiiiiiiii) (jjjjjjjjj) (kkkkkkkkk) (lllllllll) (mmmmmmmmm) (nnnnnnnnn) (ooooooooo) (ppppppppp) (qqqqqqqqq) (rrrrrrrrr) (sssssssss) (ttttttttt) (uuuuuuuuu) (vvvvvvvvv) (wwwwwwwww) (xxxxxxxxx) (yyyyyyyyy) (zzzzzzzzz) (aaaaaaaaaa) (bbbbbbbbbb) (cccccccccc) (dddddddddd) (eeeeeeeeee) (ffffffffff) (gggggggggg) (hhhhhhhhhh) (iiiiiiiiii) (jjjjjjjjjj) (kkkkkkkkkk) (llllllllll) (mmmmmmmmmm) (nnnnnnnnnn) (oooooooooo) (pppppppppp) (qqqqqqqqqq) (rrrrrrrrrr) (ssssssssss) (tttttttttt) (uuuuuuuuuu) (vvvvvvvvvv) (wwwwwwwwww) (xxxxxxxxxx) (yyyyyyyyyy) (zzzzzzzzzz)

Improvements in the backyard of the subject property will consist of new concrete flatwork and patio, retaining walls in the general location of the existing (but not its new grade) single dwelling unit which was built in 1954.

This proposed development will not adversely affect the neighborhood, will not be detrimental to the public health, safety and welfare, and is in compliance with the applicable regulations of the Land Development Code. It is subject to the following:

- Neighborhood Use Permit (given/ not required)
- Variance (variance approved)
- Site Development Permit (driveway encroach in right of way)
- Building Permit

PARKING REQUIREMENT: Persons Regulated Square Footage

	Existing	Proposed
Existing single dwelling unit	1	
Proposed guest quarters		1

PROJECT TEAM:

Architect: Skip Shapiro Architect	Engineer: R.C. Chapman, Inc. L. Gary Chapman 858 565-0473
Civil Engineer: Soils Engineer: Steve Nash 858 560-1545	Landscape Architect: Carl Stovall Landscape Architect 619 234-2648

LEGAL DESCRIPTION:
Lots 18 and 19, Block 1, Somerville Heights, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 423, filed in the Office of the County Recorder of San Diego County, December 1, 1887, together with the Northeasterly Half of the alley adjoining said Lots on the Southwest as vacated and closed to public use February 3, 1913.

ASSESSOR PARCEL NUMBER: 531-211-0300

OWNER'S NAME:
Federico Liberatore
3971 Valemont Street
San Diego, CA 92105

- TYPE OF CONSTRUCTION: V-N
- CA BUILDING CODE OCCUPANCE CLASSIFICATION: R3
- ZONING DESIGNATION: RS-1-7
- OVERLAY ZONES: Airport approach, Coastal Height Limit zone in Auxiliary to the Public Airport area, Brush zone's 300-foot buffer area
- GROSS SITE AREA: 5,834 sq ft
- MAXIMUM STRUCTURE HEIGHT: 30 feet

FLOOR AREA RATIO

Allowable:	0.59 (3,441.0	sq ft)
Existing:	0.27 (1,567.0	sq ft)
Proposed:	0.38 (2,206.5	sq ft)

Guest Quarters gross floor area:

(30% of allowable FAR)	= 689.0	sq ft
Proposed guest quarters	= 488.0	sq ft
Proposed garage	= 451.5	sq ft
Total	1,339.5	sq ft

Notes:
- Prior to the issuance of any construction permits, the applicant shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code.
- Prior to the issuance of any construction permits, the applicant shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

project data

OWNER	FRED LIBERATORE 3971 VALEMONT ST. SAN DIEGO, CA 92105-1242
CONTRACTOR	
LEGAL DESCRIPTION	Lots 18 and 19, Block 1, Somerville Heights, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 423, filed in the Office of the County Recorder of San Diego County, December 1, 1887, together with the Northeasterly Half of the alley adjoining said Lots on the Southwest as vacated and closed to public use February 3, 1913.
GOVERNING AGENCY	CITY OF SAN DIEGO
ZONE	RS-1-7
TYPE OF CONSTRUCTION	V-N
A.P.N.	531-211-0300
SITE AREA	5,834 SQ FT

BUILDING AREA

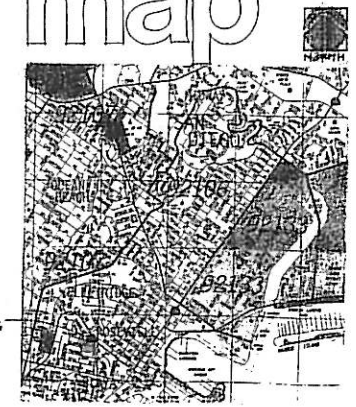
FLOOR AREAS

Existing Single Dwelling	1,567.0 sq ft
Proposed Garage (First Floor)	451.5 sq ft
Proposed Guest Quarters (Second Flr)	488.0 sq ft
Total Guest Quarters & Garage	1,339.5 sq ft

TOTAL FLOOR AREAS

Existing Single Dwelling + Gar Grs.	2,906.5 sq ft

vicinity map



REVISIONS

NEW SUBDIVISION FOR:
FRED LIBERATORE
3971 VALEMONT ST. SAN DIEGO, CA

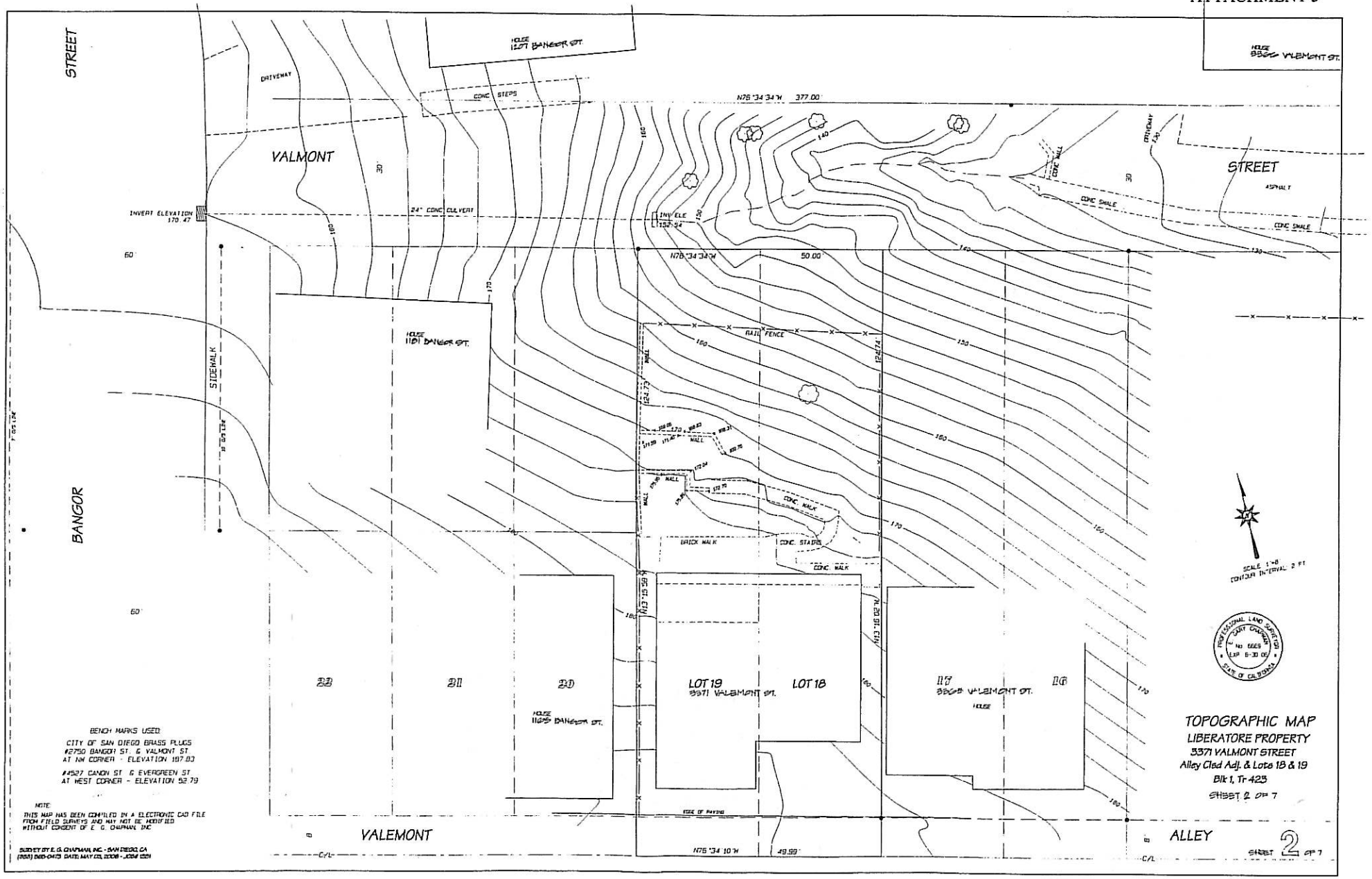
Skip Shapiro Architect
2171 INDIA ST STE A • SAN DIEGO CA 92101 • 619 232-1680

PROJECT NO: 2005E
DRAWN:
CHECKED:
DATE: 5-19-06

TITLE SHEET & SITE PLAN

SHT 1

ATTACHMENT 5



BENCH MARKS USED:

CITY OF SAN DIEGO BRASS PLUGS
#2750 BANGOR ST. & VALMONT ST.
AT NW CORNER - ELEVATION 197.83

#4527 CANON ST. & EVERGREEN ST.
AT WEST CORNER - ELEVATION 92.79

NOTE:
THIS MAP HAS BEEN COMPILED IN A ELECTRONIC CAD FILE FROM FIELD SURVEYS AND MAY NOT BE MODIFIED WITHOUT CONSENT OF E. G. CHAPMAN, INC.

