

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED:	April 21, 2011 REPORT NO. PC-11-045
ATTENTION:	Planning Commission, Agenda of April 28, 2011
SUBJECT:	47 TH STREET SELF STORAGE - PROJECT NO. 231888. PROCESS 4.
REFERENCE:	Planning Commission Report No. PC-07-011 and Planning Commission Report No. PC-06-097.
OWNER/ APPLICANT:	Storkwik San Diego 47, LLC, Owner/ Ariel L. Valli, Applicant

SUMMARY

<u>Issue(s)</u> - Should the Planning Commission approve an Extension of Time for the previously approved 47th Street Self Storage project located at 930 S. 47th Street in the CSF-3 Zone of the Southeastern San Diego Planned District in the Encanto neighborhood of the Southeastern San Diego Community Plan?

Staff Recommendation - Approve Extension of Time No. 842332.

<u>Community Planning Group Recommendation</u> - The Encanto Neighborhoods Community Planning Group did not provide a recommendation. The applicant contacted the Chair of the Encanto Neighborhoods Community Planning Group to schedule the item before the group, yet did not receive a return telephone call.

<u>Environmental Review</u> - The Extension of Time No. 842332 is covered under Mitigated Negative Declaration No. 82503. The previously approved project is adequately addressed in the environmental document and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. The prior environmental documents adequately covered this activity as part of the previously approved project pursuant to CEQA Guidelines Section 15162.

<u>Fiscal Impact Statement</u> - None. All costs are recovered through a deposit account funded by the applicant.



Code Enforcement Impact - None with this action.

Housing Impact Statement - None with this action.

BACKGROUND

The original 47th Street Self Storage project (Project No. 82503) was approved by the City Council on February 27, 2007. The time allowed in the original development permit to construct the 47th Street Self Storage project is nearly expired. The previously approved project required a Community Plan Amendment, Easement Vacation, Site Development Permit and Planned Development Permit to construct an approximately 206,155 square foot self-storage building on a vacant 1.87 acre site at 930 S. 47th Street. The approved project required three deviations from the regulations of the Land Development Code. Those deviations addressed: the proposed floor area ratio of 2.0 where 0.5 is the maximum allowed; the proposed lot coverage of 0.57 where 0.50 is the maximum allowed; and the proposed tree distribution.

DISCUSSION

Project Description

The present application is requesting approval of an Extension of Time to the previously approved project of the same name, the 47th Street Self Storage project. The time allowed in the original development permit to construct the 47th Street Self Storage project is nearly expired. No changes to the originally approved project are proposed.

Environmental Analysis

The Extension of Time No. 842332 is covered under Mitigated Negative Declaration No. 82503. The previously approved project is adequately addressed in the environmental document and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. The prior environmental documents adequately covered this activity as part of the previously approved project and the activity is not a separate project for the purpose of California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15162.

Project-Related Issues

In accordance with the regulations of the Land Development Code, requests for Extensions of Time have a limited review. The Land Development Code (LDC) §126.0111; Extension of Time of a Development Permit, regulates the circumstances under which a previous approval may be extended. The LDC addresses: the expiration date for a development permit and the maximum amount of time which may be granted through the EOT process; timing of when an Extension of Time (EOT) may requested; review of an EOT application; the decision process for an EOT; and the required findings for approval; findings for conditional approval; findings for an EOT for a Coastal Development Permit; and findings for denial.

In LDC Section 126.0111(e) the findings for approval state:

"An extension of time, except for a Coastal Development Permit, may be approved without new conditions if the decision maker makes both of the following *findings*:

(1) The project as originally approved and without any new conditions would not place the occupants of the proposed *development* or the immediate community in a condition dangerous to their health or safety; and

(2) No new condition is required to comply with state or federal law.

In LDC Section 126.0111(f) the findings for conditional approval state:

"An extension of time, except for a Coastal Development Permit, may be approved with new conditions if the decision maker makes one of the following *findings*:

New conditions are necessary to protect the health or safety of the residents of the *development* or the immediate community; or
 New conditions are necessary to comply with applicable state or federal law."

These findings are the legal basis for approving an EOT with or without conditions. The law limits the decision makers to these considerations. While changes in circumstance may suggest additional conditions would be desirous, the law limits new conditions to two situations. Decision makers may add new conditions where to do otherwise would place occupants or the immediate community in a situation dangerous to their health or safety, or where omitting new conditions would result in a breach of state or federal law.

