



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: October 9, 2008 **REPORT NO. PC-08-126**

ATTENTION: Planning Commission, Agenda of October 16, 2008

SUBJECT: MOUZAS RESIDENCES - PROJECT NO. 134353
PROCESS 2

OWNER/APPLICANT: Alexandra Mouzas/Gary Taylor

SUMMARY

Issue(s): Should the Planning Commission approve or deny an appeal of a Process 2 decision to approve a Coastal Development Permit to demolish an existing dwelling unit and construct two new dwelling units at 4594 Point Loma Avenue in the Peninsula Community Plan?

Staff Recommendation:

1. **DENY** the appeal and uphold the staff decision to approve Coastal Development Permit No. 467679.
2. **CERTIFY** Negative Declaration No. 134353.

Community Planning Group Recommendation: On November 15, 2007, the Peninsula Community Planning Committee voted to recommend approval of this project by a vote of 7 in favor and 3 opposed.

Environmental Review: A Negative Declaration has been prepared for this project in accordance with State of California Environmental Quality Act (CEQA) guidelines, which address potential impacts to Historic Resources (Archaeological and Architectural) and Geology (Seismic). Significant impacts have not been identified and mitigation will not be required.

Fiscal Impact Statement: None, the applicant is responsible for all processing costs associated with this project.

Code Enforcement Impact: There are no Code Enforcement violations associated with this project.

Housing Impact Statement: The project proposes to demolish an existing single-family residence and construct two dwelling units with attached garages on a 7,000 square-foot site. The proposal would result in a net gain of one dwelling to the Peninsula plan area. Also, the proposed project is within the Coastal Overlay Zone and has been reviewed for compliance with the regulations in the Coastal Overlay Zone Affordable Housing Replacements Requirements division of the Land Development Code. This division is not applicable to this proposal because the proposal does not involve demolition of a residential structure with three or more dwelling units or demolition of at least eleven units when two or more structures are involved.

BACKGROUND

The 7,000 square-foot site is located at 4594 Point Loma Avenue, on the northeast corner of Point Loma Avenue and Froude Street (Attachment 1). The project is within the RM-1-1 Zone, Coastal Zone (non-appealable), Coastal Height Limit Zone, Parking Impact Overlay Zone and the Ocean Beach Cottage Emerging Historical District. The property is within the Peninsula Community Plan and is designated for multi-family land use (Attachment 2).

The site is currently improved with a 928 square-foot, two-bedroom, one-story single dwelling unit with a 200 square-foot detached garage. The dwelling was constructed in 1940. The site is surrounded by a mix of multifamily and single family buildings. Warren Walker Elementary School is located to the west of the project, on the northwest corner of Point Loma Avenue and Froude Street.

On August 8, 2008, Coastal Development Permit No. 467679 was approved in accordance with Process 2 pursuant to the Land Development Code (LDC), with the staff acting as the decision maker. The staff decision to approve the demolition of the existing single dwelling unit and construction two new dwelling units was subsequently appealed to the Planning Commission (Attachment 8).

DISCUSSION

Project Description:

The project proposes a Coastal Development Permit for demolition of the existing single dwelling unit and the construction of two new dwelling units. One dwelling proposes three bedrooms and will be located at the front of the site, adjacent to Point Loma Avenue; and the other dwelling proposes two bedrooms and will be located at the rear of the site, adjacent to the alley. Both dwellings will be approximately 2,625 square-feet each, with the inclusion of attached two-car garages; and both dwellings will have second story decks, each approximately 550 square-feet in size. The gross floor area of both structures will total 5,250 square-feet.

Current site zoning is RM-1-1 which allows multi-family development. As designed, the project complies with all provisions of the LDC including setbacks, floor area ratio, height and off-street parking. The project will require four off-street parking spaces. The dwelling unit facing Point Loma Avenue will access off-street parking from Froude Street. San Diego Municipal Code (SDMC) Section 142.0560(h)(8)(B) states that a maximum of one driveway opening for each 150 feet of frontage is permitted for properties with access to an alley and at least 150 feet of total street frontage. As this site has approximately 190 feet of total street frontage, access from Froude Street is allowed. The unit at the rear of the property will gain access to off-street parking through the alley.

Community Plan Analysis:

The Peninsula Community Plan identifies this site at 4594 Point Loma Avenue in the Ocean Beach Highlands neighborhood as an area designated for low-medium density multi-family residential development at between 10 and 14 dwelling units per acre. This 7,000 square foot site would allow for the development of two dwelling units.

The community plan identifies Point Loma Avenue as a designated coastal view and states, "Structures should be designed to protect views of Peninsula's natural scenic amenities, especially the ocean shoreline, and San Diego Bay," and "View corridors, by utilizing side yard setbacks, should be encouraged along the ocean and bay shoreline and bluff-top areas in order to avoid a continuous walled effect along the shoreline. Narrow corridors create visual interest and allow for sea breezes." The proposal, with a fifteen foot front yard setback, would observe a larger setback than most of the other residences on the block and would not adversely affect this coastal view identified in the plan.

The community plan contains a number of policies designed to control building bulk and scale, such as, "Building bulk should be controlled through the use of vertical and horizontal offsets and other architectural features (balconies, porches, bay windows) which serve to break up building facades. A reduction in the front yard setback for a portion of the structure would serve as an incentive for vertical offsets." In this regard the proposal features ample architectural detailing including fenestration, balconies and vertical off-sets. In addition, the plan states, "Flat roof surfaces should be considered for use as terraces, with limited landscaping if it is structurally and economically feasible." The proposal includes roof-top terraces which implements this policy.

Environmental Analysis:

The project is located in the Ocean Beach Cottage Emerging Historical District. Development Services staff reviewed the project and determined the residence is not designated as a contributor to that district nor is the structure eligible as a contributing resource to the district. In addition, the building is not eligible for individual designation under the local designation criteria. Staff determined the project will not require a Historical Resources Report, and that no further historic review will be required. Since significant impacts have not been identified, mitigation would not be required.