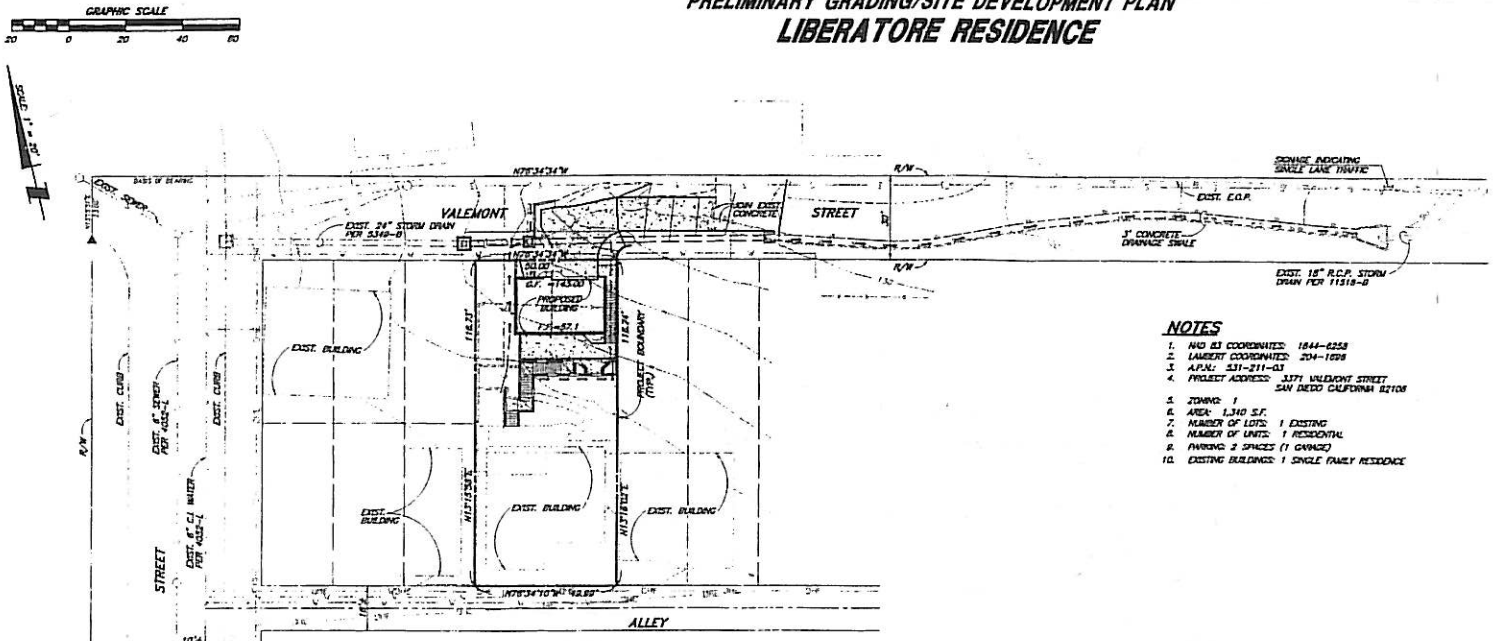
SURVEY BY E. G. CHAPMAN, INC. - SAN DIEGO, CA
(858) 560-0413 DATE: MAY 05, 2008 - JOB# 5321

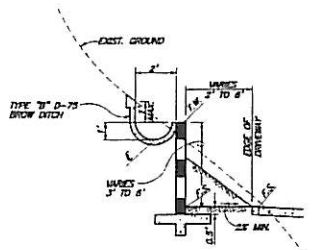
TOPOGRAPHIC MAP

LIBERATORE PROPERTY
3371 VALMONT STREET
Alley Clsd Adj. & Lots 18 & 19
Blk 1, Tr 423

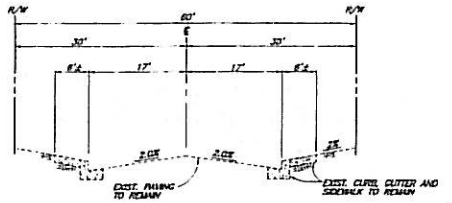
SHEET 2 OF 7

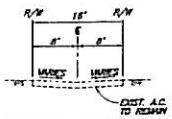
PRELIMINARY GRADING/SITE DEVELOPMENT PLAN
LIBERATORE RESIDENCE





A/1 DETAIL
NOT TO SCALE

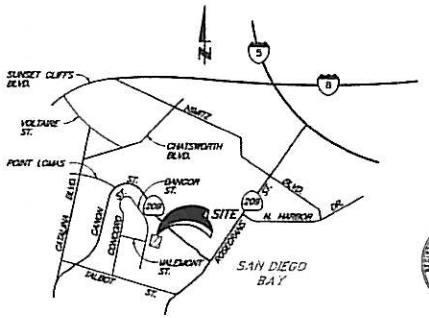




EXIST. TYPICAL SECTION ~ ALLEY

NOTES

1. NAD 83 COORDINATES: 1844-6258
2. LAMBERT COORDINATES: 204-1698
3. A.P.N.: 531-211-03
4. PROJECT ADDRESS: 3371 VALEMONT STREET SAN DIEGO CALIFORNIA 92108
5. ZONING: I
6. AREA: 1,310 S.F.
7. NUMBER OF LOTS: 1 EXISTING
8. NUMBER OF UNITS: 1 RESIDENTIAL
9. PARKING: 2 SPACES (1 GARAGE)
10. EXISTING BUILDINGS: 1 SINGLE FAMILY RESIDENCE



VICINITY MAP

LEGEND

SYMBOL	DESCRIPTION
	PROJECT BOUNDARY
	EXIST. LOT LINE
	EXIST. BUILDING OUTLINES
	DIRECTION OF FLOW
	EXIST. CURB AND GUTTER
	CONCRETE
170.0	SPOT ELEVATION
(170.0)	EXIST. SPOT ELEVATION
EXIST.	EXISTING
T.C.	TOP OF CURB
F.G.	FINISH GROUND
F.S.	FINISH SURFACE
℄	FLOW LINE
E.O.P.	EDGE OF PAVEMENT
T.W.	TOP OF WALL
B.W.	BOTTOM OF WALL
	BROW DITCH
	EXIST. BROW DITCH
	RETAINING WALL
	STORM DRAIN
	STORM DRAIN CLEANOUT WITH GRATE
	INDICATES RETAINING BUILDING WALL
	PROPOSED STORM DRAIN AND INLET
	EXIST. SEWER AND MANHOLE
	EXIST. WATER
	EXIST. STORM DRAIN AND INLET
	EXIST. OVERHEAD POWER LINES
	EXIST. FENCE
	EXIST. HEADWALL
	"U" TYPE HEADWALL PER D-34

LEGAL DESCRIPTION

ALLEY CLOSED ADJACENT AND LOTS 18 AND 19 OF BLOCK 1 TRACT 423 IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA

GRADING TABULATIONS

TOTAL AMOUNT OF SITE TO BE GRADED:	AREA 0.04 AC., 29% OF TOTAL SITE
AMOUNT OF CUT:	340 C.Y. AND MAX. DEPTH OF 18 FEET CUT
AMOUNT OF FILL:	50 C.Y.
MAX. HEIGHT OF FILL SLOPE(S):	2
MAX. HEIGHT OF CUT SLOPE(S):	6
AMOUNT OF EXPORT SOIL:	420 C.Y.
RETAINING WALLS:	1,100 S.F.

REFERENCE DRAWING

11518-1-D, 6762-L, 4033-L

TOPOGRAPHIC SOURCE

E.G. CHAPMAN, INC.
FIELD SURVEY COMPLETED: MAY 3, 2008

BENCHMARK

CITY OF SAN DIEGO BRASS PLUGS
2750 BANGOR STREET AND VALEMONT STREET
AT NORTHWEST CORNER-ELEVATION 187.63
4527 CANON STREET AND EVERGREEN STREET
AT WEST CORNER-ELEVATION 52.79

SURVEY NOTES

1. BASIS OF BEARINGS IS FROM NAD 83 STATIC G.P.S. MEASUREMENT THE SOUTHEASTERLY CORNER OF LOT 2, MAP NO. 6184 AND THE INTERSECTION OF THE CENTERLINE OF VALEMONT STREET AND THE WESTERLY LINE OF BANGOR STREET, I.E. N76°34'34"W