The basis for denial of an EOT is found in LDC Section 126.0111(h) which states: "The decision maker shall deny the extension of time if the project, even as conditioned, would place the residents of the proposed *development* or the immediate community in a condition dangerous to their health or safety, or would not comply with state or federal law."

Conclusion

Staff has reviewed the proposed extension of time and determined the project would not place residents of the proposed development or the immediate community in a condition dangerous to their health or safety, and the project would comply with all state and federal laws without new conditions added to the approval. Staff has provided draft findings to support approval of the extension of time (Attachment 4). Staff recommends the Planning Commission approve the extension of time as proposed (Attachment 5).

ALTERNATIVES

- 1. Approve Extension of Time No. 842332, with modifications.
- 2. Deny Extension of Time No. 842332, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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Mike Westlake Program Manager Development Services Department

John S. Fisher Development Project Manager Development Services Department

BROUGHTON/JSF

Attachments:

- 1. Community Plan Land Use Map
- 2. Aerial Photograph
- 3. Project Location Map
- 4. Draft EOT Resolution with Findings
- 5. Draft EOT Permit
- 6. Copy of Recorded Site Development Permit No. 260818 and Planned Development Permit No. 260654
- 7. Ownership Disclosure Statement
- 8. Project Chronology
- 9. Project Plans







PLANNING COMMISSION RESOLUTION NO. EXTENSION OF TIME NO. 842332 EXTENSION OF TIME TO SITE DEVELOPMENT PERMIT NO. 260818 AND PLANNED DEVELOPMENT PERMIT NO. 260654 47TH ST SELF STORAGE - PROJECT NO. 231888

WHEREAS, STORKWIK SAN DIEGO 47, LLC, Owner/Permittee, filed an application with the City of San Diego for a three-year Extension of Time No. 842332 to Site Development Permit No. 260818 and Planned Development Permit No. 260654, for the construction of an approximately 206,155 square foot self-storage building, with three deviations from the regulations of the Land Development Code: 1) proposed floor area ratio of 2.0 where 0.5 is the maximum allowed, 2) a proposed lot coverage of 0.57 where 0.50 is the maximum allowed, and 3) the proposed tree distribution, on a vacant 1.87 acre site at 930 S. 47th Street in the CSF-3 Zone of the Southeastern San Diego Planned District in the Encanto neighborhood of the Southeastern San Diego Community Plan. The property is legally described as a portion of Lot 61, according to Map 283 thereof, filed March 9, 1878 in the Office of the County Recorder, City of San Diego, County of San Diego, State of California, excepting therefrom certain portions as described in Official Records; and

WHEREAS, all associated permits shall conform to the previously approved Exhibit "A" and conditions on file with the Development Services Department pursuant to Site Development Permit No. 260818 and Planned Development Permit No. 260654, with the exception of the expiration date; and

WHEREAS, the Extension of Time No. 842332 hereby grants three more years to the Site Development Permit No. 260818 and Planned Development Permit No. 260654; and

WHEREAS, the Extension of Time No. 842332 is covered under Mitigated Negative Declaration No. 82503. The previously approved project is adequately addressed in the environmental document and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. The prior environmental documents adequately covered this activity as part of the previously approved project and the activity is not a separate project for the purpose of California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15162; and

BE IT FURTHER RESOLVED, by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to the Extension of Time No. 842332:

- The project as originally approved and without any new conditions would not place the occupants of the proposed development or the immediate community in a condition dangerous to their health or safety. There are no substantive changes proposed in the project which will place the occupants or immediate community in a condition dangerous to their health or safety. The conditions under which the project was previously approved have not materially changed and no new conditions are required to address public health or safety. All previous conditions of Site Development Permit No. 260818 and Planned Development Permit No. 260654 shall remain in full force and effect.
- 2. No new condition is required to comply with state or federal law. No recent state or federal legislation has been enacted which will require a new condition to be added to the approval of the

extension of time for this project. All previous conditions of Site Development Permit No. 260818 and Planned Development Permit No. 260654 shall remain in full force and effect.