Based on review of the historic sensitivity maps it was determined that the project site is located in a known high sensitivity area for archaeological resources. A search of the California Historic Resources Information System database was conducted for archaeological sites within a mile radius of the project. Although several sites have been recorded within the vicinity, no archaeological sites were identified within or directly adjacent to the project site. Further, proposed excavation is limited to 80 cubic yards. Therefore further archaeological investigation would not be required and since significant impacts have not been identified, mitigation would not be required.

According to the City of San Diego Seismic Safety Study, the project is mapped within Geologic Hazard Category 52 (other level areas, favorable geologic structure, and low risk to development). No faults are known to exist on or near the project site. The project is not considered to represent a significant increase in the exposure of persons to geologic hazards, since significant geologic impacts have not been identified and mitigation would not be required.

Appeal Issues:

On August 20, 2008, the decision to approve the Coastal Development Permit was appealed (Attachment 8). Following is a summary of the appeal reasons and staff's response.

Appeal Reason 1: Over saturation of family dwellings.

Staff Response: The underlying zoning for this site allows multiple units. The Peninsula Community Plan and the Local Coastal Program both designate the site for multiple units. The proposed units are compatible with the surrounding community and will have no impact on any coastal accessway or public view corridor. Further, the proposed density would have no adverse affects to any known environmentally sensitive lands.

Appeal Reason 2: Elimination of limited prime parking in the neighborhood.

Staff Response: The proposed project is providing the required parking for the proposed units. SDMC Section 142.0525 Table 142-05C requires four on-site parking spaces for the proposed development. The development exhibit for this project identifies four on-site parking spaces. SDMC Section 142.0525(c)(4)(d) states that any multiple dwelling unit with a garage that does not provide a driveway that is at least 20 feet long, measured from the back of the sidewalk shall provide one additional parking space and that this additional parking space may be on-street. Since the driveway for the unit accessing parking from Froude Street is not 20 feet long, an on-street space has been denoted on the development plan. Moreover, the project site has approximately 190 linear feet of curb line, which provides ample room for multiple on-street parking spaces adjacent to the site.

Conclusion:

Development Services staff has reviewed the Coastal Development Permit request and has determined that demolition of the single dwelling unit and construction of two dwelling units is warranted. The San Diego Municipal Code, Community Plan and Local Coastal Plan all designate the site for multi-family development. Further, the project has been reviewed by Environmental Staff and has been determined to have no environmental impacts. Therefore, staff recommends the Planning Commission deny the appeal and uphold Coastal Development Permit No. 467679.

ALTERNATIVE

1. Deny the appeal and approve Coastal Development Permit No. 467679, with modifications.
2. Approve the appeal and deny Coastal Development Permit No. 467679.

Respectfully submitted,



Mike Westlake
Program Manager,
Development Services Department



Peter Lynch
Development Project Manager,
Development Services Department

Attachments:

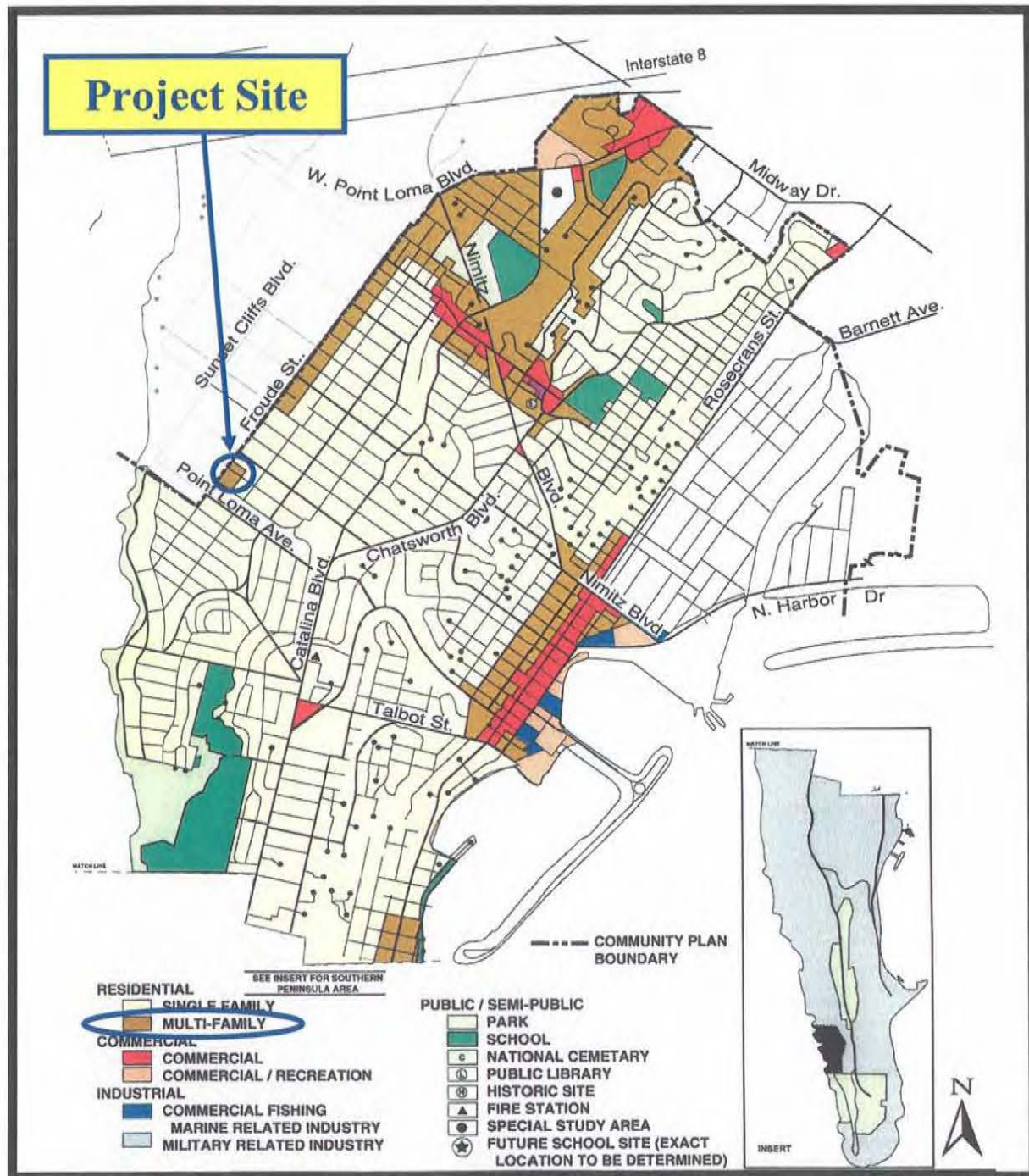
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photo
4. Project Data Sheet
5. Permit Exhibit
6. Draft Resolution with Findings
7. Draft Permit with Conditions
8. Letter of Appeal
9. Ownership Disclosure Statement
10. Project Chronology