OWNER/PERMITTEE

FEDERICO LIBERATORE
3371 VALEMONT STREET
SAN DIEGO, CALIFORNIA 92108

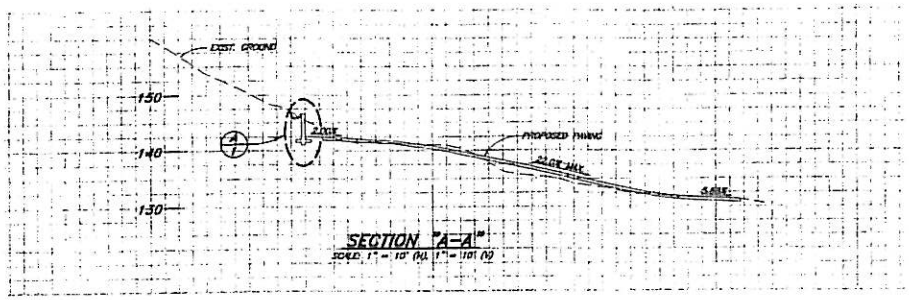
OWNER/PERMITTEE DATE

REGISTERED PROFESSIONAL ENGINEER PHILIP R. SELMER No. 44171 Exp. 6/30/09 CIVIL STATE OF CALIFORNIA

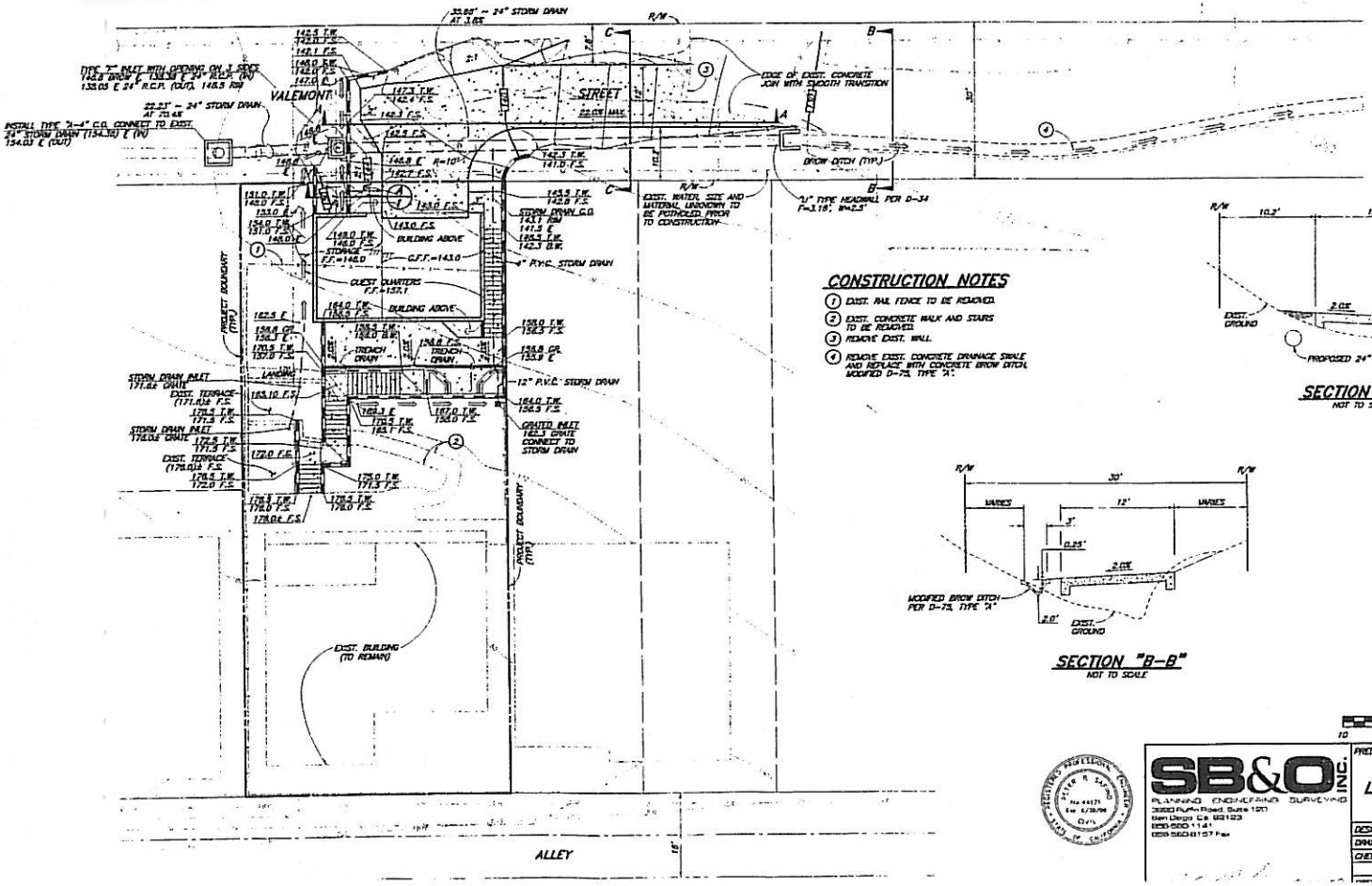
SB&O INC.
PLANNING ENGINEERING SURVEYING
2930 Ruffin Road, Suite 120
San Diego, Ca. 92123
(858) 560-1141
(858) 560-8157 Fax

PRELIMINARY GRADING FOR:
LIBERATORE RESIDENCE

DESIGN:	D.B.	SHEET 3
DRAWN:	K.C.	4
CHECKED:	P.R.S.	

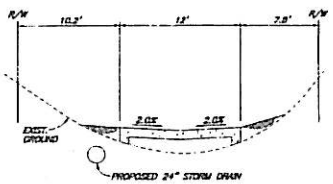


SECTION "A-A"
SCALE: 1" = 10' (H), 1" = 10' (V)



CONSTRUCTION NOTES

1. EXIST. RAIL FENCE TO BE REMOVED.
2. EXIST. CONCRETE WALK AND STAIRS TO BE REMOVED.
3. REMOVE EXIST. WALL.
4. REMOVE EXIST. CONCRETE DRAINAGE SWALE AND REPLACE WITH CONCRETE BROW DITCH, MODIFIED D-75, TYPE "A".



SECTION "C-C"
NOT TO SCALE

SECTION "B-B"
NOT TO SCALE

SCALE: 1" = 10'

GRAPHIC SCALE
10 0 10 20 30

PRELIMINARY GRADING FOR:

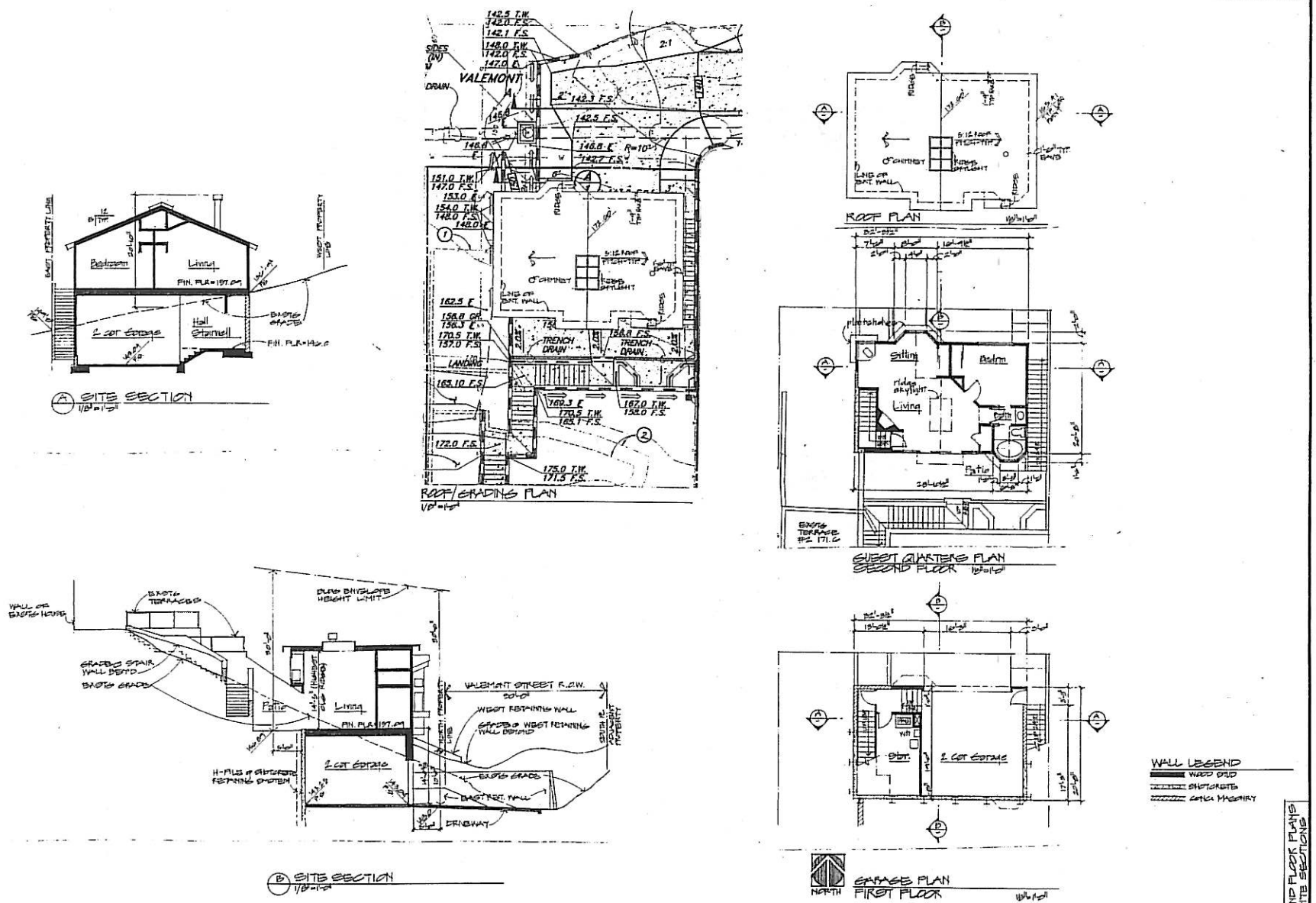
LIBERATORE RESIDENCE

SB&O INC.
PLANNING ENGINEERING SURVEYING
3550 Ruffin Road, Suite 120
San Diego, Ca. 92123
858.560.1141
858.560.8157 Fax

DESIGN:	D.B.
DRAWN:	K.C.
CHECKED:	P.R.S.