The above findings are supported by the minutes and exhibits, all of which are herein incorporated by reference; and

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Extension of Time No. 842332 to Site Development Permit No. 260818 and Planned Development Permit No. 260654 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Site Development Permit No. 260818 and Planned Development Permit No. 260654, a copy of which is attached hereto and made a part hereof.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SAN DIEGO, CALIFORNIA, ON APRIL 28, 2011.

By

John S. Fisher Development Project Manager Development Services Department

Job Order No. 24001531

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

JOB ORDER NUMBER: 24001531

SPACE ABOVE THIS LINE FOR RECORDER'S USE

EXTENSION OF TIME NO. 842332 47TH STREET SELF STORAGE - PROJECT NO. 231888 EXTENSION OF TIME TO SITE DEVELOPMENT PERMIT NO. 260818 AND PLANNED DEVELOPMENT PERMIT NO. 260654 PLANNING COMMISSION

This Extension of Time No. 842332 to previously approved Site Development Permit No. 260818 and Planned Development Permit No. 260654, is hereby granted by the Planning Commission of the City of San Diego to STORK WIK SAN DIEGO 47, LLC, a Delaware limited liability company, Owner/Permittee, pursuant to San Diego Municipal Code Section 126.0111. The 1.87 acre site is located between Interstate 805 and 47th Street, south of Logan Avenue within the CSF-3 Zone of the Southeastern San Diego Planned District within the Specialized Commercial land use designation of the Southeastern San Diego Community Plan.

Subject to the terms and conditions set forth in this Permit, and previously approved Site Development Permit No. 260818 and Planned Development Permit No. 260654, permission is granted to STORKWIK SAN DIEGO 47, LLC, Owner/Permittee, to construct an approximately 206,155 square foot self-storage building project, with three deviations from the regulations of the Land Development Code: 1) proposed floor area ratio of 2.0 where 0.5 is the maximum allowed, 2) a proposed lot coverage of 0.57 where 0.50 is the maximum allowed, and 3) the proposed tree distribution, described and identified by size, dimension, quantity, type, and location on the previously approved exhibits [Exhibit "A"] and conditions on file in the Development Services Department. The original project (PTS No. 82503) and Site Development Permit No. 260818 and Planned Development Permit No. 260654 approved by the City Council on February 27, 2007, is hereby extended as indicated within this permit until [INSERT NEW EXPIRATION DATE].

The current approval includes:

a. A three year extension of time for the previously approved Site Development Permit No. 260818 and Planned Development Permit No. 260654.

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.

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. No further Extension of Time may be granted pursuant to SDMC Section 126.0111(a).

4. Construction plans shall be in substantial conformity to Exhibit "A," per the previously approved Exhibits and conditions on file with Development Services for Site Development Permit No. 260818 and Planned Development Permit No. 260654, Recorded with the County of San Diego Recorder on April 11, 2007 as Document Number 2007-0241682, with the exception of the expiration dates. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

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

INFORMATION ONLY:

• The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed

on this permit are fully completed and all required ministerial permits have been issued and received final inspection.

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this 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 [INSERT APPROVAL DATE OF EOT, AND EOT RESOLUTION NUMBER].

Attachment 5

EXTENSION OF TIME NO. 842332 EXTENSION OF TIME TO SITE DEVELOPMENT PERMIT NO. 260818 AND PLANNED DEVELOPMENT PERMIT NO. 260654 [INSERT DATE OF APPROVAL]

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

John S. Fisher Development Project Manager

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

The undersigned Owners/Permittees, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owners/Permittees hereunder.

STORKWIK SAN DIEGO 47, LLC Owner/Permittee

By

NAME TITLE

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

146679 ATTACHMENT 6

THE ORIGINAL OF THIS DOCUMENT WAS RECORDED ON APR 11, 2007 DOCUMENT NUMBER 2007-0241682 GREGORY J. SMITH, COUNTY RECORDER SAN DIEGO COUNTY RECORDER'S OFFICE TIME: 10:02 AM

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

WHEN RECORDED MAIL TO CITY CLERK MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER 42-5160