Project Location Map

MOUZAS RESIDENCES – PROJECT NUMBER 134353
 4594 Point Loma Avenue





Community Plan Land Use Map

MOUZAS RESIDENCES – PROJECT NUMBER 134353

4594 Point Loma Avenue

North





Arial Photo

MOUZAS RESIDENCES – PROJECT NUMBER 134353
4594 Point Loma Avenue





Arial Photo (Looking Southeast)

MOUZAS RESIDENCES – PROJECT NUMBER 134353
4594 Point Loma Avenue





Arial Photo (Looking Southwest)

MOUZAS RESIDENCES – PROJECT NUMBER 134353

4594 Point Loma Avenue





Aerial Photo (Looking Northwest)

MOUZAS RESIDENCES – PROJECT NUMBER 134353

4594 Point Loma Avenue



PROJECT DATA SHEET		
PROJECT NAME:	Mouzas Residences	
PROJECT DESCRIPTION:	Demolish an existing single dwelling unit and construct two new dwelling units	
COMMUNITY PLAN AREA:	Peninsula	
DISCRETIONARY ACTIONS:	Coastal Development Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Multi-Family Residential	
<u>ZONING INFORMATION:</u> <p style="text-align: right;">ZONE: RM-1-1: (A multi-unit residential zone that permits one dwelling unit for each 3,000 square-feet of lot area)</p> <p style="text-align: right;">HEIGHT LIMIT: 30-Foot maximum height limit.</p> <p style="text-align: right;">LOT SIZE: 7,000 square-foot minimum lot size.</p> <p style="text-align: right;">FLOOR AREA RATIO: 0.75 maximum.</p> <p style="text-align: right;">FRONT SETBACK: 15-feet (up 50% of bldg env) 20-ft (remaining bldg env).</p> <p style="text-align: right;">SIDE SETBACK: 5-feet.</p> <p style="text-align: right;">STREETSIDE SETBACK: 10-feet.</p> <p style="text-align: right;">REAR SETBACK: 5-feet.</p> <p style="text-align: right;">PARKING: 4 on-site parking spaces required.</p>		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Multi-Family Residential; RM-1-1	Single Dwelling Unit
SOUTH:	Single-Family Residential; RS-1-7	Single Dwelling Unit
EAST:	Multi-Family Residential; RM-1-1	3 Multi-Family Dwelling Units
WEST:	Multi-Family Residential; RM-1-1	Single Dwelling Unit
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On November 15, 2007, the Peninsula Community Planning Committee voted to recommend approval of this project by a vote of 7 in favor and 3 opposed.	

4594 POINT LOMA AVE. SAN DIEGO, CA 92107

COASTAL
DEVELOPMENT
PERMITPOINT LOMA AVENUE
BRISTOLVILLE

REFERENCES

REVISION'S _____

6-17-09

REVISION: 1
REVISION: 1
REVISION: 1

THE VISION 1

Chemical analysis 79.10

ORIGINAL DATE 7-1-91

STIRREY

EXISTING

EXPERIMENTAL CONDITIONS

Q

sheet 2 of 7

pts # 134552

2001

TOPOGRAPHIC SURVEY

LOTS 1 AND 2, BLOCK 14, MAP 275

45564 POINT CONA AVE,
SAN DIEGO CA 92107

APN: 448-581-01

DATE: 4-03-37

JAY LAM SURVEYING
870A ORCHARD STREET 04,
CLARK CA 92021
(619) 643-7145

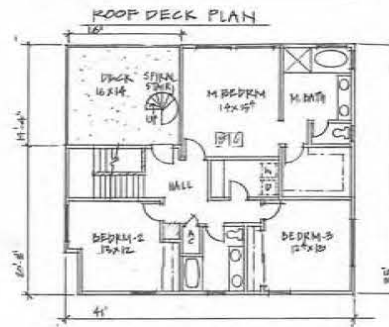
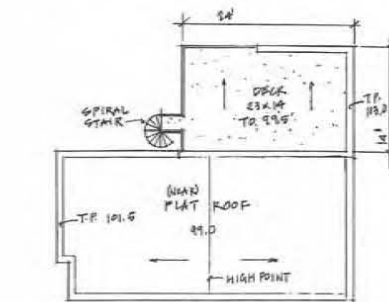
456 42

WILLIAM L. BERTHIER, L.S. 5546

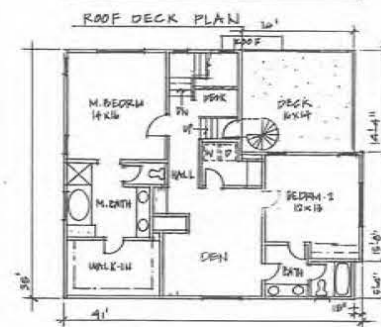
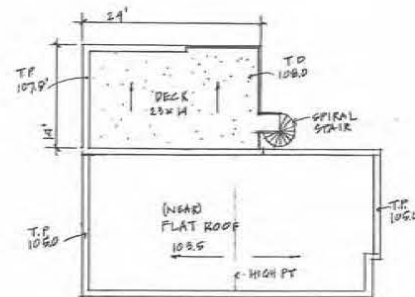


Graphic scale - feet

PT. LOMA AVE.