SHEET 4 / 4

ATTACHMENT 5



NEW GUEST QUARTERS FOR:

FRED LIBERATORE

3571 VALEMONT ST. SAN DIEGO, CA

REVISIONS

Skip Shapulnic Architect

2171 INDIA ST. SUITE A • SAN DIEGO CA 92101 • 619 232-1680

PROJECT NO 20052

DRAWN

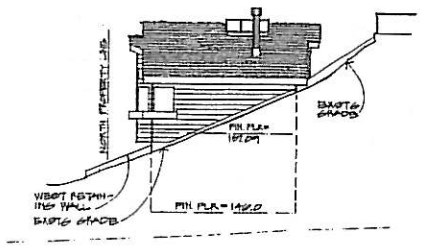
CHECKED

DATE

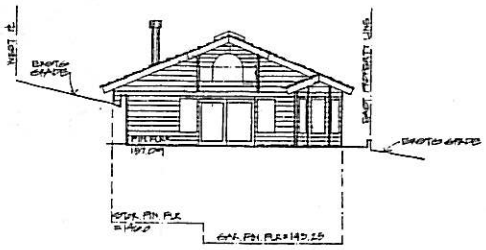
FIRST & SECOND FLOOR PLANS
ROOF PLAN & SITE SECTIONS

5 OF 7

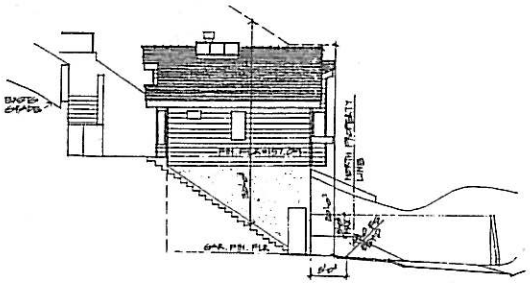
ATTACHMENT 5



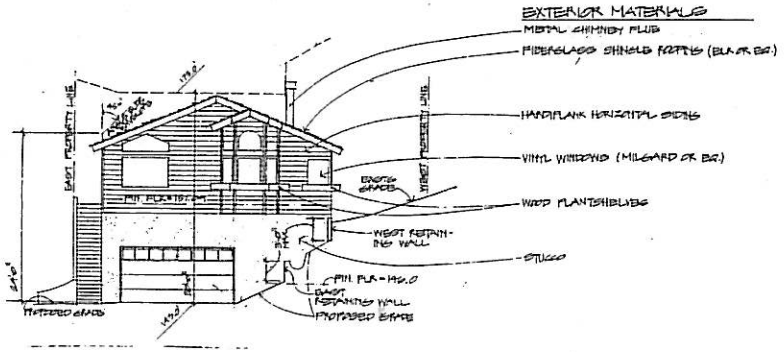
WEST ELEVATION



SOUTH ELEVATION
1/8"=1'-0" TYP.



EAST ELEVATION



NORTH ELEVATION

EXTERIOR ELEVATIONS

PROJECT NO
SCALE
DRAWN
CHECKED
DATE

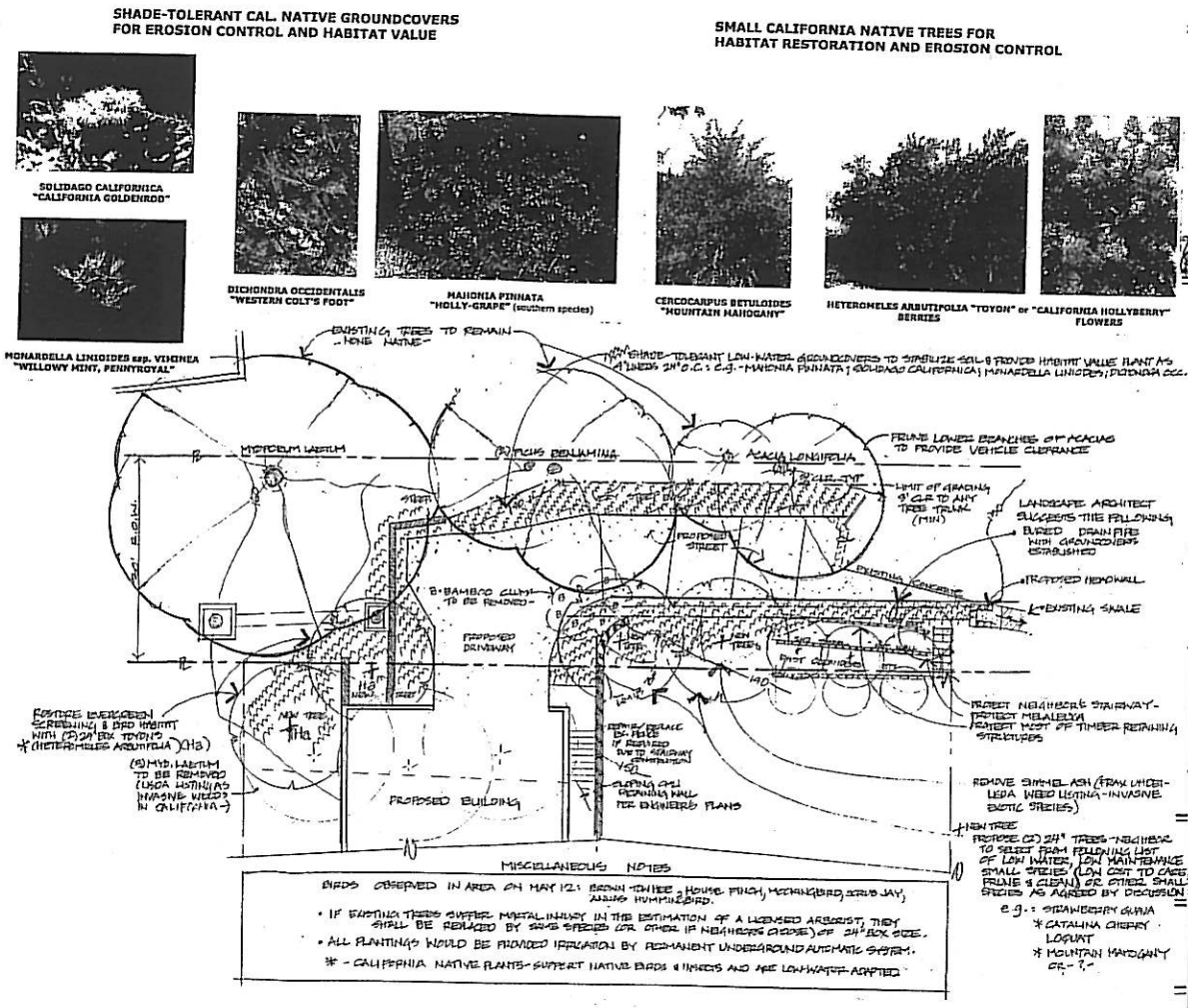
Skip Shaputnic Architect
2171 ROSA ST STE A • SAN DIEGO CA 92101 • 619 232-1480

NEW GARAGE ADDITION FOR:
FRED LIBERATORE
3571 VALENCIA ST. SAN DIEGO, CA

REVISIONS

A-7

ATTACHMENT 5



KAY STEWART
Landscape Architect
(619) 234-2668
2171 India Street • Suite A
San Diego, California 92101

VALEMONT ST. R.O.W. LANDSCAPE
FOR FRED LIBERATORE
3571 VALEMONT ST. SAN DIEGO CA 92106

ISSUED 07/24/07
REVISED
SHEET
OF

REVISIONS

NEW GUEST QUARTERS FOR:
FRED LIBERATORE
3571 VALEMONT ST. SAN DIEGO, CA

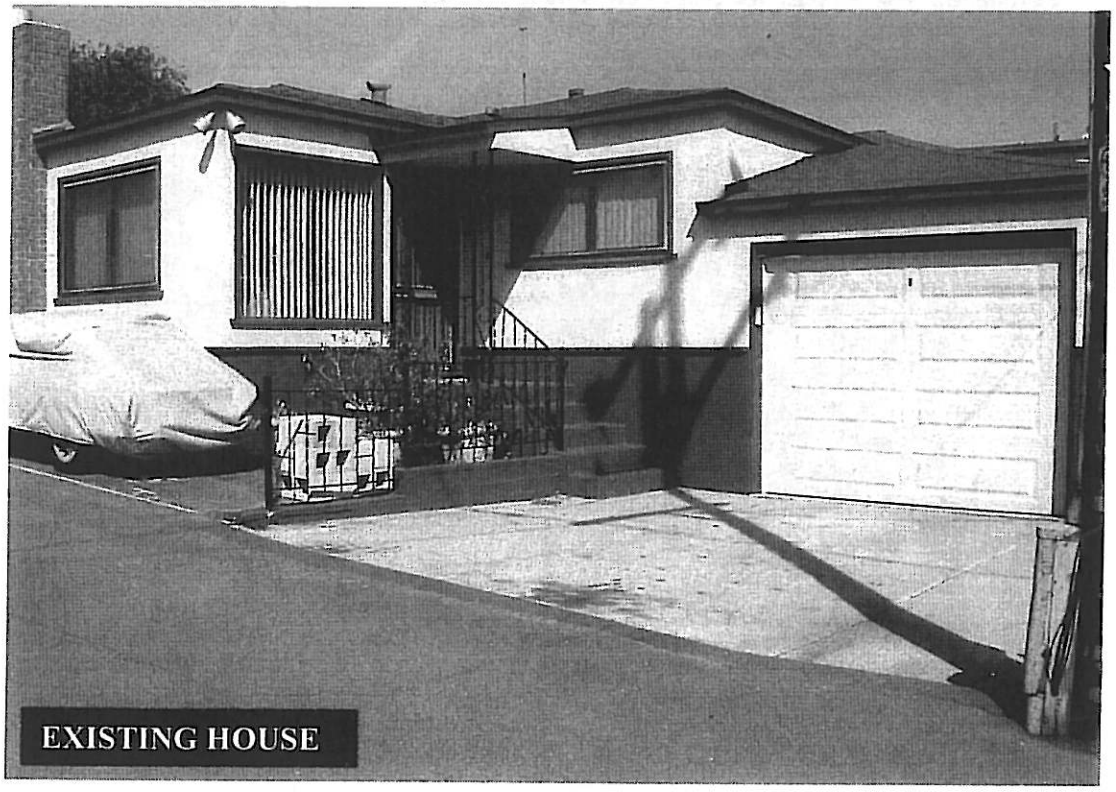
Skip Shaputnic Architect
2171 INDIA ST STE A • SAN DIEGO CA 92101 • 619 232-1680