SITE DEVELOPMENT PERMIT NO. 260818 PLANNED DEVELOPMENT PERMIT NO. 260654 47TH STREET SELF-STORAGE CITY COUNCIL

This Site Development Permit/Planned Development Permit is granted by the City Council of the City of San Diego to 47th Street Self-Storage, LLC, a California Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0604 and 126.0504. The 1.87-acre site is located at the southwest corner of 47th and Logan Streets within the CSF-3 zone of the Southeastern San Diego Planned District [SESDPD], within the Specialized Commercial land use designation of the Southeastern San Diego Community Plan (Lincoln Park Neighborhood of the Encanto Neighborhoods). The project site is legally described as a portion of Lot 61, according to Map 283 thereof, filed March 9, 1878 in the Office of the County Recorder, City of San Diego, County of San Diego, State of California, excepting therefrom certain portions as described in Official Records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a self-storage facility, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated FFB 2 7 2007..., on file in the Development Services Department.

The project or facility shall include:

- a. Construction of a 4-story 162,327 square-foot self-storage building with 43,828 additional square feet of basement;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking facilities;



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- d. A roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption, as established by Council Policy 900-14; and
- e. Accessory improvements determined by the City Manager 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. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect 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 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 City Manager.

4. This Permit is a covenant running with the subject property and shall be binding upon the 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 utilization and 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 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.).



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7. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the ESA and by the California Department of Fish and Game [CDFG] pursuant to Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO 18394. Third Party Beneficiary status is conferred upon Permittee by the City: (1) to grant Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Permittee of mitigation obligations required by this Permit, as described in accordance with Section 17.1D of the IA.

8. The Owner/Permittee shall secure all necessary building permits. The applicant 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.

9. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. 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.

10. 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.



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ENVIRONMENTAL/MITIGATION REQUIREMENTS:

11. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program [MMRP]. These MMRP conditions are incorporated into the permit by reference or authorization for the project.

12. As conditions of Site Development Permit No. 260818/Planned Development Permit No. 260654, the mitigation measures specified in the MMRP, and outlined Mitigated Negative Declaration No. 82503, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in the Mitigated Negative Declaration No. 82503 satisfactory to the City Manager and City Engineer. To the extent any mitigation requirements are to be fulfilled during or after grading or construction, Owner/Permittee shall demonstrate to the satisfaction of the City Engineer prior to issuance of the first grading permit that measures have been implemented to ensure that such mitigation requirements will be fulfilled. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue area: Paleontological Resources.

14. Prior to issuance of any construction permit, the applicant shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

ENGINEERING REQUIREMENTS:

15. Prior to the building occupancy, the applicant shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices [BMP's] maintenance.

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

17. Prior to the issuance of any construction permits the applicant shall incorporate and show the type and location of all post-construction BMP's on the final construction drawings, in accordance with the approved Water Quality Technical Report.

18. The drainage system proposed for this development is private and subject to approval by the City Engineer.

19. All driveways and curb openings shall comply with City Standard Drawings G-14A, G-16 and SDG-100.

20. This project proposes to export 26,600 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the



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underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per Land Development Code [LDC] section 141.0620(i).

21. Prior to the issuance of a building permit 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.

22. Development of this project shall comply with all requirements of State Water Resources Control Board [SWRCB] Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan [SWPPP] and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent [NOI] shall be filed with the SWRCB.

23. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99 08 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99 08 DWQ.

LANDSCAPE REQUIREMENTS:

24. Prior to issuance of any construction permits for grading, landscape construction documents for the revegetation and hydroseeding of all disturbed land shall be submitted in accordance with the Land Development Manual Landscape Standards and to the satisfaction of the City Manager. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A."

25. Prior to issuance of any construction permits for public right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the City Manager 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.

26. Prior to issuance of any construction permits for buildings (including shell), complete landscape and irrigation construction documents consistent with the Land Development Manual Landscape Standards shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Concept Plan. Construction plans shall take into account a 40 sq-ft area



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around each tree which is unencumbered by hardscape and utilities as set forth under LDC section 142.0403(b)5.

27. 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.

28. All required landscape shall be maintained in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

29. 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.

30. 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, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager within thirty days of damage or prior to a Certificate of Occupancy or a Final Landscape Inspection.

31. Prior to issuance of any construction permits, landscape and irrigation construction documents consistent with the Land Development Manual, Landscape Standards shall take into account more drought tolerant, native species within the plant palette to replace the abundance of ornamental plant species currently proposed on the Landscape Development Plan (Exhibit "A").