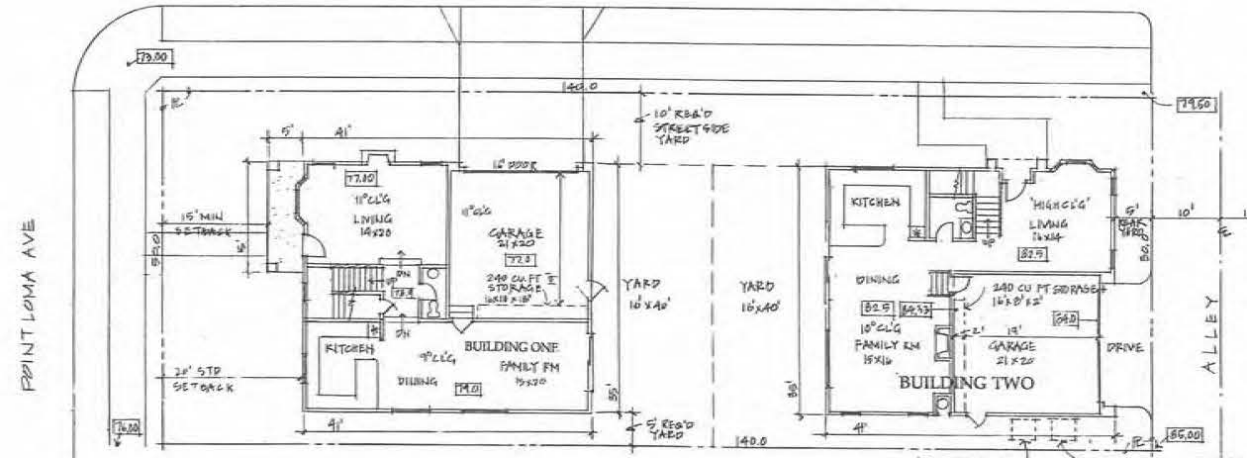


SECOND FLOOR PLAN
BUILDING ONE



SECOND FLOOR PLAN
BUILDING TWO

FROUDE STREET



PROJECT
FIRST FLOOR PLAN
1/8" = 1'-0"

(1) 2 BEDROOM + DEN and
* INDICATES 5 CU FT. INTERIOR REFUSE
+ RECYCLE MATERIAL STORAGE AREA
2.5 CU FT FOR RECYCLABLE MATERIAL +
2.5 CU FT FOR NON-RECYCLABLE MATERIAL
(IN KITCHEN)

12 SF RECYCLE
STORAGE AREA
3 BEDROOM 2 1/2 BATHROOM
TWO STORY W/ GARAGE
LIVING AREA 2210 SF
GARAGE 415 SF
2,625 SF

GTA
GARY TAYLOR
&
ASSOCIATES, INC.
3240 ADAMS AVE
SAN DIEGO, CA 92116
(619) 280-7023
fax 280-7016

TWO RESIDENCES
4594 POINT LOMA AVE. SAN DIEGO, CA 92107

COASTAL
DEVELOPMENT
PERMIT
POINT LOMA AVENUE
RESIDENCES
REVISION 6
REVISION 5
REVISION 4
REVISION 3
REVISION 2
REVISION 1
ORIGINAL DATE 7-21-07

FLOOR PLANS
ROOF PLANS
sheet 4 of 7
pts

134353



GTA
GARY TAYLOR
&
ASSOCIATES, INC.
200 ATLANTIC AVE.
SAN DIEGO, CA 92114
(619) 280-7613
Fax: 280-7635

CASUAL
DEVELOPMENT
PERMIT

POINT LOMA AVENUE
RESIDENCES

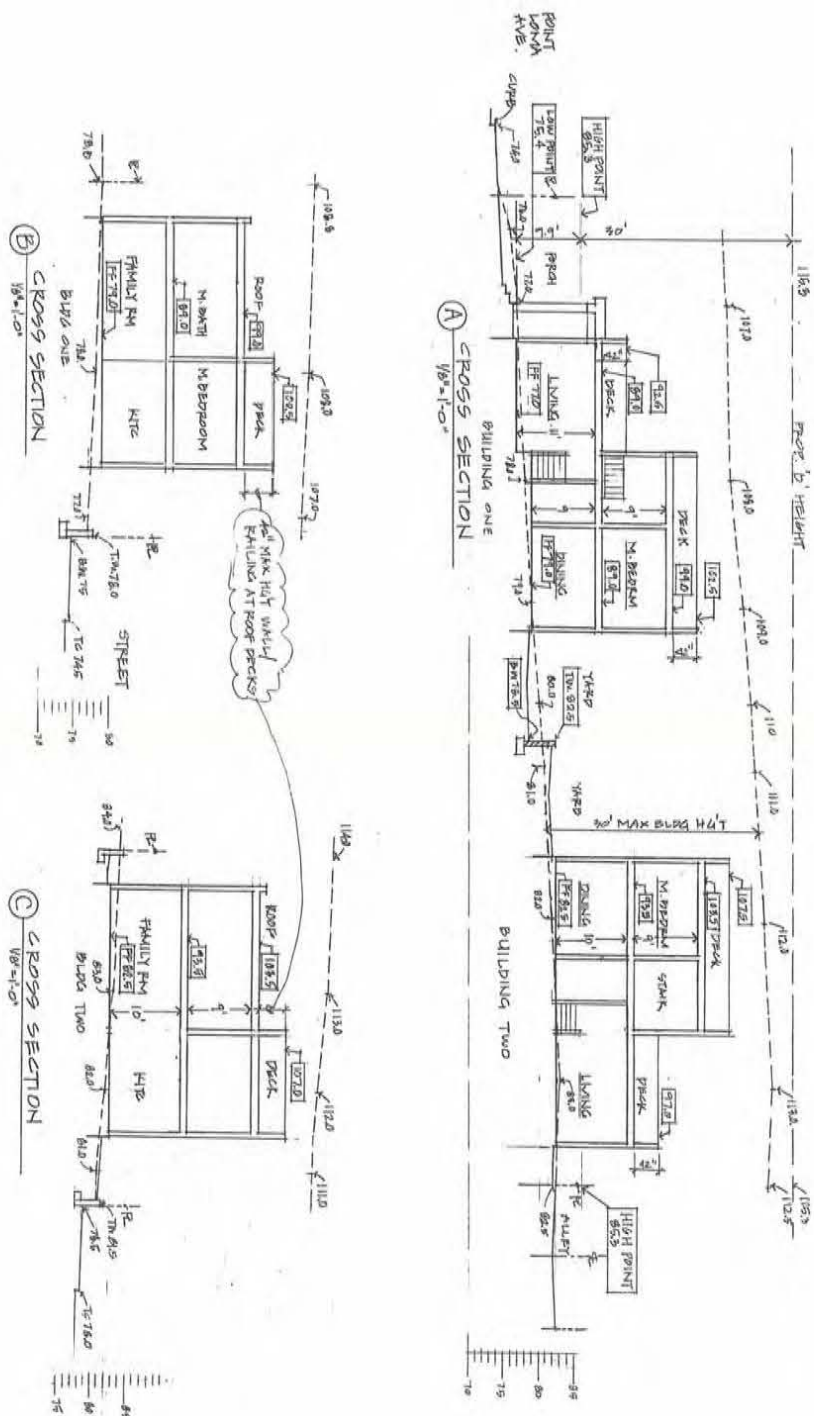
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ORIGINAL DATE 7-20-0