PROJECT NO
DRAWN
CHECKED
DATE

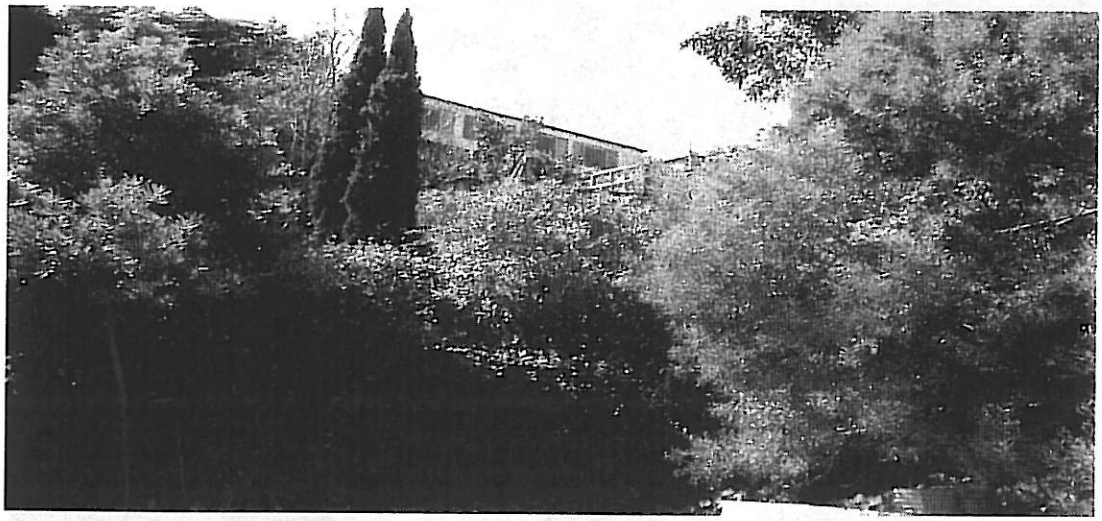
CONCEPTUAL LANDSCAPE PLAN

7 OF 7

ATTACHMENT 6



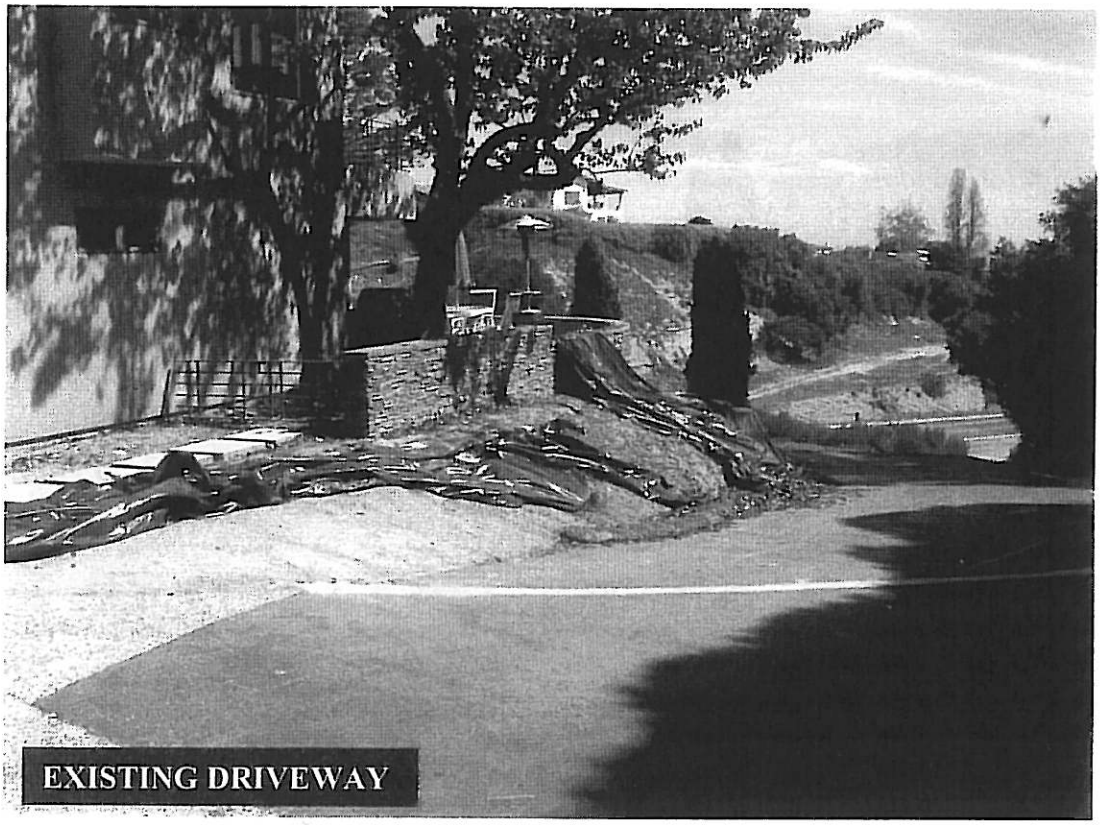
EXISTING HOUSE



BACK OF PROPERTY

ATTACHMENT 6

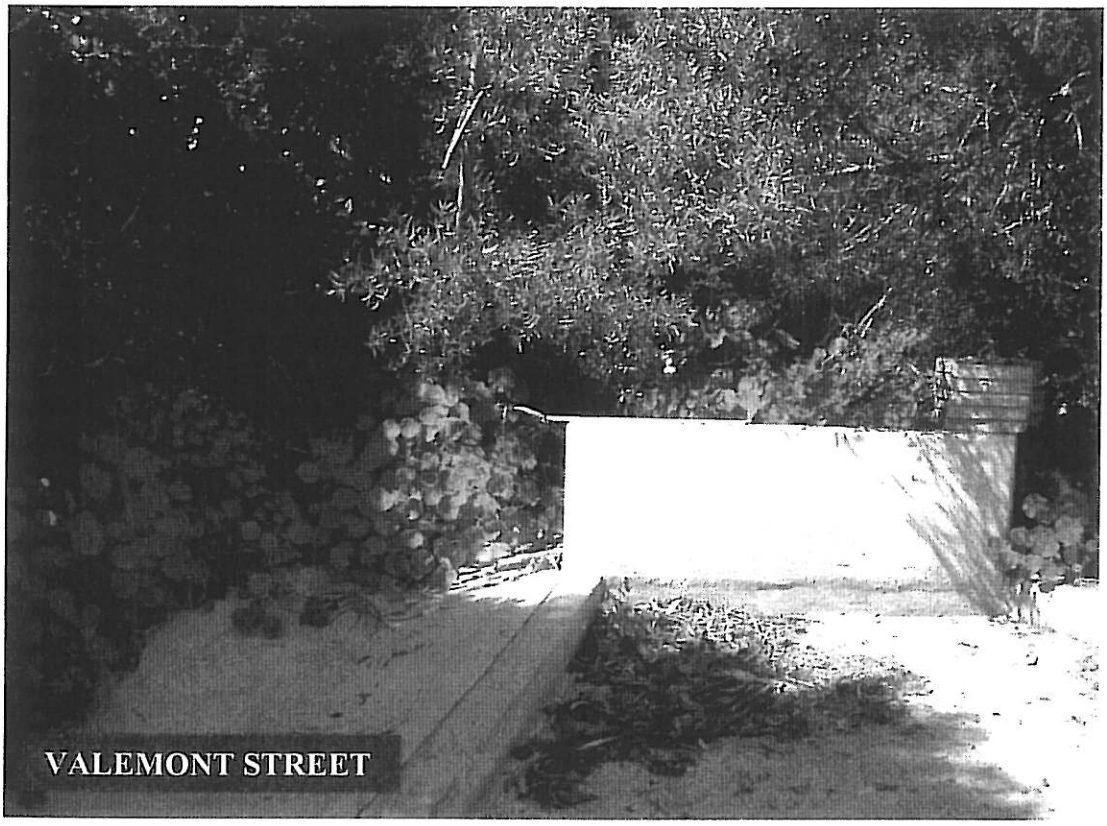
VALEMONT STREET



EXISTING DRIVEWAY

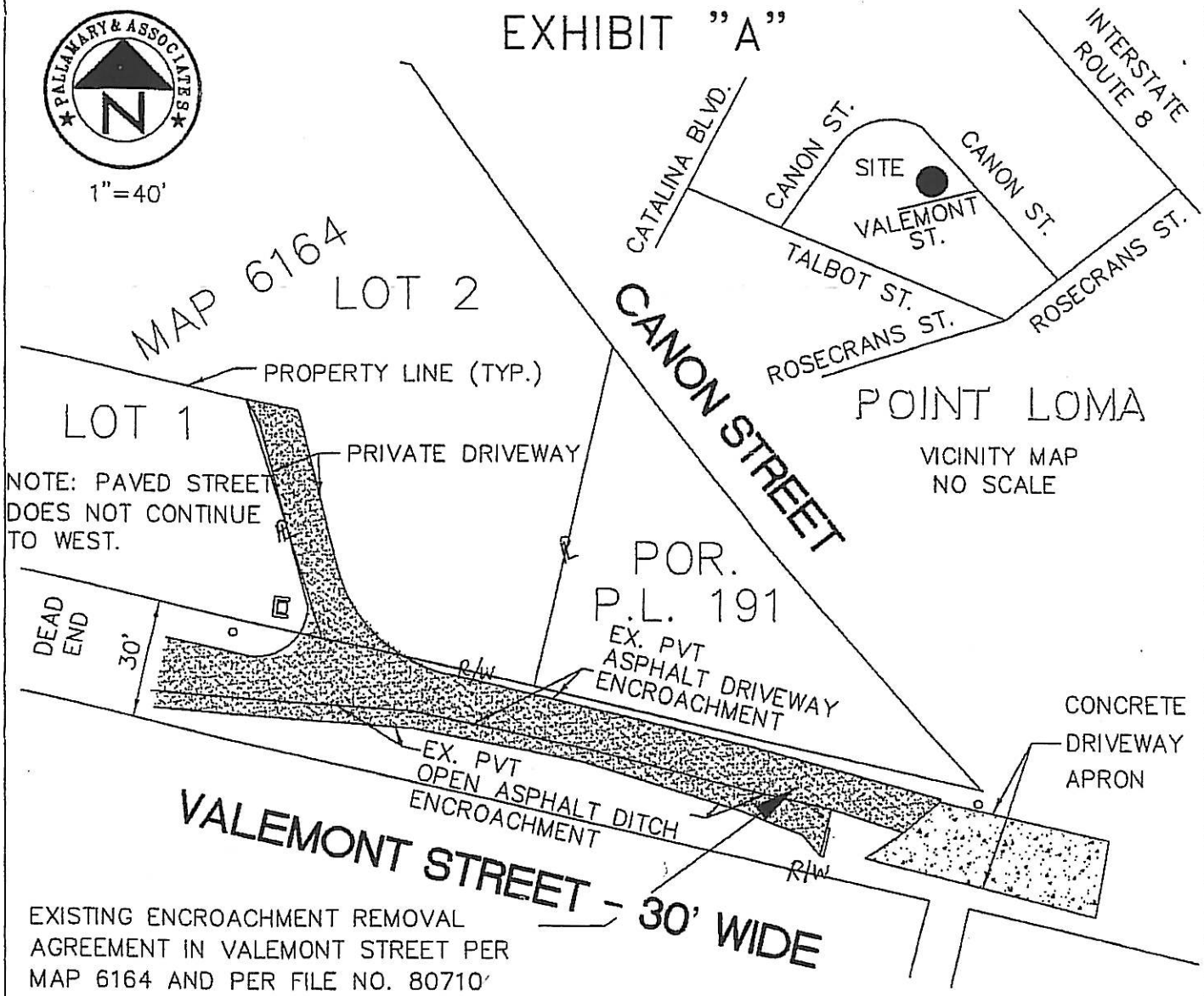
ATTACHMENT 6

VALEMONT STREET



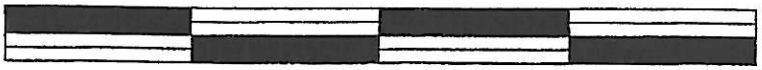
VALEMONT STREET

EXHIBIT "A"