TRANSPORTATION REQUIREMENTS:

32. No fewer than twenty-three off-street parking spaces of which one space is an accessible parking space and three off-street loading spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibits "A." Parking spaces shall comply at all times with requirements of the Land Development Code and shall not be converted for any other use unless otherwise authorized by the City Manager.

33. Prior to the issuance of the first building permits, applicant shall dedicate 12 feet of right-of-way along property frontage on 47th Street and assure by permit and bond, half width improvement of 47th Street including 22 feet of pavement, curb, gutter, 5 feet wide sidewalk within a 10 foot curb to propertyline distance, satisfactory to the City Engineer.



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34. This project shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.

PLANNING/DESIGN REQUIREMENTS:

35. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

36. Prior to the issuance of the first building permit, construction documents shall fully illustrate the incorporation of a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption, as established by Council Policy 900-14.

37. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this Permit.

38. 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 Permittee.

39. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

40. All signs associated with this development shall be consistent with sign criteria established by either of the following:

a. Approved project sign plan (Exhibit "A," or

b. Citywide sign regulations.

41. Hours of Operation: The self-storage facility shall not commence operating prior to 7:00 a.m. nor continue later than 10:00 p.m. of any day.



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42. 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.

43. Solid walls or fences which are visible from the public right-of-way shall be treated with a graffiti resistant coating or finish.

44. The use of textured or enhanced paving shall meet applicable City standards as to location, noise and friction values.

45. Commercial businesses shall not be allowed within individual storage spaces.

46. The subject property and associated common areas on site shall be maintained in a neat and orderly fashion at all times.

47. All uses, except loading, shall be conducted entirely within an enclosed building. Outdoor storage of merchandise, material and equipment (including recreational vehicles, motor vehicles and boats) is prohibited

48. No mechanical equipment, tank, duct, elevator enclosure, cooling tower, mechanical ventilator, or air conditioner shall be erected, constructed, converted, established, altered, or enlarged on the roof of any building, unless all such equipment and appurtenances are contained within a completely enclosed, architecturally integrated structure whose top and sides may include grillwork, louvers, and latticework.

49. Prior to the issuance of building permits, construction documents shall fully illustrate compliance with the Citywide Storage Standards for Trash and Recyclable Materials (SDMC) to the satisfaction of the City Manager. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupants of and service providers to the project, in substantial conformance with the conceptual site plan marked Exhibit "A."

50. Prior to the issuance of building permits, the applicant's construction documents shall reflect the use of sustainable and/or recycled construction materials.

WASTEWATER REQUIREMENTS:

51. 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.

52. 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.

53. No trees or shrubs exceeding 3 feet in height at maturity shall be installed within ten feet of any public sewer facilities.



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

WATER REQUIREMENTS:

55. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) outside of any driveway, in a manner satisfactory to the Water Department Director and the City Engineer.

56. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s) on each water service (domestic, fire, and irrigation), in a manner satisfactory to the Water Department Director and the City Engineer.

57. Prior to the issuance of any certificates of occupancy, public water facilities necessary to serve the development, including services, shall be complete and operational in a manner satisfactory to the Water Department Director and the City Engineer.

58. 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, as shown on approved Exhibit "A," shall be modified at final engineering to comply with standards.

INFORMATION ONLY:

ORIGINAL

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 section 66020.

This development may be subject to impact fees at the time of building/engineering permit issuance

APPROVED by the City Council of the City of San Diego on _	FEB 2 7 2007	and
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	:	