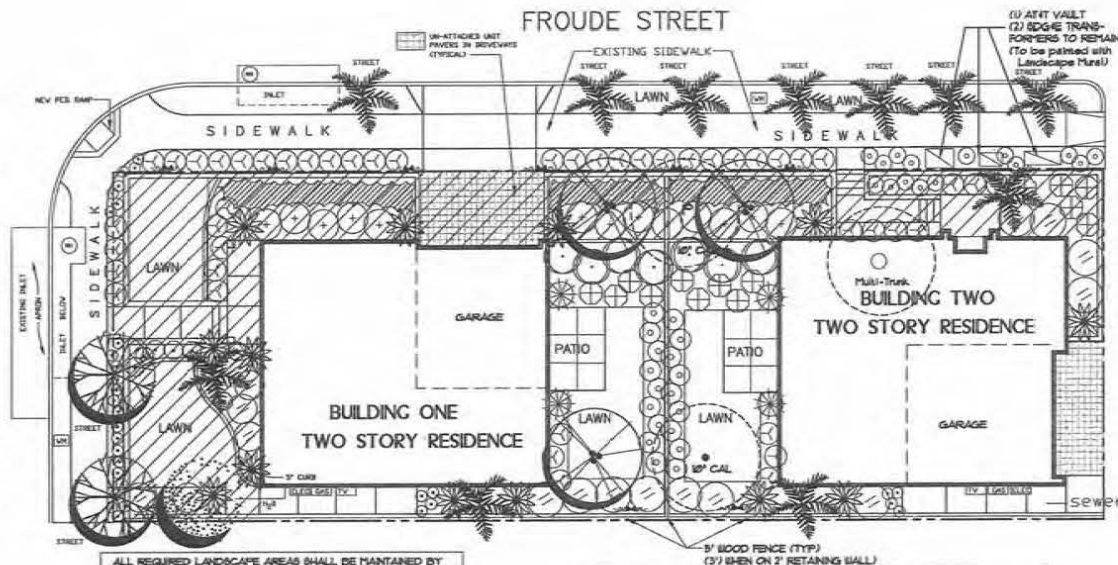
EXTENSION
ELEVATIONS

sheet 5 of 7

pl's 134355



POINT LOMA AVENUE



ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE OWNER / HOMEOWNERS ASSOCIATION. THE LANDSCAPE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY, GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT.

ALL PLANTERS SHALL RECEIVE 2" LAYER OF SHREDDED BARK MULCH.

PLANT LEGEND

	STREET TREES Deciduous + Evergreen 18"-20" Spread such as: TABESBUIA (POINT LOMA AVE) SYAGRUS ROMANOFFIANUM	100% 24" BOX / 10' BTH TABESBUIA (POINT LOMA AVE) QUEEN PALM (FROUDE ST) 10' BTH - BROWN TRUNK HEIGHT
	PATIO/THEME TREES Deciduous + Evergreen 18"-20" Spread such as: PISTACHIA CHINENSIS TIPUANA TIPU ULMUS PARVIFOLIA	100% 24" BOX PISTACHE TIPU TREE CHINESE EVERGREEN ELM
	ACCENT TREES Medium-Sized Evergreen/Deciduous Trees 18"-20" Dia. BAUHINIA BLAKEANA ERIODENDRUM DIFLEXA PRUNUS CERASIFERA	100% 24" BOX HONG KONG ORCHID TREE BROOKLYN LEOGAT PURPLE LEAF PLUM
	EXISTING TREE TO REMAIN PISTACHIA CHINENSIS	10" CALIPER CHINESE PISTACHE
	EXISTING TREES TO BE REMOVED SCHINUS MOLLE	8"-12" CALIPER CALIFORNIA PEPPER
	PAVS SPP.	FINE SPECIES (TOPPED / DYING)

ACCENT PALMS	100% 24" BOX / 8' BTH
ARECATHA ROMANOFFIANUM	QUEEN PALM (8' Brown trunk height)
ACCENT SHRUBS	20% 15 GAL
PHOENIX ROSEBELLII PODOCARPUS HENKELII STRELITZIA NICHOLAI	PICTYD DATE PALM LONG LEAF YELLOWWOOD GIANT BIRD-OF-PARADISE
SCREEN/FOUNDATION SHRUBS	10% 15 GAL 90% 5 GAL
RAPIHOLEPS INDICA 'PINKIE' PHOTINIA FRASERII PITTOSPORUM VARIEGATA NANDINA DOMESTICA LIGUSTRUM JAPONICUM 'TEXANUM'	INDIA HATHORN RED PHOTINIA VARIEGATED MOCK ORANGE HEAVILY VARIEGATED JAPANESE PRIVET
SMALL SHRUBS/VINES	50% 5 GAL 50% 1 GAL
CUPHEA HYSSOPIFOLIA PITTOCORUM VIBERNAE DUMET PENNETUM SETACEUM HEPEROCALLIS HYBRIDUS AGAPANTHUS AFRICANUS GRELLA CAFFRA SOLANUM JASMINOIDES	FALSE HEATHER DIARY MOCK ORANGE PURPLE FOUNTAIN GRASS DAYLILY LILY-OF-THE-NILE LAVENDER STAR FLOWER POTATO VINE
GROUNDCOVERS	FLATS/1 GAL
SCAEOLEA 'BLUE WONDER' TRACHELOPERMUM JASMINOIDES VINCA MINOR	SCAEOLEA STAR JASMINE PERJUNKE
LAWN	BANDINI FESCUE
LAWN (BOO)	

TREE PROTECTION - PROVIDE THE FOLLOWING PROTECTION FOR EXISTING TREES TO REMAIN:
-Place a bright yellow or orange temporary fence around tree at drip line.
-Stockpiling soil, mulch, storage, veh. use, foot traffic, is prohibited within the drip line.
-Protect root systems from flooding, erosion, chemical spills, and excessive wetting and drying.
-Minimize existing grade above the drip line.
-Cut roots approximately 6" back from new construction and seal cut w/ wood paint as manufactured by "Finkite" or approved equal.
-Mark and document a tree starting schedule during construction.
-Replace damaged trees within one (1) year of equal size.

IRRIGATION NOTE:

1. IRRIGATION SYSTEMS ARE TO BE INSTALLED IN ACCORDANCE WITH THE CRITERIA AND STANDARDS OF THE CITY OF SAN DIEGO LANDSCAPE ORNAMENT SECTION 14.0405 AND THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL LANDSCAPE STANDARDS.

NOTES:

1. ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE STANDARDS OF THE CITY-SIDE LANDSCAPE REGULATIONS, AND THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL LANDSCAPE STANDARDS AND ALL OTHER LANDSCAPE RELATED CITY AND REGIONAL STANDARDS.
2. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED FOR PROPER IRRIGATION DEVELOPMENT AND MAINTENANCE OF THE VEGETATION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED.
3. A RAISED CONCRETE OR OTHER CURB OF AT LEAST 6 INCHES IN HEIGHT WILL BE PROVIDED TO ALL LANDSCAPE AREAS IN OR ADJACENT TO ALL VIA AREAS FOR PROTECTION FROM VEHICULAR DAMAGE.
4. ALL DOWNSPOUTS TO BE DIRECTED TOWARDS LANDSCAPE AREAS.

LANDSCAPE CALCULATIONS

STREET TREES IN PUBLIC RIGHT OF WAY
POINT LOMA AVENUE
LENGTH OF STREET FRONTAGE
STREET TREES REQUIRED (4 30' o.c.)
STREET TREES PROVIDED

FROUDE STREET
LENGTH OF STREET FRONTAGE
STREET TREES REQUIRED (4 30' o.c.)
STREET TREES PROVIDED

STREET YARD
FROUDE ST/ POINT LOMA AVE
TOTAL AREA
PLANTING AREA REQ'D (50%)
PLANTING AREA PROVIDED
PLANT POINTS REQUIRED (20' FT/5'F)
PLANT POINTS PROVIDED
PTS ACHIEVED W/ TREES (50% MIN)
ADDITIONAL REQ'D PTS
(1 24" BOX TREE ON EA. SIDE OF EACH BUILDING)
REMAINING YARD
MINIMUM PTS. REQUIRED
POINTS PROVIDED

NOTE:

1. ALL LANDSCAPE AND IRRIGATION OF THE STREET YARD AND PUBLIC RIGHT-OF-WAY SHALL CONFORM TO THE CITY OF SAN DIEGO LANDSCAPE REGULATIONS (SECTIONS 14.0404, 14.0405, AND 14.0406), THE LAND DEVELOPMENT MANUAL LANDSCAPE STANDARDS, AND ALL OTHER CITY AND REGIONAL STANDARDS.

2. ALL GRADED, DISTURBED, OR BROOD AREAS THAT WILL NOT BE PERMANENTLY PAVED OR COVERED BY STRUCTURES SHALL BE PERMANENTLY REVEGETATED AND IRRIGATED AS SHOWN IN TABLE 14.0-04F AND IN ACCORDANCE WITH THE STANDARDS IN THE LAND DEVELOPMENT MANUAL (14.0-04F).

MINIMUM TREE SEPARATION DISTANCES ARE AS FOLLOWS:

TRAFFIC SIGNALS -	20 FEET
UNDERGROUND UTILITY LINES -	5 FEET
ABOVE GROUND UTILITY STRUCT. -	10 FEET
DRIVEWAYS -	10 FEET
INTERSECTIONS -	25 FEET
SEWER LINES -	10 FEET

DESIGN STATEMENT

THE LANDSCAPE THEME OF THIS PROJECT IS TO PROVIDE AN ATTRACTIVE LANDSCAPE DESIGN WHICH CONFORMS TO THE PENINSULA COMMUNITY PLAN, AND CONSISTS OF LUSH COASTAL PLANTINGS THAT MAINTAINS THE PEDESTRIAN SCALE OF THIS POINT LOMA RESIDENTIAL COMMUNITY.



NORTH

0 8 16 24
SCALE IN FEET
SCALE: 1/8" = 1'-0"

HUTTER DESIGN, INC.
LANDSCAPE ARCHITECTS
2667 Camino Del Rio S., Ste. 107C
San Diego, CA 92108
TEL: (619) 593-4421
FAX: (619) 593-4421
EMAIL: hutterdesign@hutterdesign.com



TWO RESIDENCES
4594 POINT LOMA AVENUE
SAN DIEGO, CALIFORNIA 92017



COASTAL DEVELOPMENT PERMIT

Revisions:

1. November 20, 2007
2. April 18, 2008
3. May 1, 2008
4. 6/12/08
- 5.
- 6.

ORIGINAL DATE: 7-1-07
PROJECT NO. 08027

LANDSCAPE DEVELOPMENT PLAN

SHEET 7 OF 7

DEVELOPMENT SERVICES
RESOLUTION NO. _____
COSTAL DEVELOPMENT PERMIT NO. 467679
MOUZAS RESIDENCES
(DRAFT)

WHEREAS, ALEXANDRA MOUZAS, Owner/Permittee, filed an application with the City of San Diego for a Coastal Development Permit to demolish an existing one-story single dwelling unit and construct two new two story dwelling units as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 467679, on portions of a 7,000 square-foot site;

WHEREAS, the project site is located at 4594 Point Loma Avenue in the RM-1-1 Zone and Coastal Zone of the Peninsula Community Plan;

WHEREAS, the project site is legally described as Lots 1 and 2, Block 14 of the Ocean Beach Subdivision, Map 279;

WHEREAS, on August 5, 2008 the Development Services Department of the City of San Diego considered Coastal Development Permit 467679 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Development Services Department of the City of San Diego as follows:

That the Development Services Department adopts the following written Findings, dated August 4, 2008.

FINDINGS:

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

The proposed project is the demolition of one single dwelling unit and the construction of two dwelling units with attached garages on a previously graded site. No portion of the property is identified in the City's adopted Local Coastal Program or the Peninsula Community Plan, as a public accessway to the area's coastline. This site is privately owned and would not encroach upon any existing physical accessway legally utilized by the general public. Furthermore, there are no proposed site improvements associated with this Coastal Development Permit which would impact public views in any way. Because the property is not located adjacent to the public shoreline, there will be no obstructions or otherwise adverse affects to public views to the ocean and/or any other scenic coastal areas as specified in the City's adopted Local Coastal Program Land Use Plan.

ATTACHMENT 6

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

No Environmentally Sensitive Lands are designated on the subject property and since the site is not located near any shoreline or coastal bluff, there is no anticipated adverse affect on marine resources. Further, there will be no adverse environmental affects as a result of this project as the site and surrounding area is not qualified as environmentally sensitive lands and no adverse affects to any known environmentally sensitive lands is anticipated to be caused by the development proposed.

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.

This project is in conformity with the City's certified Local Coastal Program Land Use Plan, which designates these properties for multi-family residential development, and is consistent with the land use and development standards of the Peninsula Community Plan. Further, the project complies with the certified implementation program of the City's Local Coastal Program Land Use Plan and its regulations pertaining to these sites.

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

The project site is not located between the nearest public roadway or the sea/public shoreline; and therefore, this project is in conformance with and would not adversely affect, the public access and public recreation policies in effect for this portion of the Coastal Zone per Chapter 3 of the California Coastal Act.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Development Services Department, Coastal Development Permit No. 467679 is hereby GRANTED by the Development Services Department to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 467679, a copy of which is attached hereto and made a part hereof.

Peter Lynch
Development Project Manager
Development Services

Adopted on: October 16, 2008

Job Order No. 42-8071

cc: Legislative Recorder, Planning Department

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: 42-8071

COASTAL DEVELOPMENT PERMIT No. 467679
DEVELOPMENT SERVICES DEPARTMENT

This Coastal Development Permit is granted by the Development Services Department of the City of San Diego to Alexandra Mouzas, Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0702. The 7,000 square-foot site is located at 4594 Point Loma Avenue in the RM-1-1 Zone and Coastal Zone of the Peninsula Community Plan. The project site is legally described as Lots 1 and 2, Block 14 of the Ocean Beach Subdivision, Map 279.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner Alexandra Mouzas, Permittee to demolish an existing one-story single dwelling unit and construct two new two-story dwelling units, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated August 4, 2008, on file in the Development Services Department.

The project shall include:

- a. One 2,210 square-foot, two-bedroom, two-story, dwelling unit with a 415 square-foot attached garage and a 546 square-foot deck, and one 2,210 square-foot, three-bedroom, two-story, dwelling unit with a 415 square-foot attached garage and a 546 square-foot deck;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking; and
- d. 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

ATTACHMENT 7

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" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The 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.

AFFORDABLE HOUSING REQUIREMENTS:

11. Upon issuance of a building permit, the developer shall comply with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code.)

ENGINEERING REQUIREMENTS:

12. 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 90 days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code 66020.
13. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
14. Prior to the issuance of any construction permit, the Applicant shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
15. Prior to the issuance of any construction permit, 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.
16. Prior to the issuance of any construction permit 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.
17. Prior to the issuance of any building permits, the applicant shall assure by permit and bond, to construct a current City Standard sidewalk, adjacent to the site on Point Loma Avenue
18. Prior to the issuance of any building permits, the applicant shall assure by permit and bond, to reconstruct the damaged and uplifted portions of sidewalk, with current City Standard sidewalk, adjacent to the site on Froude Street.
19. Prior to the issuance of any building permits, the applicant shall assure by permit and bond, to reconstruct the existing curb ramp at the southeast corner of Point Loma Avenue and Froude Street, with current City Standard curb ramp Standard Drawing SDG-130 and SDG-135 with truncated domes. Applicant shall preserve the contractor's stamps per current City Standard SDG-115.
20. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the construction of a current City Standards 12-foot wide driveway, adjacent to the site on Froude Street.

21. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2003 edition and Regional Supplement Amendments adopted by Regional Standards Committee.
22. Prior to foundation inspection, the applicant shall submit a building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying that the pad elevation based on USGS datum is consistent with Exhibit "A", satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

23. Prior to issuance of construction permits for public right-of-way improvements, the Permittee or Subsequent Owner shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall take into account a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.
24. Prior to issuance of any construction permits for buildings; the Permittee or Subsequent Owner shall submit complete landscape and irrigation construction documents consistent with the Land Development Manual, Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A", Landscape Development Plan, on file in the Office of the Development Services Department.
25. Prior to Final Inspection, it shall be the responsibility of the Permittee or Subsequent Owner to install all required landscape. A "No Fee" Street Tree Permit, if applicable, shall be obtained for the installation, establishment, and on-going maintenance of all street trees.
26. The Permittee or Subsequent Owner shall maintain all landscape in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.
27. The Permittee or Subsequent Owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual, Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.
28. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Permittee or Subsequent Owner is responsible to repair and/or replace any landscape in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to a Final Landscape Inspection.

PLANNING/DESIGN REQUIREMENTS:

ATTACHMENT 7

29. No fewer than four 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.

30. 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.

31. 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.

TRANSPORTATION REQUIREMENTS

32. The applicant shall provide and maintain adequate visibility area along the front setback 10' at the intersection of Froude Street and the Alley and 25' at the intersection of Point Loma Avenue and Froude Street. No obstacles higher than 36" shall be located within this area (e.g. walls, landscaping, shrubs, etc).

33. The applicant shall close the existing driveway on Froude Street and replace with standard height of curb, gutter and sidewalk, satisfactory to the City Engineer.

34. The applicant shall construct a minimum of 12' wide driveway along the project's frontage on Froude Street, satisfactory to the City Engineer.

WASTEWATER REQUIREMENTS:

35. The developer shall design and construct all proposed public sewer facilities in accordance with established criteria in the most current edition of the City of San Diego sewer design guide. Proposed facilities that do not meet the current standards shall be redesigned or private.

36. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.

37. All on-site wastewater systems shall be private.

38. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities.

39. If these units become condominiums, the developer shall provide evidence, satisfactory to the Metropolitan Wastewater Department Director, indicating that each lot will have its own

sewer lateral or provide CC&R's for the operation and maintenance of on-site private sewer facilities that serve more than one lot.

WATER REQUIREMENTS:

40. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of any new water service(s) outside of any driveway, and the disconnection at the water main of the existing unused water service adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

41. Prior to the issuance of any certificates of occupancy, all public water facilities shall be complete and operational in a manner the Director of Public Utilities and the City Engineer.

42. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public water facilities, and associated easements, as shown on approved Exhibit "A" shall be modified at final engineering to comply with standards.

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 Development Services Department of the City of San Diego on October 16, 2008.

ATTACHMENT 7

Coastal Development Permit No. 467679

August 4, 2008

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

Peter Lynch
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.

Alexandra Mouzas
Owner/Permittee

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

 <p>City of San Diego Development Services 1222 First Ave. 3rd Floor San Diego, CA 92101 (619) 446-5210</p> <p>THE CITY OF SAN DIEGO</p>	<h2 style="text-align: center;">Development Permit/ Environmental Determination Appeal Application</h2>	<p>FORM</p> <p>DS-3031</p> <p>MARCH 2007</p>

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:

- ☒ Process Two Decision - Appeal to Planning Commission
 ☐ Environmental Determination - Appeal to City Council
☐ Process Three Decision - Appeal to Planning Commission
 ☐ Appeal of a Hearing Officer Decision to revoke a permit
☐ Process Four Decision - Appeal to City Council

2. Appellant Please check one ☐ Applicant ☐ Officially recognized Planning Committee ☒ "Interested Person" (Per M.C. Sec. 113.0103)

Name
John Comas

Address City State Zip Code Telephone
4582 Point Loma Ave San Diego Ca 92107 760-271-6878

3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.

Gary Taylor

4. Project Information

Permit/Environmental Determination & Permit/Document No.:

Date of Decision/Determination:

City Project Manager:

Job Order No. 42-8071

August 4, 2008

Peter Lynch

Decision (describe the permit/approval decision):

Application for a Coastal Development Permit to demolish an existing single dwelling unit and construct two new two story single

dwelling units at 4594 Point Loma Ave

5. Grounds for Appeal (Please check all that apply)

- ☐ Factual Error (Process Three and Four decisions only)
 ☐ New Information (Process Three and Four decisions only)
☒ Conflict with other matters (Process Three and Four decisions only)
 ☒ City-wide Significance (Process Four decisions only)
☐ Findings Not Supported (Process Three and Four decisions only)

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

oversaturation of family dwellings
elimination of limited prime parking in neighborhood

RECEIVED

AUG 20 2008

DEVELOPMENT SERVICES

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature:

[Handwritten Signature]

Date:

8-20-08

Note: Faxed appeals are not accepted. Appeal fees are non-refundable.



THE CITY OF SAN DIEGO

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

Ownership Disclosure Statement

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

Project Title

TWO RESIDENCES

Project No. For City Use Only

134353

Project Address:

4594 POINT LOMA AVE

SAN DIEGO, CA 92107

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):

ALEXDRANDA MOUZAS

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

3333 MIDWAY DR # 201

City/State/Zip:

SAN DIEGO CA 92110

Phone No:

619 523-0296

Fax No:

523-0642

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:

DEVELOPMENT SERVICES
Project Chronology
 MOUZAS RESIDENCES - PROJECT NO. 134353

Date	Action	Description	City Review Time	Applicant Response
08/07/07	First Submittal	Project Deemed Complete		
09/06/07	First Review Complete		21 work days	
11/27/07	Second Submittal			55 work days
01/11/08	Second Review Complete		27 work days	
03/19/08	Third Submittal			56 work days
04/21/08	Third Review Complete		22 work days	
05/02/08	Fourth Submittal			10 work days
06/02/08	Fourth Review Complete		19 work days	
06/16/08	Final Submittal			10 work days
07/15/08	Final Review Complete		20 work days	
08/04/08	All Issues Resolved by applicant			15 work days
08/05/08	Project Approved by Staff		1 work days	
08/20/08	Approval Appealed			10 work days
10/16/08	Public Hearing-Planning Commission		50 work days	
TOTAL STAFF TIME			160 work days	
TOTAL APPLICANT TIME				156 work days
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Hearing	316 work days	