EXISTING ENCROACHMENT REMOVAL AGREEMENT IN VALEMONT STREET PER MAP 6164 AND PER FILE NO. 80710 RECORDED MAY 14, 1968 FOR 12' WIDE. PRIVATE A.C. DRIVEWAY.

0' 40' 80' 120' 160'



THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION

MICHAEL J. PALLAMARY LS 4830

DATE: 11-30-01

LICENSED LAND SURVEYOR
Michael J. Pallamary
No. LS 4830
Exp. 9/30/04
CALIFORNIA

LAND SURVEY SERVICE

7755 Fay Avenue, Suite J
La Jolla, CA 92037
(858) 270-6418
FAX (858) 274-7280

File: C:\PROJECTS\00-01\011052\DRAWINGS\011052E.DWG Last edited: NOV. 30, 01 @ 5:42 p.m. by: Default

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-6968

NEIGHBORHOOD USE PERMIT NO. 381871
SITE DEVELOPMENT PERMIT NO. 470555
VARIANCE NO. 470554
LIBERATORE RESIDENCE – PROJECT NO. 113555
PLANNING COMMISSION
DRAFT

This Neighborhood Use Permit No. 381871, Site Development Permit No. 470555, and Variance No. 470554 are granted by the Planning Commission of the City of San Diego to FEDERICO LIBERATORE, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0205, 126.0504, and 126.0805. The 0.13-acre project site is located at 3371 Valemont Street, in the RS-1-7 Zone, Coastal Height Limit Overlay Zone, and the Airport Approach Overlay Zone, within the Roseville Heights neighborhood of the Peninsula Community Plan and Local Coastal Program Land Use Plan. The project site is legally described as Lots 18 and 19, Block 1 of Roseville Heights, Map No. 423.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a new Guest-Quarters over a partial underground garage on a 5,836 square-foot lot with an existing single family residence, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated September 4, 2008, on file in the Development Services Department.

The project shall include:

a. Construction of a new 1,340 square-foot, two story structure consisting of:

   1) 688- square-foot Guest-Quarters.

   2) Partial subterranean 652-square-foot, two-car garage.

b. Extension of the partially improved Valemont Street public right-of-way as a driveway to the site.

c. Variance to the RS-1-7 zoning regulations as follows:

- Allow for street access in addition to the existing alley access.

d. Off-street parking facilities;

e. Landscaping (planting, irrigation and landscape related improvements);

f. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.

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. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.

4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.

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

6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies

including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

8. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that 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.

10. The applicant 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 applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant 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, applicant 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 applicant 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 applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.

ENGINEERING REQUIREMENTS:

11. Prior to the issuance of any construction permits, the applicant shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

12. Prior to the issuance of any construction permits, the applicant shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

13. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of drainage pipes, a concrete driveway, a drainage swale and other drainage appurtenances, all private, per the approved exhibit, in the Valemont Street right-of-way, all satisfactory to the City Engineer.

14. Prior to the issuance of any building permits, the applicant shall obtain a grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

15. Prior to the issuance of any building permits, the applicant shall obtain an Encroachment Maintenance and Removal Agreement, for a private driveway and various private drainage structures and appurtenances in the Valemont Street right-of-way, all satisfactory to the City Engineer.

16. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of a 3-point turnaround and signage on the proposed driveway, satisfactory to the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

17. No fewer than three (3) off-street parking spaces shall be maintained 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 Development Services Department.

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

19. The guest quarters shall not be rented, leased, or sold as a separate dwelling unit.

20. Prior to issuance of the Building Permit, the property owner shall submit a signed agreement with the City that specifies that the guest quarters shall not be used as, or converted to, a companion unit or any other dwelling unit. The agreement shall include a stipulation that

neither the primary dwelling unit nor the guest quarters shall be sold or conveyed separately. The City will provide the agreement to the County Recorder for recordation.

21. The guest quarters shall be used solely by the occupants of the primary dwelling unit, their guests, or their employees.

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

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development 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 §66020.

- This development may be subject to impact fees at the time of construction permit issuance

APPROVED by the Planning Commission of the City of San Diego on September 4, 2008, by Resolution No. XXXX.

ATTACHMENT 8

Permit Type/PTS Approval No.: NUP 492118, SDP 470555, VAR 470554
Date of Approval: September 4, 2008

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

_____

Laila Iskandar
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.

[Federico Liberatore]
Owner/Permittee

By _____

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

PLANNING COMMISSION
RESOLUTION NO. XXXX
NEIGHBORHOOD USE PERMIT NO. 381871
SITE DEVELOPMENT PERMIT NO. 470555
VARIANCE NO. 470554
LIBERATORE RESIDENCE – PROJECT NO. 113555

WHEREAS, FEDERICO LIBERATORE, Owner/Permittee, filed an application with the City of San Diego for a permit to construct a new Guest-Quarters over a partial underground garage on a 5,836 square-foot lot with an existing single family residence (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 381871, 470555 and 470554), on portions of a 0.13-acre site;

WHEREAS, the project site is located at 3371 Valemont Street, in the RS-1-7 Zone, Coastal Height Limit Overlay Zone, and Airport Approach Overlay Zone, within the Roseville Heights neighborhood of the Peninsula Community Plan and Local Coastal Program Land Use Plan;

WHEREAS, the project site is legally described as Lots 18 and 19, Block 1 of Roseville Heights, Map No. 423;

WHEREAS, on September 4, 2008, the Planning Commission of the City of San Diego considered Neighborhood Use Permit No. 381871, Site Development Permit No. 470555, and Variance No. 470554 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated September 4, 2008.

FINDINGS:

Neighborhood Use Permit - Section §126.0205

1. The proposed development will not adversely affect the applicable land use plan.

The proposed development is located at 3371 Valemont Street in the RS-1-7 Zone within the Peninsula Community Plan Area. The project site has legal frontage and abutters rights both on an existing Valemont/Ullman Alley (at the top of the property) and partially improved Valemont Street (below). The proposed construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage will be developed on 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage which will remain, conforms with the certified Peninsula Community Plan and Local Coastal Program Land Use Plan which designates this site for single family residence uses. The project also proposes a partial improvement of Valemont Street to extend Valemont Street as a driveway to the site at the north east side of the property. This extension would provide vehicle access to the proposed garage and guest quarters. As such, the proposed development will result in the provision of

additional off-street parking for the existing dwelling (two spaces where one is now provided) thus bringing it current with parking regulations, and it will provide the required parking for the guest quarter's parking (one space per bedroom). The guest quarters have been designed to blend in with the surrounding area which consists of one, and two-story homes.

The project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the RS-1-7 Zone, the Coastal Height Limit Overlay Zone, the adopted Peninsula Community Plan and Local Coastal Program Land Use Plan, and the City of San Diego Progress Guide and General Plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The new 1,340-square-foot, two-story structure including a 688-square-foot guest quarters above a detached partial subterranean 652-square-foot two-car garage will be developed on 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage which will remain. The new guest quarters consists of a living-room with bar sink, bedroom, one bath, and a porch, and is located above a two-car garage, which will be accessed from Valemont Street.

The project has been evaluated for potential impacts to sensitive vegetation and environmentally sensitive areas. As outlined in Negative Declaration No. 113555, the proposed project would not have a significant effect on the environment, therefore no mitigation was required. A Water Quality Technical Report was prepared which outlines the best management practices for construction and drainage on the site to ensure drainage and run-off is appropriately dealt with.

In addition, storm run-off has been a long-standing problem for this part of the neighborhood. Storm run off will be significantly improved in conjunction with this Project. Storm discharge from a drain day-lights in the right of way located just west of the subject site and will be connected to a new underground storm drain system depicted on Civil Engineer's drawing.

This system will collect on and off site water that will be directed into a storm drain located under the proposed driveway. It will then be discharged into the existing drainage ditch located on the south side of Valemont Street, thus reducing the flooding potential that exists to downhill properties. To minimize the amount of surface flow going downhill on the pavement, the proposed driveway will slope 2% to the existing drainage ditch. As also stated in the Negative Declaration, this proposed drainage system has been reviewed and accepted by City staff.

The quest quarters would be constructed per Building Code requirements and adequate parking for the guest quarters will be provided. Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code.

The proposed development includes the construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage on a 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage accessed from an existing Valemont/Ullman alley at the southern side of the site. The regulations prohibit access from a street when access can be taken from the alley. The proposed project creates a need to access required parking (for the Guest Quarters) to be taken from the Street thru a private driveway opening. Therefore, the project also proposes a partial improvement of Valemont Street (partially improved) to extend Valemont Street as a driveway to the site at the north east side of the property to provide vehicle access to the proposed garage and guest quarters. The proposed driveway extension will be entirely within the dedicated public right-of-way.