K- 302401

City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 THE CITY OF SAN DIEGO (619) 446-5000	Ownership Disclosure Statement
Approval Type: Check appropriate box for type of approval (s) reques Neighborhood Development Permit Variance Tentative Map Vesting Tentative Map Map W	aiver Cland Use Plan Amendment • Other
Project Title STORKWIK 42TH S	Project No. For City Use Only
Project Address: 930 S- 47th STREET	SAN DIEGO, CA
Part I - To be completed when property is held by Individual	l(s)
below the owner(s) and tenant(s) (if applicable) of the above reference who have an interest in the property, recorded or otherwise, and state the individuals who own the property). A signature is required of at least of from the Assistant Executive Director of the San Diego Redevelopment Development Agreement (DDA) has been approved / executed by the Manager of any changes in ownership during the time the application is the Project Manager at least thirty days prior to any public hearing or information could result in a delay in the hearing process. Additional pages attached Yes No	with the intent to record an encumbrance against the property. Please list ad property. The list must include the names and addresses of all persons the type of property interest (e.g., tenants who will benefit from the permit, all one of the property owners. Attach additional pages if needed. A signature is Agency shall be required for all project parcels for which a Disposition and e City Council. Note: The applicant is responsible for notifying the Project is being processed or considered. Changes in ownership are to be given to in the subject property. Failure to provide accurate and current ownership
Name of Individual (type or print):	Name of Individual (type or print):
Cowner CTenant/Lessee Redevelopment Agency Street Address:	Owner Tenant/Lessee Redevelopment Agency Street Address;
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Signature : Date:	Signature : Date:
Name of Individual (type or print):	Name of Individual (type or print):
Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Signature : Date:	Signature : Date:

Printed on recycled paper. Visit our web site at <u>www.sandiego.gov/development-services</u> Upon request, this information is available in alternative formats for persons with disabilities.

Project Title: STORKWIK 47 STREET SEL	F Storacs Project No. (For City Use Only)
Part II - To be completed when property is held by a corpo	ration or partnership
Legal Status (please check):	
Corporation KLimited Liability -or- General) What S	State? Corporate Identification No
as identified above, will be filed with the City of San Diego on t the property. Please list below the names, titles and addresse otherwise, and state the type of property interest (e.g., tenants in a partnership who own the property). <u>A signature is require</u> property. Attach additional pages if needed. Note: The applica ownership during the time the application is being processed of	acknowledge that an application for a permit, map or other matter, the subject property with the intent to record an encumbrance against as of all persons who have an interest in the property, recorded or who will benefit from the permit, all corporate officers, and all partners ad of at least one of the corporate officers or partners who own the ant is responsible for notifying the Project Manager of any changes in or considered. Changes in ownership are to be given to the Project subject property. Failure to provide accurate and current ownership dditional pages attached Yes No
Corporate/Partnership Name (type or print): STORKWIK SANDIEGO 41), LLC	Corporate/Partnership Name (type or print):
X Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address: 3700 34TH STREET STE SOL ONLY	Street Address:
City/State/Zip: 70) 246/144 40.246/155 328 Phone No: Fax No:	City/State/Zip:
	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Mr. TEO BOLIN Title (type or print): Mary aGén Mace Pars 10EN	Title (type or print):
Maria Date:	Signature : Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature : Date:	Signature : Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Cowner Tenant/Lessee	☐ Owner ☐ Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature : Date:	Signature : Date:

Ownership Disclosure Statement

StorKwik San Diego 47 LLC, a California limited liability corporation, Owner

(StorKwik San Diego 47 LLC is owned in full by California Properties I LLC, a Delaware Limited Liability Company which is majority owned by Flagship Properties I, a real estate trust based in Armonk, NY)

StorKwik San Diego 47 LLC, a California limited liability corporation, is composed of:

W.A. Headley III, President Albert Rabil III, Vice President Frank Duemmler, Vice President Theodore (Ted) A Bolin, Vice President

California Properties I LLC, a Delaware limited liability company, is composed of:

W.A. Headley III, President Albert Rabil III, Vice President Frank Duemmler, Vice President Theodore (Ted) A Bolin, Vice President

Flagship Properties I, a real estate trust, is composed of:

W.A. Headley III, President Albert Rabil III, Vice President Frank Duemmler, Vice President Theodore (Ted) A Bolin, Vice President

DEVELOPMENT SERVICES Project Chronology 47th Street Self Storage - PTS# 225720

Date	Action	Description	City Review Time	Applicant Response
02/11/11	First Submittal	Project Deemed Complete		
03/30/11	Issues Complete		33 days	
04/28/11	Public Hearing		21 days	
TOTAL ST	AFF TIME		54 days	
TOTAL APPLICANT TIME				0 days
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Planning Commission	1 month	and 24 days





STAINABLE BUILDINGS Redite Program

AUTHORIZED BY COUNCIL POLICY 900-14

. 4

TRASH & RECYCLING CALCULATION						
1 <u>62327 S.F. OFA</u> IST 100,000 S.F. BAL 62327 S.F.	18 851 142 5.F. 120 5.F.	RECYCLE 192 9.F. 120 9.F.				
TOTAL REQUIRED	312 S.F.	512 S.F.				
PROVIDED	912 S.F.	512 S.F.				

SUSTAINABLE BUILDING

THE BUILDING WILL BE DESIGNED TO PROVIDE MORE THAN 50% OF ITS PROJECTED TOTAL BURGEY USE UTILIZING RESIGNABLE BURGEY RESOURCES, COMPRISING OF PHOTOVOLTAL CELLS PROVIDING BUILDING ELECTRICAL NEEDS AND HIGH EFFICIENCY HEATING AND AIR-CONDITIONING EGUIRPERT, IN ACCORDING HIGH CITY OF SAN DIEGO FOLICY NO. 400-14.

GROSS FLOOR AREA: 162,321 S.F.

BASEMENT: 43,828 9.F. TOTAL: 206,155 S.F.



	NTERSTATE 808 ROW
1	PROPOSED SELF STORAGE
8, 14,	APPROVED EXHIBIT "A" PROJECT NO. 72502 CR 20055, PDP 20055, Not to APPROVED BY MEANING STRICK PLANNING COMMISSION, CRAY COMMON DW. 2/10/07
	Signature Control of the second
	(619) 465-2011 Revision 10: Fax (619) 465-2833 Revision 8: Project Name: Revision 8: 47th St Self Storage Revision 7:
26 ⁻ -4*	San Diego, CA 92113 Revision 6: Revision 3:
	Sheet Title: Revision 1: 4-20-06 Floor Plans Original Date: 8-15-05 Sheet Sheet 2 of 8 LDR# 82503

ATTACHMENT 9









PLANT LEGEND TREES

STMBOL	BOTANICAL NAME (COMMON NAME)	DESCRIPTION (FORM)	PERCENTAGE / 9/2E	<u>GUANTITY</u>
	COCOS PLINOSA (CLEEN PALM)	Vertical Accent Palm TB' Height (Narrow Vertical Rorm)	юел 12. р .т.н.	к
\odot	Cupaniopsis anacardioides (Carrotucod tree)	Evergreen Shade Tree 20' Height X 20'-30' Spread (Roind Dome Fort)	1007 24° BOX	21
\bigotimes	LAGEROTROEMIA X PAURIE! ' MUSKOGEE' (CRAPE MYRTLE)	Decidious flowering accent tree 20' height x 20' stread (right dighe form)	100% 36" BOX	21
80	Melaleuca quinquenervia (Caueput Tree)	Vertical evergreen shade tree 35'-46' Height X 25' spread (Conical Form)	67% 30° 80X 33% 15 GAL.	14 T
\bigcirc	PNS ELDARICA (ELDARICA PNE)	Vertical Evergreen Screen Tree 35'-40' Height X 25' Spread (Conical Port)	507 15 GAL. 507 24' BCX	11 169

LANDSCAPE CALCULATIONS

DESCRIPTION	TOTAL OF.	REQUIRED SF.	LAND&CAPE & F.	REGUIRED PTS.	I GAL SHRUES POINTS	5 GAL SHRUBS POINTS	TREE POINTS	CLAIMED
STREET YARD	24,500 6.5	25% = 6,225 6,F.	10,620 BF.	1,245	300	600	1,224	1,824
vehicular use area In street yard	11,460 S.F.	5% × 373 8F.	Ø 8F.	573				ø
Remaining tard	1,191 ô.F.	4,015 S.P.	1,918F.	204		484	380	834
	TOTAL L.F.	REQUIRED TREE	S PROPOSED TRE	Eð				
STREET TREES	625	21	21					

MINIMUM TREE SEPARATION DISTANCE

TRAFFIC GRAALS (STOP SIGNS) - 20 FEET UNDERGROUND UTILITY LINES - 5 FEET ABOVE GROUND UTILITY SIRUCTURES - 10 FEET DRIVELLAY (INTREE) - 10 FEET NTERRECTIONS (INTERGECTING CURES LINES OF TWO STREETS) - 25 FEET SUBJECTIONS (INTERGECTING CURES LINES OF TWO STREETS) - 25 FEET

ROOT BARRIER NOTE

ANY THEE LITHIN 5' OF PAVING CLIRES, OR HARDSCAPE MUST HAVE A ROOT BARRIER SEE PLAN FOR LOCATION

NOTE

ALL REQUIRED LANDSCAFE AREAS MUST BE MAINTAINED BY OUNER

IRRIGATION METHOD

AN ALITCHATIC INTROACTION SYSTEM SHAL', BE PROVIDED AS REGULAED FOR PROPER IRRIGATION, DEVELOPHENT AND MAINTENANCE OF THE THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEGLATE SUPPORT FOR THE VEGETATION SELECTED

CITY NOTE

All landscape and irregation shall comport to the City of San Dieso Landscape resultations, the Land Development Manual Landscape Standards, the Scitterstein San Dieso Planned District, and All Other City and Resional Standards.

SYMBOL	BOTANICAL	common	FORM	DESCRIPTION
_ **	PHORNIUM TENAX 'ATROPURPUREA'	DWARF NEW ZEALAND FLAX	ARCHING VASE	4' - 6' Accent (HRU
() "	Photinia Fragerii	RED TIPPED PHOTNIA	MOUNDING SHAPE	4' - 5' SCREEN SHRU
<u>`</u> @	Raphiolepis NDICA PNKIE	NOIA HAUTHORN	Mounding Shape	4' - 5' FOUNDATION (
(\mathbb{R})	ROSA FLORIBUNDA 'KEBERG'	UNITE FLORIBUNDA ROSE	MOUNDING SHAPE	3'-4' ACCENT SHRUB
$\mathbf{\tilde{\mathbf{A}}}$	XYLOBMA CONSECTUM	SHINY XYLOSMA	Mounding Shape	5'-8' SCREEN SHRUB
GROUND CO	VER			
STHEOL	BOTANICAL	COMMON		SPACING
(Trease	AGAPANTHUS AFRICANUS	LILY OF THE NILE	ARCHING VASE	2' ACCENT OHRUB
المشتك	HEMEROCALLIS HYBRID YELLOU	DAYLILY	ANCHING VASE	2' ACCENT SHRUB
$\bigotimes\!$	LANTANA MONTEVIDENSIS MIX YELLOW (PURPLE	TRELAING LANTANA	IRREGULÁR / OPEN	2' ACCENT SHRUD
<i>77777</i> 7	MYOPORM PACIFICUM	MYOPORUM	IRREGULAR / OPEN	TRIANGULAR SPACE
	Rosmarinus officinallis 'prostratus'	ROSEMARY	irregular / Open	TRIANGULAR SPACE
	MARATHON SOD			
DESIGN	N STATEMENT		_	

THE DEMON THEME INTEGRATED THE USE OF MEXICAN FAN PALHD AT ENTRY DRIVED TO ARTICLATE HEIGHT OF BUARPROVED EXHIBIT "A" AND PROVIDE AN ACCENT AT BUILDING INTIGEN. DRIVE IN ANTING IN THE ROM OF VERTICAL EXPERIENT INTEGER AND NITURE & PLAND THE PROVIDE THE PROFENE TO BOTTOM AND SCREEN THE BUILDING. ADA ACCENTERS IT HAS BEEN MENVOED TO THE BUILDING INCHT HE PARTIER TO BOTTOM AND ACCENTERS IT ALL DE ACHERAL TO ANTICATE AND A CONTRACT AND A CON LIT HAS HACIMOJECT NO. 202503 FAI DE CA 280655, POP 260654, ATEN APPROVAL NO(8), SDP 260618, EA 392065

MAINTENANCE NOTE

ALL REQUIRED LANDSCAPED AREAS SHALL BE MANTANED PREE OF DEBRIS AND LITTER AND ALL PLANT MAT Shall de hantaned na health'i Growns Condition. Diseased or dead mant material shall de Anterconduit Treated or Reflaced within 30 days with material or an equivalent font value.

SHREDDED MULCH NOTE

ALIM INA

ALL PLANTER AREAS TO RECEIVE A 2º LAYER OF SHREDDED MULCH CONTRACTOR TO PROVIDE SAMPLES FOR APPROVAL PRIOR TO INSTALLATION

LANDSCAPE DEVELOPMENT PLAN



MATURE DE R.A