An approved Neighborhood Use Permit, a Site Development Permit and a Variance would allow the encroachment and deviation to provide for a design that is compatible with the surrounding neighborhood. Thus, the proposed project meets the intent, purpose, and goals of the underlying zone, and the Peninsula Community Plan and Local Coastal Program Land Use Plan, and complies to the maximum extent feasible with the regulations of the Land Development Code. Therefore, the proposed development will not adversely affect the applicable land use plan.

Site Development Permit - Section §126.0504(a)

1. The proposed development will not adversely affect the applicable land use plan.

The proposed development is located at 3371 Valemont Street in the RS-1-7 Zone within the Peninsula Community Plan Area. The project site has legal frontage and abutters rights both on the existing Valemont/Ullman Alley (at the top of the property) and partially improved Valemont Street (below). The proposed construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage will be developed on 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage which will remain, conforms with the certified Peninsula Community Plan and Local Coastal Program Land Use Plan which designates this site for single family residence uses. The project also proposes a partial improvement of Valemont Street (partially unimproved) to extend Valemont Street as a driveway to the site at the north east side of the property to provide vehicle access to the proposed garage and guest quarters. As such, the proposed development will result in the provision of additional off-street parking for the existing dwelling (two spaces where one is now provided) thus bringing it current with parking regulations, and it will provide the required parking for the guest quarter's parking (one space per bedroom). The project will be visually compatible with the surrounding neighborhood. The guest quarters have been designed to blend in with the surrounding area which consists of one, and two-story homes.

The project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the RS-1-7 Zone, the Coastal Height Limit Overlay Zone, the adopted Peninsula Community Plan and Local Coastal Program Land Use Plan, and the City of San Diego General Plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The new 1,340-square-foot, two-story structure including a 688-square-foot guest quarters above a detached partial subterranean 652-square-foot two-car garage will be developed on 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage which will remain. The new guest quarters consists of a living-room with bar sink, bedroom, one bath, and a porch, and is located above a two-car garage, which will be accessed from Valemont Street.

The project has been evaluated for potential impacts to sensitive vegetation and environmentally sensitive areas. As outlined in Negative Declaration No. 113555, the proposed project would not have a significant effect on the environment, therefore no mitigation was required. A Water Quality Technical Report was prepared which outlines the best management practices for construction and drainage on the site to ensure drainage and run-off is appropriately dealt with.

In addition, storm run-off has been a long-standing problem for this part of the neighborhood. Storm run off will be significantly improved in conjunction with this Project. Storm discharge from a drain day-lights in the right of way located just west of the subject site and will be connected to a new underground storm drain system depicted on Civil Engineer's drawing.

This system will collect on and off site water that will be directed into a storm drain located under the proposed driveway. It will then be discharged into the existing drainage ditch located on the south side of Valemont Street, thus reducing the flooding potential that exists to downhill properties. To minimize the amount of surface flow going downhill on the pavement, the proposed driveway will slope 2% to the existing drainage ditch. As also stated in the Negative Declaration, this proposed drainage system has been reviewed and accepted by City staff.

The guest quarters would be constructed per Building Code requirements and adequate parking for the guest quarters will be provided. Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

3. The proposed development will comply with the regulations of the Land Development Code.

The proposed development includes the construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage on a 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage accessed from the existing Valemont/Ullman alley at the southern side of the site. The regulations prohibit access from a street when access can be taken from the alley. The proposed project creates a need to access required parking (for the Guest Quarters) to be taken from the Street thru a private driveway opening. Therefore, the project also proposes a partial improvement of Valemont Street (partially improved) to extend Valemont Street as a driveway to the site at the north east side of the property to provide vehicle access to the proposed garage and guest quarters. The proposed driveway extension will be entirely within the dedicated public right-of-way.

An approved Neighborhood Use Permit, a Site Development Permit and a Variance would allow the encroachment and deviation to provide for a design that is compatible with the surrounding neighborhood. Thus, the proposed project meets the intent, purpose, and goals of the underlying zone, and the Peninsula Community Plan and Local Coastal Program Land Use Plan, and complies to the maximum extent feasible with the regulations of the Land Development Code. Therefore, the proposed development will not adversely affect the applicable land use plan.

Supplemental Findings, Public Right-of Way Encroachments(o)

1. The proposed encroachment is reasonably related to public travel, or benefits a public purpose, or all record owners have given the applicant written permission to maintain the encroachment on their property;

The proposed Project would involve the extension of the partially improved Valemont Street public right-of-way as a driveway to the site to provide vehicular access to the guest quarters and garage at the lower portion of the property. In order to achieve legal access rights to Valemont Street, the applicant proposes the installation of a private driveway which would necessitate the approval of a Site Development Permit and a Variance for a second curb cut to an existing property. The existing single family home at the top of the slope is provided with very limited vehicular access from the Alley and provides only a one car garage for the existing single family residence. The proposed guest quarters (at the lower portion of the site) would be accessed with the improvement of a driveway extending Valemont Street to the two car garage and guest quarters.

The installation of a driveway is consistent with what other adjacent properties on Valemont Street have done to provide vehicular access. The short extension of Valemont to provide access to the owner's guest quarters and lower portion of the applicant's property is consistent with other private improvements that have already occurred in the Valemont "paper" Street. There will be no proposed gates or other obstructions to keep the public from utilizing the driveway within the public right of way. As such, the public will have full rights of travel on and across the proposed driveway.

The proposed driveway extension is located within a dedicated public right-of-way and does not encroach into private property. In addition, improvements of existing storm drainage problems will be of benefit to all homes within the vicinity thus providing a beneficial public purpose.

Therefore, the proposed encroachment is reasonably related to public travel, or benefits a public purpose, or all record owners have given the applicant written permission to maintain the encroachment on their property.

2. The proposed encroachment does not interfere with the free and unobstructed use of the public right-of-way for public travel;

The project proposes the construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage on a 5,836-square-foot site contains an existing 1,567 square-foot single family residence and one (1) car garage. Approval of the

proposed driveway extension will allow for free and unobstructed use for public travel. The extension will be entirely within the dedicated public right-of way. Signs will be posted at the bottom of Valemont Street indicating single lane traffic. The driveway extension will terminate in a dead end and provide a 3 point turnaround for emergency use and public convenience.

The driveway extension will not interfere with adjacent Valemont Street properties' private use of the street nor will it affect any existing encroachments held by other adjacent property owners for their private improvements within the public right of way. There will be no gate or other obstruction that would limit the public's use of the Valemont right of way.

Therefore, the proposed encroachment does not interfere with the free and unobstructed use of the public right-of-way for public travel.

3. The proposed encroachment will not adversely affect the aesthetic character of the community; and

The project proposes the construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage on a 5,836-square-foot site contains an existing 1,567 square-foot single family residence and one (1) car garage. The project will be visually compatible with the surrounding neighborhood. The guest quarters have been designed to blend in with the surrounding area which consists of one, and two-story homes. Therefore, the proposed driveway extension which is at grade, would also have no adverse affect on the aesthetic character of the community as it is consistent with how other neighbors have gained vehicular access to their properties.

In addition, there will be no substantial changes in topography or ground relief features and the site does not contain any unique geologic or physical features. Further, no distinctive or landmark trees would be removed. The proposed driveway extension will keep the three (3) largest existing canopy trees in the unimproved Valemont Street.

Therefore, the proposed encroachment will not adversely affect the aesthetic character of the community.

4. The proposed encroachment does not violate any other Municipal Code provisions or other local, state, or federal law.

With the approval of the Site Development Permit and Variance, the proposed development would comply with all applicable Municipal Code provisions and other local, state or federal laws.

Variance – Section §126.0805:

1. There are special circumstances or conditions applying to the land or *premises* for which the variance is sought that are peculiar to the land or *premises* and do not apply generally to the land or premises in the neighborhood, and these conditions have not resulted from any act of the *applicant* after the adoption of the applicable zone regulations.

The proposed development is located at 3371 Valemont Street within the Peninsula Community Plan Area. The 5,836 square-foot site is located within the RS-1-7 Zone and has legal frontage and abutters rights both on Valemont/Ullman Alley (at the top of the property) and partially unimproved Valemont Street (below). The proposed development includes the partial improvement of Valemont Street and the construction of a 688 square-foot guest quarters over a partially subterranean 652 square-foot garage on a 5,765 square-foot site which contains an existing 1,567 square-foot single family residence with one (1) car garage. The 652 square foot first floor of the guest quarters would be comprised of a two-car garage and storage area. The 688 square-foot second floor would be comprised of the guest quarters, including a bedroom, bathroom, and sitting room, with a patio.

There are special circumstances associated with the project site that are not the result of the actions of the owner. The lot is roughly rectangular with a steep gradient from the southern portion [186 feet above mean sea level (AMSL)] of the property down to the north [150 feet AMSL] for a grade differential of 36 feet. Further, the location of the existing one-story dwelling fronting the alley is located on the uphill portion of the site, which prohibits extending the existing driveway to the proposed guest quarters on the downhill portion of the site fronting Valemont Street. The only way to provide for vehicular access to the guest quarters and add additional parking spaces as required per the Land Development Code is to allow for a driveway extension through Valemont Street. The regulations prohibit access from a street when access can be taken from the alley; however, access from the alley is infeasible due to the topographic constraints of the site. The proposed driveway from the street to the new structure will allow the applicant reasonable use of their property and will improve previously conforming conditions by increasing the parking on site and improving drainage condition.

2. The circumstances or conditions are such that the strict application of the regulations of the Land Development Code would deprive the *applicant* of reasonable use of the land or *premises* and the variance granted by the City is the minimum variance that will permit the reasonable use of the land or *premises*.

The proposed development includes the partial improvement of Valemont Street and the construction of a 688 square-foot guest quarters over a partially subterranean 652 square-foot garage on a 5,765 square-foot site which contains an existing 1,567 square-foot single family residence with one (1) car garage. The existing conditions of the site including the steep gradient combined with the zoning requirements have caused difficulty in developing the property with a guest quarters. Therefore, the project requires a variance from the Land Development Code requirements pertaining to the number and location of driveway openings [SDMC 142.0560(J)(8)(c)]: "...For properties with access to an *alley* and less than 150 feet of total frontage, a driveway is not permitted, except that in the RM-1-1, RM-1-2, and RM-1-3 zones, one driveway may be permitted if the prohibition of a driveway opening would preclude achieving the maximum *density* permitted by the underlying zone".

The proposed structure meets all current regulations with the exception of the required driveway opening. The subject property is underdeveloped, the existing floor area ratio is only 0.27 (1,567 sq. ft.) where 0.59 (3,443 sq. ft) is allowed for the zone. The small percentage of the existing site usage is due to the steep nature of the site gradient which does not occur in most of the other lots

within the neighborhood. Even with the proposed guest quarters, the floor area ratio will be only 0.50. The building will be under the maximum 30-foot height limit allowed by the zone.

The proposed variance to the development regulations would be the minimum necessary to develop the site with the proposed guest quarters and provide sufficient parking.

3. The granting of the variance will be in harmony with the general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare.

The purpose and intent of the SDMC requirements restricting driveway openings is to prevent the loss of available on-street parking and to protect pedestrian safety. Valemont Street is currently used as a private driveway, serving two other properties between the proposed guest quarters and Canon Street. There is no existing on-street parking provided. It is used for vehicular access. The proposed driveway opening will be consistent with current use. Further, there is no sidewalk on Valemont Street and as such impacts to pedestrians will be negligible.

The Project requires a Site Development Permit for the extension of the driveway on the Paper Street and a Variance for the second curb cut (the existing curb cut above on Valemont/Ullman alley and a new curb cut below on partially improved Valemont Paper Street). Best Management practices (BMPs) are required to ensure drainage and run-off is appropriately dealt with. The Project site is not located within or adjacent to the Multi-habitat Planning Area (MHPA) of the City's Multiple Species Conservation Program. The Project site is located within an existing urbanized area. The proposed Project was found to not have a significant effect on the environment. The Project would be designed and constructed pursuant to all applicable zoning and building codes and inspected for compliance with building standards.

The installation of a driveway is consistent with what other adjacent properties on Valemont Street have done to provide vehicular access. The short extension of Valemont to provide access to the owner's guest quarters and lower portion of the applicant's property is consistent with other private improvements that have already occurred in the Valemont "paper" Street. There will be no proposed gates or other obstructions to keep the public from utilizing the driveway within the public right of way. As such, the public will have full rights of travel on and across the proposed driveway.

The proposed driveway extension is located within a dedicated public right-of-way and does not encroach into private property. In addition, improvements of existing storm drainage problems will be of benefit to all homes within the vicinity thus providing a beneficial public purpose.

Therefore, the proposed development would be in harmony with the general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare.

4. The granting of the variance will not adversely affect the applicable *land use plan*.

The proposed development is located at 3371 Valemont Street in the RS-1-7 Zone within the Peninsula Community Plan Area. The project site is designated for single-family residential in the Peninsula Community Plan with a density yield of 6-9 dwelling units per net residential acre,

and is subject to the Proposition D thirty foot (30') height limit. A main objective of the residential element is to, "Conserve character of existing stable single-family neighborhoods throughout Peninsula including the very low-density character of certain neighborhoods." The proposed construction of a new 688-square-foot guest quarters above a new detached partial subterranean 652-square-foot garage will be developed on 5,836-square-foot site with an existing 1,567 square-foot single family residence and one (1) car garage, conforms with the Community Plan designation and will not have a detrimental impact on the community plan designation. The project also proposes a partial improvement of Valemont Street to provide vehicle access to the proposed garage and guest quarters. As such, the proposed development will result in the provision of additional off-street parking for the existing residence and compliance with current parking regulations. The proposed project would also provide the required parking for the guest quarters. The project will be visually compatible with the surrounding neighborhood. The guest quarters have been designed to blend in with the surrounding area which consists of one, and two-story homes.

The project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the RS-1-7 Zone, the Coastal Height Limit Overlay Zone, the adopted Peninsula Community Plan and Local Coastal Program Land Use Plan, and the City of San Diego General Plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Neighborhood Use Permit No. 381871, Site Development Permit No. 470555 and Variance No. 470554 are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 381871, 470555 and 470554, a copy of which is attached hereto and made a part hereof.

_____

Laila Iskandar
Development Project Manager
Development Services

Adopted on: September 4, 2008

Job Order No. 42-6968

cc: Legislative Recorder, Planning Department

Point Loma Community Planning Board Minutes
September 20, 2007
Point Loma Library, Voltaire Street

1. Parliamentary Items:

Meeting called to order by Chair D. Wylie at 6:30 PM.
Approval of agenda requested and Chair recommended moving Old/New business to immediately after Action Items. Cal Jones made motion to move Old/new business to Item II. Motion adopted following debate. MSC 8(MV, MS,KR,PR, GP,CJ,DD,GR.) 4(CS,HK,SK,MH) 2(JS,NEUTRAL)(GJ CAME LATE)

A. Non-agenda items:

a. Public input:

Dianna Spehn representing Senator Kehoe's office-Senate Bill 10 (Airport Authority)
Gregg Finley-NTC Park
Judy White-overdevelopment
Jarvis Ross-airport
Lance Murphy-committees/community members
Kathryn Rhodes-Density Bonus Ordinance
Mignon Scherer-Water shortage/global warming
S. Khalil-update on ad hoc community re bulk scale

b. Other

Mathew DeVol-3771 Valemont project

D. Davis for point of clarification stated, in question format, that the airport committee was a standing committee. No objections from the board or community

B. Agenda/Minutes approval:

May 17, 2007 minutes approved as read.
July 19, 2007 minutes approved as read
August 16, 2007 minutes approved as corrected

Board Attendance

D. Wylie, H. Kinnaird, D. Davis, G. Halbert, M. Hoppe, C. Jones, S. Khalil, G. Page, P. Rank, K. Rhodes, M. Scherer, C. Shinn, J. Shumaker, G. Robinson, G. Page and M. Valentine

Community attendance

R. Wassem, S. Nolan, J. Varley, D. Reichardt, C. Jacobs, M. Stalheim, M. deVol, E. Goddard, C. Schisler, MJ Hallmark, D. Cormier, C. Roland, C. Castlen, F. Liberatore, J. Brown, L. Day, H. Steiner, J. White, J. Ross, T. Sanchez, G. Finley, S. Shaputnic, R. Guilding, M. Santana, M. Terree, M. Swall, D. Kaup, J. O'Connor, R. Myers, W. Ladd, M. Quellette, S. Ruiz, T. Altree, J. Adriany, C. Conger, C. Zolezzi, L. Hope

II. Old/New Business

G. Page moved to rescind committee chairs as voted on in June of 07. The motion was adopted after debate. MSC 8(MV,MS,GR,KR,PR,GP,CJ,GH)6(JS,CS,HK,SK,MH,DD)

G.Page moved to nominate Lance Murphy to Chair Airport Authority Committee. The motion denied after debate. MSC 5(MV,MS,KR,PR,GP)7(JS,CS,HK,SK,MH,GH,DD)2 (GR/ undecided)(CJ/legal clarification concerns)

G. Halbert moved to appoint the chairs to the PCPB subcommittees that were holding the positions prior to this evening's vote to rescind the chairs with the exception of the By-Laws and Airport subcommittees. The motion was adopted after debate. MSC11(JS,CS,MS,GR,KR,PR,GP,HK,SK,GH,DD)2(MV,MH)1(CJ/gentleman)

G. Page moved to have Lance Murphy be the primary Rep and Cynthia Conger the Alternate to ANAC and ATAG Committees. The motion was adopted after debate. MSC7(MV,MS,GR,KR,PR,GP,CJ) 5(CS,HK,SK,MH,DD)2(JS,GH/like them both)

H. Kinnaird moved to appoint G. Robinson as Chair of the By-Laws committee. The motion was adopted. MSC(MV,JS,CS,MS,KR,PR,GP,HK,,SK,CL,MH,GH,DD)0-1(GR/neutral)

G. Page moved to write a formal letter from the Board to censure Tony Kempton for providing misleading and incorrect information during our vote on the Airport representatives that may have unduly influenced the outcome and to request that the Planning Department provide us a new representative. The motion was denied after debate. MSC6(MV,MS,KR,PR,GP,CJ)7(JS,CS,HK,SK,MH,GH,DD)

C. Shinn moved to extend the meeting. The motion was adopted after debate. MSC 7(GH,SK,DD,MH,CS,HK,JS) 6(KR,GP,PR,MS,MV,CJ)

II. Government Reports Public /Communication

A. Matt Awbrey

M. Awbrey reported that on October 8th, across from the Midway post office, there will be a rally in opposition of designating that location for a winter homeless shelter.

M. Awbrey reported that at the October 16th City Council meeting the winter homeless shelter will be on the agenda.

B. Libby Day

Libby Day gave an update on NTC.

III. Action Items

a. 3771 Valemont St: G.Page moved to deny the project on the basis that the requested variance had no benefit to the public. The motion passed after debate. MSC 8(GH, GP, MS., PR, DD, MH, MV, KR,) 1(CS) 3(SK/need more verification) HK/need more info) (CJ/legal concerns) (JS-recused/conflict)

*Due to time restraints the other committee reports and new/old business was cancelled.

The meeting was adjourned at 10:00 PM.

Respectfully submitted,
Helen Kinnaird, Secretary

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

THE CITY OF SAN DIEGO

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
NEW DETACHED GUEST QUARTERS

Project No. *For City Use Only*
113555

Project Address:
3371 VALEMONT ST SAN DIEGO, CA

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):
FEDERICO LIBERATORE
☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency
Street Address:
3371 VALEMONT ST
City/State/Zip:
SAN DIEGO CA 92104
Phone No: 619 523-1296 Fax No: 619 544-2682
Signature : Federico Liberatore Date: 9-12-06

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):
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Street Address:
City/State/Zip:
Phone No: Fax No:
Signature : Date: