



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: June 11, 2015 **REPORT NO. PC-15-069**

ATTENTION: Planning Commission, Agenda of June 18, 2015

SUBJECT: MARKET STREET ROW HOMES - PROJECT NO. 143996
PROCESS FOUR.

**OWNER/
APPLICANT:** Viet Hung, LLC Owner/ Bill Metz, Applicant

SUMMARY

Issue(s): Should the Planning Commission approve a permit for the construction of six detached residential condominiums within the Southeastern San Diego Community Planning area?

Staff Recommendation(s):

1. **ADOPT** Mitigated Negative Declaration No. 143996 and **ADOPT** the Mitigation, Monitoring and Reporting Program; and
2. **APPROVE** Site Development Permit No. 503843, Variance No. 1458897 and Tentative Map No. 505895.

Community Planning Group Recommendation: On May 11, 2015, the Southeastern San Diego Community Planning Group voted 7-0-3 to recommend approval of the project with recommendations and conditions (Attachment 11).

Environmental Review: Mitigated Negative Declaration No. 143996 was prepared was prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to below a level of significance, any potential impacts identified in the environmental review process.

Fiscal Impact Statement: No fiscal impact. All costs associated with the processing of the application are recovered through a deposit account funded by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement: The Southeastern San Diego Community Plan designates the 0.29-acre vacant site as Residential a density range of 15 to 30 dwelling units per acre, allowing 8 units at the site. The proposed development of 6 units is consistent with this density range, and will provide 6 additional units in the community. The applicant has indicated they will comply with the Inclusionary Housing Ordinance by paying the in-lieu fee.

BACKGROUND

The project proposes the construction of six residential condominiums. The project site is located in the Grant Hill neighborhood of the Southeastern San Diego Community and designated for Residential use at a density range of 15 - 30 dwelling units per acre. The site is located at 2748 Market Street between 27th and 28th Street in the MF-1500 zone of the Southeastern San Diego Planned District. The site does not contain, nor is it adjacent to environmentally sensitive lands. A paved 20-foot wide alley abuts to the site to the north. The surrounding sites are multi-family developments to the north and east, and single family developments to the west (Attachments 1- 3). The project requires the following approvals:

1. Process 3 Site Development Permit for a Southeastern San Diego Development Permit for new development within the Planned District.
2. Process 3 Variance for deviations to retaining wall heights.
3. Process 4 Tentative Map for the condominium development consisting of greater than 4 lots.

DISCUSSION

Project Description:

The project proposes the construction of 6 detached, 3-story residential condominiums each and a request to waive the requirement to underground existing overhead utilities (See Underground Waiver Request below). The first floor of the 2,133 square-foot unit would consists of the garages and storage areas. The second floor would contain a living room kitchen, dining room, guest bedroom and bathroom. The third floor would consist of two bedrooms and bathrooms. The project requires a total of 18 parking spaces, including two on site guest parking spaces and four off-site parking spaces on Market Street as allowed by the Land Development Code. Vehicular access to the parking spaces is provided from the alley at the rear. The MF-1500 zone does not have a height limit, however the highest structure site proposed is 32'-0". Project implementation requires grading of the entire site and excavation of 2,170 cubic yards of cut at a maximum depth of 6'-7", and 170 cubic yards of fill at a maximum depth of 1'-0", with export of soils totaling 2,000 cubic yards.

Community Plan Analysis:

The site is located within the Southeastern San Diego Community Plan area. The subject site is designated Residential (15-30 du/ac) in the Southeastern San Diego Community Plan. Based on the size of the site and the allowable density range, the site could accommodate between 4 and 8 units. The Urban Design Element of the General Plan indicates that projects should provide

architectural interest to discourage the appearance of blank walls for development. This would include not only building walls, but fencing bordering the pedestrian network where some form of architectural variation should be provided to add interest to the streetscape and enhance the pedestrian experience. Additionally convenient, safe, well-marked and attractive pedestrian connections from the public street to building entrances should be provided as well as the design should encourage visible space and “eyes on the street” security that will serve as a means to discourage and deter crime through the location of physical features, activities and people to maximize visibility as well as locating buildings on the site so that they reinforce street frontages. The project is consistent with these plan policies.

The original site design included three retaining walls reaching a total of 19 feet in height and no access to Market Street. As mentioned above, the Urban Design Element of the community plan discourages long, continuous building masses that create a wall-like effect. Because of excessive wall height and no access to Market Street, this design conflicted with Southeastern San Diego Community Plan Urban Design Element. The proposed project has since been redesigned where the development now meets the spirit and intent of the Southeastern San Diego Community Plan and the Urban Design Element of the General Plan by constructing a development which meets the density requirements of the residential designation and a design which is oriented towards a public street providing public access from Market Street. Each of the six units will create architectural variation with two rows of three homes stepping back and allowing the homes furthest from the street a view of the street. Therefore, the proposed development will not adversely affect the applicable land use plan.

Environmental Analysis:

An archaeology resources survey report was prepared for the project dated July 2010 which concluded that the site is within proximity to numerous buried historical resources, and a structure was once present on the site. As such, the report recommended that ground disturbing activities be monitored. The project required the preparation of Mitigated Negative Declaration (MND) for potential impacts to Historical Resources (Archaeology) necessitating mitigation measures for a qualified archaeologist monitor and Native American monitor to be on site during grading activities. Because mitigation measures are required to be applied to the project in accordance with Section V of the MND the project now avoids or mitigates any potentially significant environmental impacts to historical resources in accordance with the California Environmental Quality Act.

Project Related Issue – Variance Request Summary Analysis:

A series of retaining walls required for site preparation and to retain soil are proposed within various locations on the site, averaging between 3 feet and 9 feet in height. Two of these walls would not comply with the Land Development Code (LDC) regulations which limit the height of retaining walls within the interior and front yard setbacks:

1. *Interior side setback:* Two retaining walls with a maximum height of 6 feet each are permitted provided a horizontal separation is proposed between the two walls.

The project proposes one (1) nine-foot high wall in a 20-foot portion of the setback area with no separation.

2. *Front yard setback*: Two three-foot high retaining walls are allowed provided a horizontal separation is proposed between the two walls

The project proposes a 5'-9" foot high wall with separation within the front yard setback.

A Variance may be granted if it is found that the site contains unusual circumstances not of the making of the applicant, and that those conditions are such that strict application of the regulations denies reasonable use. The deviation requested must comply with the purpose and intent of the regulation, and not be detrimental to the public health, safety, and welfare.

The site has extreme topography and is situated on the north side of Market Street, between 27th and 28th Street. Twelve percent of the site's topography is nearly vertical in elevation extending to a height of 25 feet starting From Market Street (two feet vertical to one foot horizontal). The subject property consists of a total of 3 substandard lots each with 30 feet of street frontage where the current zone requires 60 feet of street frontage. The extreme topographic conditions did not result from an act of the applicant.

The on-site retaining walls within the front and interior side setback are necessary to create padded areas for the proposed development, as well as retain the extreme topography on site. The topography of the site and the site's non-standard frontage width, create constraints and limit design options.

The project as originally designed proposed 19-foot high retaining walls with no pedestrian access from the units to Market Street. Due to staff concerns regarding excessive walls heights and a lack of pedestrian scale to the development, the project was redesigned to lower wall heights and to redesign the development to provide pedestrian orientation from the public right-of-way. Eighty percent of the walls along Market Street must be screened with 80 percent of landscape materials within two years of installation. The approval of the Variance would facilitate the accessory improvements necessary for construction of the development which is an allowable use per the zone and the community plan.

Undergrounding Waiver Request

San Diego Municipal Code (SDMC) Section 144.0240 allows the subdivider to apply for a waiver from the requirement to underground existing overhead utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined the undergrounding waiver request qualifies under the guidelines of SDMC section 144.0242, *Waiver of the Requirements to Underground Privately Owned Utility Systems and Service Facilities*, in that The conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility.

The applicant is required to underground any new service run to the proposed structures within the subdivision per Condition No. 7 and 8 of the draft Tentative Map conditions (Attachment 8).

Power lines run east to west along the alley adjacent to the site. The overhead lines continue for some distance beyond the project location. The City's Undergrounding Master Plan for Fiscal Year 2015 designates the site within Block 8e. Proposed construction to underground the existing overhead utilities is scheduled for 2024 (Attachment 12).

Conclusion:

City staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. City staff is recommending approval of the project.

ALTERNATIVES:

1. **Approve** Site Development Permit No. 503843, Variance No. 1458897, and Tentative Map No. 505895 **with modifications.**
2. **Deny** Site Development Permit No. 503843, Variance No. 1458897, and Tentative Map No. 505895 **if the finding required to approve the project cannot be affirmed.**

Respectfully submitted,


Sandra Teasley
Development Project Manager
Development Services Department


William Zounes,
Development Project Manager
Development Services Department

ST/WZ

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Permit Resolution with Findings
6. Draft Permit with Conditions
7. Draft Map Resolution with Findings

8. Draft Map Conditions
9. Draft Environmental Resolution with MMRP
10. Rincon Band of Luiseno Indians Letter and Staff Response
11. Ownership Disclosure Statement
12. Community Planning Group Recommendation
13. Utility Undergrounding Schedule
14. Project Chronology
15. Project Plans
16. Project Rendering



Attachment 1
Aerial Photograph of Site



Aerial Photograph (Birds Eye)

Market Street Row Homes Project No. 143996
2748 Market Street



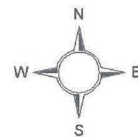
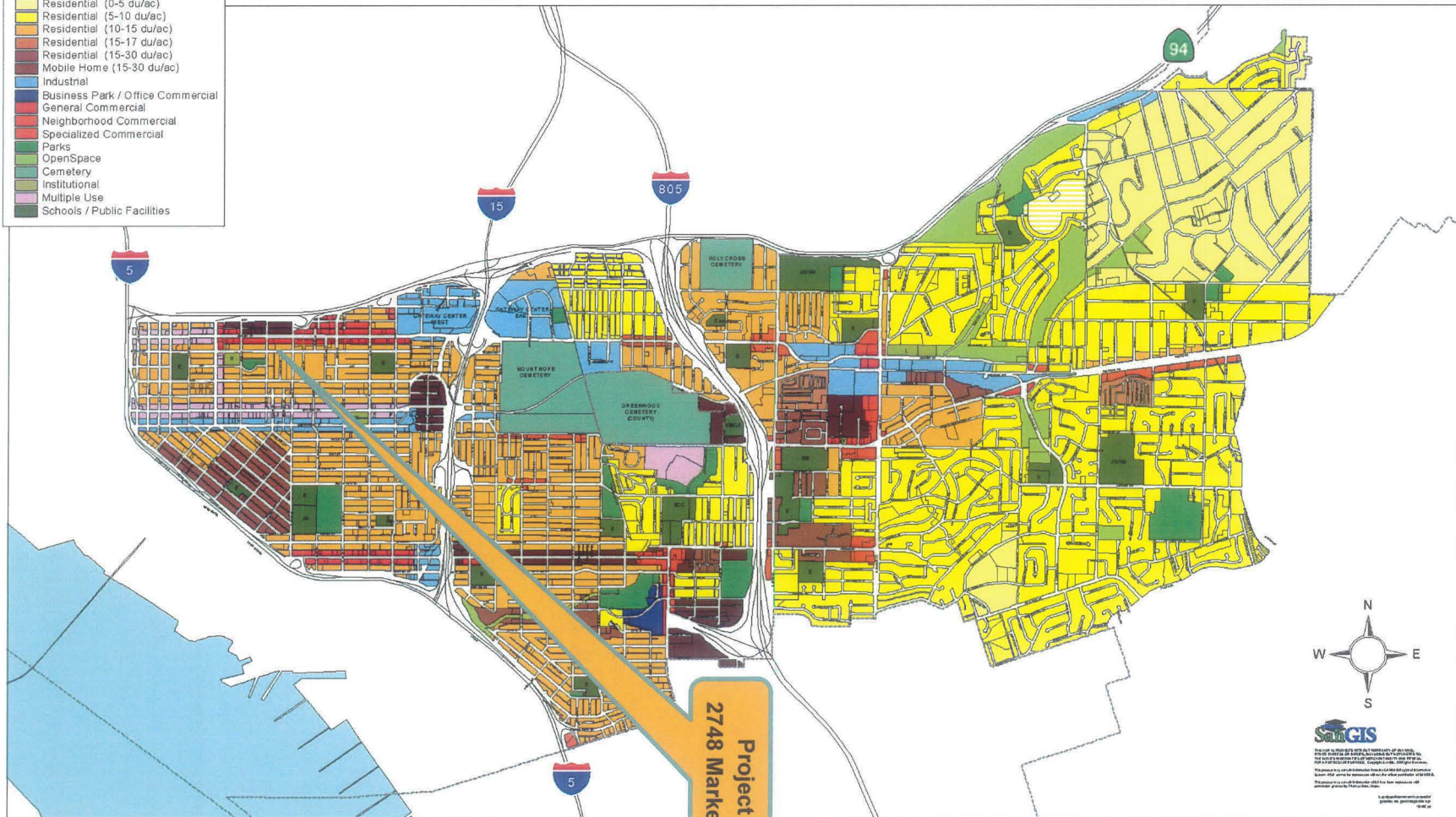


City of San Diego Planning Department

Southeastern San Diego Community Plan Land Use

LEGEND

[Light Yellow]	Residential (0-2 du/ac)
[Yellow]	Residential (0-5 du/ac)
[Orange]	Residential (5-10 du/ac)
[Dark Orange]	Residential (10-15 du/ac)
[Red]	Residential (15-17 du/ac)
[Dark Red]	Residential (15-30 du/ac)
[Brown]	Mobile Home (15-30 du/ac)
[Blue]	Industrial
[Dark Blue]	Business Park / Office Commercial
[Light Blue]	General Commercial
[Red]	Neighborhood Commercial
[Dark Red]	Specialized Commercial
[Green]	Parks
[Light Green]	OpenSpace
[Dark Green]	Cemetery
[Purple]	Institutional
[Pink]	Multiple Use
[Black]	Schools / Public Facilities



SAN GIS
The City of San Diego is the only city in the world to have a GIS Department. The GIS Department is responsible for the collection, management, and analysis of geographic information. The GIS Department is the primary source of geographic information for the City of San Diego. The GIS Department is the primary source of geographic information for the City of San Diego.

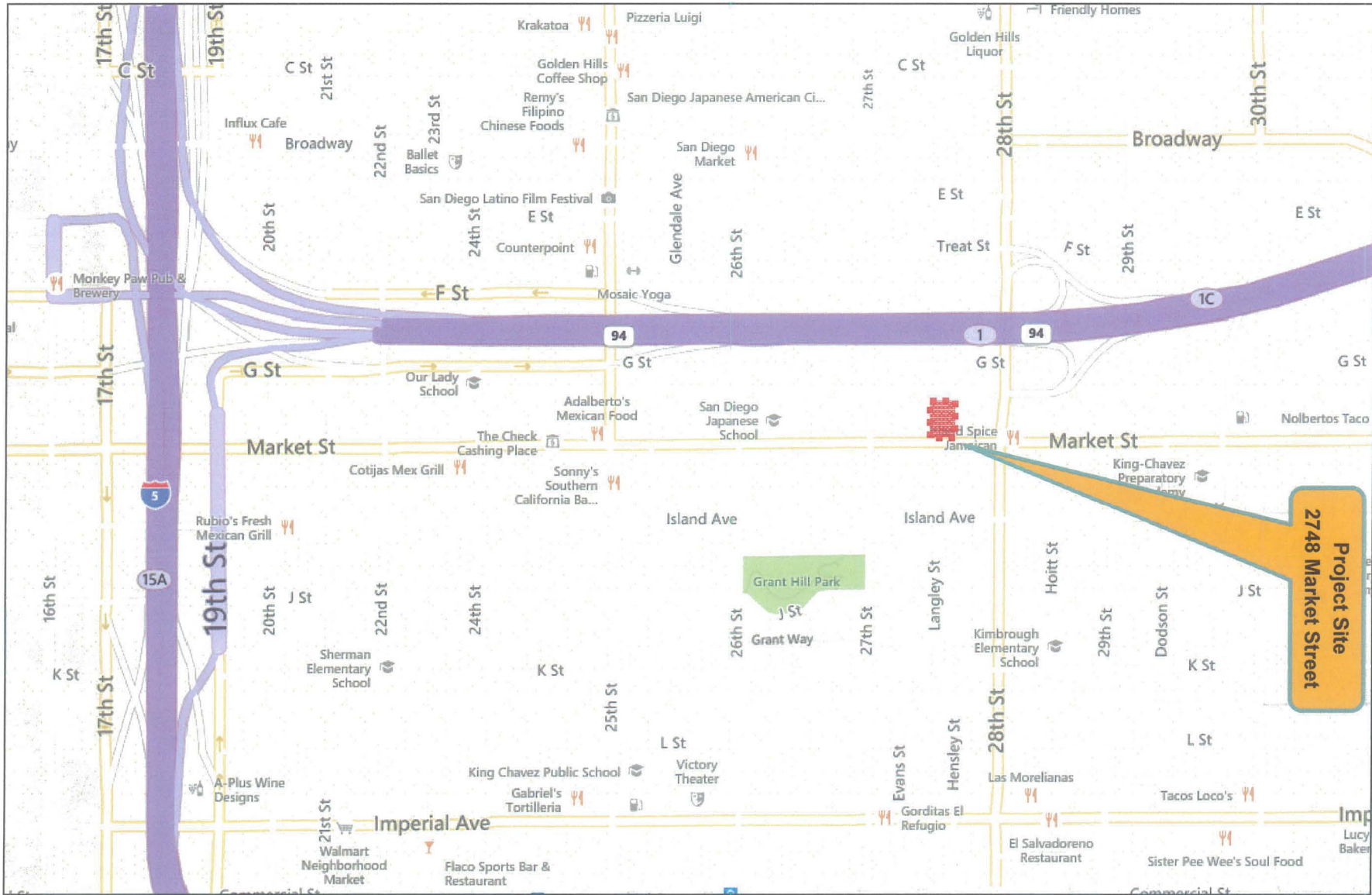


Land Use Plan

Market Street Row Homes Project No. 143996

2748 Market Street





Attachment 3
Project Location Map

Project Location Map

Market Street Row Homes Project No. 143996
2748 Market Street



PROJECT DATA SHEET		
PROJECT NAME:	Market Street Row Homes	
PROJECT DESCRIPTION:	The project proposes the construction of 6 detached, 3-story condominium buildings each containing one 2,133-square-foot, three bedroom unit with an attached two-car garage and a request to waive the requirement to underground existing overhead utilities	
COMMUNITY PLAN AREA:	Southeastern San Diego	
DISCRETIONARY ACTIONS:	Site Development Permit/Variance/Tentative Map	
COMMUNITY PLAN LAND USE DESIGNATION:	Residential	
<p align="center"><u>ZONING INFORMATION:</u></p> <p align="center">ZONE: MF-1500</p> <p align="center">HEIGHT LIMIT: None</p> <p align="center">LOT SIZE: 0.29-acres.</p> <p align="center">FLOOR AREA RATIO: 1.0</p> <p align="center">FRONT SETBACK: 10 feet</p> <p align="center">SIDE SETBACK: 5 feet</p> <p align="center">STREETSIDE SETBACK: 8 feet</p> <p align="center">REAR SETBACK: 5 feet</p> <p align="center">PARKING: 18 spaces required</p>		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Residential, MF-1500	Residential
SOUTH:	Commercial; CSF-2	Residential/Commercial
EAST:	Residential, MF-1500	Residential
WEST:	Residential, MF-1500	Residential
DEVIATIONS OR VARIANCES REQUESTED:	Yes: 9-foot wall extending for 20 feet in the side yard setback and a 5'9" wall in the front yard setback.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On May 11, 2015, the Southeastern San Diego Community Planning Group voted 7-0-3 to recommend approval of the project with recommendations and conditions.	

PLANNING COMMISSION
RESOLUTION NO.
SITE DEVELOPMENT PERMIT NO. 503843
VARIANCE NO. 1458897
MARKET STREET ROW HOMES PROJECT NO. 143996

WHEREAS, VIET HUNG, LLC, Owner/Permittee, filed an application with the City of San Diego for a permit to develop six detached residential condominiums (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 503843 and 1458897), on portions of a 0.29-acre site;

WHEREAS, the project site is located at 2748 Market Street in the Grant Hill neighborhood of Southeastern San Diego Community Plan. The site is zoned Southeastern San Diego Planned District Multi Family (SESD-MF-1500);

WHEREAS, the project site is legally described as Lots 35-37 and a portion of Lot 38 of Block 53 Carr's Subdivision according to Map No. DB 14 page 83 in the City of San Diego, County of San Diego, State of California;

WHEREAS, on June 18, 2015, the Planning Commission of the City of San Diego considered Site Development Permit No. 503843 and Variance No. 1458897 pursuant to the Land Development Code of the City of San Diego;

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

That the Planning Commission adopts the following written Findings, dated June 18, 2015.

FINDINGS:

SITE DEVELOPMENT PERMIT FINDINGS (SDMC Section 126.0504):

1. THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT THE APPLICABLE LAND USE PLAN.

The project proposes to develop six individual two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

The site is located within the Southeastern San Diego Community Plan area and is designated Residential (15-30 du/ac). Based on the size of the site and the allowable density range, the site could accommodate between 4 and 8 units. The Urban Design Element of the General Plan indicates that projects should provide architectural interest to discourage the appearance of blank walls. This would include not only building walls, but fencing bordering the pedestrian network where architectural variation should be provided to add interest to the streetscape and enhance the pedestrian experience. Additionally convenient, safe, well-marked and attractive pedestrian connections from the public street to building entrances should be provided. The Community Plan also encourages encourage "eyes on the street" security that will serve as a means to

discourage and deter crime through the location of physical features, activities and people to maximize visibility. Buildings should be sited so that they reinforce street frontages.

The original site design included three retaining walls reaching a height of 19 feet and no pedestrian access to Market Street. This original design conflicted with a goal of the Community Plan. The project meets the goals and recommendation of the Southeastern San Diego Community Plan and the Urban Design Element of the General Plan by constructing a development which meets the density requirements of the residential designation and includes a design which is oriented towards a public street providing public access to Market Street. The six homes will create architectural variation with two rows of three homes stepped back and up allowing the homes furthest from the street to have a street view. Two retaining walls along Market Street within the front yard will be 5'-9" and 6'-8" respectively separated by a 5-foot landscaped area. Two stairwells leading to a single access to the homes will travel between the retaining walls allowing for visible street access to the development. Therefore, the proposed development will not adversely affect the applicable land use plan.

2. THE PROPOSED DEVELOPMENT WILL NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY AND WELFARE.

The project proposes to develop six individual two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

The subject property is rectangular in shape and situated on the north side of Market Street, between 27th and 28th Street. From Market Street, a near-vertical road cut approximately 25 feet in height ascends at a rate of two feet vertical to one foot horizontal (12% of the site) onto a level area, with access from the alley along the north side of the property. The project required the preparation of a geotechnical report. The site is located within geologic hazard zone 52 and 12 as shown on the City's Seismic Safety Study Geologic Hazards Maps. Zone 52 is characterized by other level areas, gently sloping to steep terrain with favorable geologic structure, low risk. Zone 12 is characterized by potentially active faulting. According to the geotechnical reports prepared for this location, there is no evidence the site is underlain by an active or potentially active fault. However, as a permit condition, the applicant will be required to submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans.

The development required the preparation of a water quality technical report which concluded that the proposed site improvements would comply with the requirements of the State Water Resources Control Board and Municipal Storm Water Permit, Waste Discharge Requirements for Discharges of Storm Water Runoff Associate with Construction Activity. Erosion control in the steep topography will be improved with flow through planters and a drainage containment system for the project. Permanent landscape in the right-of-way is conditioned to be recorded within a Encroachment Maintenance and Removal Agreement.

The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State and Federal regulations to prevent detrimental impacts to the health, safety, and welfare of persons residing in the area. These conditions address requirements relating to storm water runoff, runoff during construction, public improvement repairs, and landscaping. Additionally, the construction permit drawings will be reviewed to achieve conformance with the California Uniform Building Code to assure that structural,

mechanical, electrical, plumbing, and access components of the project are designed to protect the public's health, safety and welfare. Therefore, the project will not be detrimental to the public health, safety and welfare.

3. THE PROPOSED DEVELOPMENT WILL COMPLY WITH THE APPLICABLE REGULATIONS OF THE LAND DEVELOPMENT CODE.

The project proposes to develop six individual two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

The project proposes to construct six single family residences that are in conformance for density, lot size, floor area ratio, building setback and height regulations of the MR-1500 multi-family zone and other pertinent regulations of the Land Development Code which includes grading and landscaping. A Variance is included as described below:

1. Interior side setback: Two (2) six-foot high retaining walls are allowed provided a horizontal separation is proposed between the two walls.

The project proposes one (1) nine-foot high wall in a 20-foot portion of the setback area with no horizontal separation.

2. Front yard setback: Two (2) three-foot high retaining walls are allowed provided a horizontal separation is proposed between the two walls

The project proposes a 5'-9" foot high wall with a horizontal separation.

Deviations to these development regulations can be supported as they facilitate the construction of required improvements necessary to allow development of the site. The project will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code. The project will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

VARIANCE FINDINGS (SDMC Section 126.0801):

1. **THERE ARE SPECIAL CIRCUMSTANCES OR CONDITIONS APPLYING TO THE LAND OR PREMISES FOR WHICH THE VARIANCE IS SOUGHT THAT ARE PECULIAR TO THE LAND OR PREMISES AND DO NOT APPLY GENERALLY TO THE LAND OR PREMISES IN THE NEIGHBORHOOD, AND THESE CONDITIONS HAVE NOT RESULTED FROM ANY ACT OF THE APPLICANT AFTER THE ADOPTION OF THE APPLICABLE ZONE REGULATIONS.**

The project proposes to develop six individual two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

A Variance is included as described below:

1. Interior side setback: Two (2) six-foot high retaining walls are allowed provided a horizontal separation is proposed between the two walls.

The project proposes one (1) nine-foot high wall in a 20-foot portion of the setback area with no horizontal separation.

2. Front yard setback: Two (2) three-foot high retaining walls are allowed provided a horizontal separation is proposed between the two walls

The project proposes a 5'-9" foot high wall with a horizontal separation.

The site has extreme topography and is situated on the north side of Market Street, between 27th and 28th Street. The conditions for which the variance is being requested are not a result of the property owner's development or the use of the land but result from the original creation of the map and street layout which did not reflect the steep topography of this area.

Twelve percent of the site's topography is nearly vertical in elevation extending to a height of 25 feet starting From Market Street (two feet vertical to one foot horizontal). The subject property consists of a total of 3 substandard lots each with 30 feet of street frontage where the current zone requires 60 feet of street frontage. The topography of the site and the site's reduced lot width frontage, create constraints and limit design options. The conditions for which the variance is being requested are not a result of the property owner's development or the use of the land but result from the original creation of the map and street layout which did not reflect the steep topography of this area. The majority of the immediate developments are located adjacent to improved City streets providing access either from an alley of Market Street and do not have the excessive topographic elevation changes that characterize the land at the proposed development. These are special circumstances peculiar to the premise.

2 THE CIRCUMSTANCES OR CONDITIONS ARE SUCH THAT THE STRICT APPLICATION OF THE REGULATIONS OF THE LAND DEVELOPMENT CODE WOULD DEPRIVE THE APPLICANT OF REASONABLE USE OF THE LAND OR PREMISES AND THE VARIANCE GRANTED BY THE CITY IS THE MINIMUM VARIANCE THAT WILL PERMIT THE REASONABLE USE OF THE LAND OR PREMISES.

The project proposes to develop six individual two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

The site has extreme topography and is situated on the north side of Market Street, between 27th and 28th Street. Twelve percent of the site's topography is nearly vertical in elevation extending to a height of 25 feet starting From Market Street (two feet vertical to one foot horizontal). The subject property consists of a total of 3 substandard lots each with 30 feet of street frontage where the current zone requires 60 feet of street frontage. The topography of the site and the site's reduced lot width frontage, create constraints and limit design options. The requested Variance would allow the following deviations to facilitate the construction of accessory improvements necessary for the proposed multi-family development and pedestrian access to Market Street.

A Variance is included as described below:

1. Interior side setback: Two (2) six-foot high retaining walls are allowed provided a horizontal separation is proposed between the two walls.

The project proposes one (1) nine-foot high wall in a 20-foot portion of the setback area with no horizontal separation.

2. Front yard setback: Two (2) three-foot high retaining walls are allowed provided a horizontal separation is proposed between the two walls

The project proposes a 5'-9" foot high wall with a horizontal separation.

Implementation of the project requires grading of the entire site to create level building pads, including approximately 2,170 cubic yards cut to a maximum depth of 6'-7" and the export of 2,000 cubic yards. The subject property consists of a total of 3 substandard lots each with 30 feet of street frontage where the current zone requires 60 feet of street frontage. The on-site retaining walls within the front and interior side setback are necessary to create padded areas for the proposed development, as well as retain the extreme topography on site. The topography of the site and the site's non-standard frontage width, create constraints and limit design options.

The Land Development Code requires horizontal separations for retaining walls that exceed 3 feet in height in the front yard, and 6 feet in height in the interior side yard. Requiring such separations, as well as limiting the height to the allowable 6 feet in the side yard, would substantially decrease the buildable area by approximately 2000 square feet reducing the number of units allowed to be developed. The project is proposed on legal, developable lots that are consistent with the zoning and the land use policies in effect for the site. Allowing the minor Variance request for the accessory improvements will facilitate development the site pursuant to the zone and allow the site to achieve the density range as anticipated in the Southeastern San Diego Community Plan.

Therefore, strict application of the regulations of the Land Development Code would deprive the applicant of the reasonable use of the land and the variance is the minimum variance that will facilitate the construction of a single family residence as allowed by the zone and anticipated for the site by the community plan.

3. THE GRANTING OF THE VARIANCE WILL BE IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE REGULATIONS AND WILL NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, OR WELFARE.

The project proposes to develop six individual two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

A Variance is included as described below:

1. Interior side setback: Two (2) six-foot high retaining walls are allowed provided a horizontal separation is proposed between the two walls.

The project proposes one (1) nine-foot high wall in a 20-foot portion of the setback area with no horizontal separation.

2. Front yard setback: Two (2) three-foot high retaining walls are allowed provided a horizontal separation is proposed between the two walls

The project proposes a 5'-9" foot high wall with a horizontal separation.

The over height condition is created by the existing topography of the site therefore the minor increase in wall heights are necessary to retain the slope, allowing the development. The project is proposed on legal, developable lots that are consistent with the zoning and the land use policies in effect for the site. Allowing the minor Variance request for the accessory improvements will facilitate development of the site pursuant to the zone and allow the site to achieve the density range as anticipated in the Southeastern San Diego Community Plan. The variance will allow the proposed development to continue to be in harmony with the general purpose and intent of the regulations as the project will meet the requirements of the MR-1500 zone to include height, Floor Area Ratio (FAR), parking, landscaping, and density.

A Mitigated Negative Declaration (MND) was prepared from the project for potential impacts to historical resources requiring mitigation. The CEQA analysis conducted for the project included evaluating potential visual impacts of the proposed over height retaining walls. The analysis concluded that as the walls would be 80 percent screened with plantings, reaching full coverage within 2 years, potential visual impacts would not occur and no mitigation was required. Additionally, the proposed wall within the interior side yard will not be visible from the right of way due to the placement of the buildings and landscape materials.

The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State and Federal regulations to prevent detrimental impacts to the health, safety, and welfare of persons residing in the area. The existing site conditions are such that twelve percent of the site's topography is nearly vertical in elevation extending to a height of 25 feet starting from Market Street (two feet vertical to one foot horizontal). These site conditions at the vacant, unfenced location create an unsafe situation and impede pedestrian access. Therefore, the granting of the Variance will not be detrimental to the public health, safety and welfare.

4. **THE GRANTING OF THE VARIANCE WILL NOT ADVERSELY AFFECT THE APPLICABLE LAND USE PLAN. IF THE VARIANCE IS BEING SOUGHT IN CONJUNCTION WITH ANY PROPOSED COASTAL DEVELOPMENT, THE REQUIRED FINDING SHALL SPECIFY THAT GRANTING OF THE VARIANCE CONFORMS WITH, AND IS ADEQUATE TO CARRY OUT, THE PROVISIONS OF THE CERTIFIED LAND USE PLAN.**

The project proposes to develop six individual two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District. The Southeastern San Diego Community Plan does not contain policies concerning requested deviations to wall heights. The proposed Variance request will facilitate the construction of a multi-family development that will not adversely affect the land use plan as described above in Site Development Permit Finding Number 1. The site is not

located within the Coastal Overlay Zone. Therefore, the proposed development will not adversely affect the applicable land use plan.

Southeastern San Diego Development Permit Findings

- 1. The proposed use and project design meet the purpose and intent of the Southeastern San Diego Planned District Ordinance, comply with the recommendations of the Southeastern San Diego Community Plan, and will not adversely affect the General Plan or other applicable plans adopted by the City Council;**

The project proposes to develop six individual two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

The site is located within the Southeastern San Diego Community Plan area and designated Residential (15-30 du/ac). Based on the size of the site and the allowable density range, the site could accommodate between 4 and 8 units. The Urban Design Element of the General Plan indicates that projects should provide architectural interest to discourage the appearance of blank walls. This would include not only building walls, but fencing bordering the pedestrian network where architectural variation should be provided to add interest to the streetscape and enhance the pedestrian experience. Additionally convenient, safe, well-marked and attractive pedestrian connections from the public street to building entrances should be provided. The Community Plan also encourages encourage “eyes on the street” security that will serve as a means to discourage and deter crime through the location of physical features, activities and people to maximize visibility. Buildings should be sited so that they reinforce street frontages.

The original site design included three retaining walls reaching a height of 19 feet and no pedestrian access to Market Street. This original design conflicted with a goal of the Community Plan. The project meets the goals and recommendation of the Southeastern San Diego Community Plan and the Urban Design Element of the General Plan by constructing a development which meets the density requirements of the residential designation and includes a design which is oriented towards a public street providing public access to Market Street. The six homes will create architectural variation with two rows of three homes stepped back and up allowing the homes furthest from the street to have a street view. Two retaining walls along Market Street within the front yard will be 5’-9” and 6’-8” respectively separated by a 5-foot landscaped area. Two stairwells leading to a single access to the homes will travel between the retaining walls allowing for visible street access to the development. Therefore, the proposed development will not adversely affect the applicable land use plan.

The proposed development will allow an increase in the number of single family dwelling units and will increase the regional housing supply. The proposed project will assist in preserving the neighborhood character by constructing a single-family development that will adhere to the Southeastern San Diego Community Plan’s Residential Element. Allowing a density within the allowed density range, together with a reduction in grading and a decrease in the extent of retaining walls, will help facilitate the urban design goals of the Southeastern San Diego Community Plan. The project will provide infill housing similar to the surrounding community and generally conforming to the density and pattern of surrounding developments. The intent of the Southeastern San Diego Planned District Ordinance is to implement the Southeastern San Diego Community Plan through the use of the applied urban design standards contained in this

Southeastern San Diego Planned District Ordinance. As mentioned above, urban design measures of the of Southeastern San Diego Community Plan Urban Design Element is being implanted with the subject project by constructing a development which meets the density requirements of the residential designation and a design which is oriented towards a public street providing public access from Market Street.

Therefore, the proposed use and project design meet the purpose and intent of the Southeastern San Diego Planned District Ordinance, comply with the recommendations of the Southeastern San Diego Community Plan, and will not adversely affect the General Plan or other applicable plans adopted by the City Council.

- 2. The proposed development shall be compatible with existing and planned land use on adjoining properties and shall not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community shall be achieved as far as practicable;**

The project proposes to develop six individual two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

The proposed project is located on a hillside that has been previously graded due to the creation of Market Street and surrounding developments. One of the objectives in the Residential Element of the Southeastern San Diego Community Plan emphasize that new developments respect and preserve the housing character, scale, and density of existing residential neighborhoods. The proposed single family homes (detached condominiums) reinforces this objective by adhering to the allowed density and use for the land use designation by developing homes that maintain the bulk, scale, and style of the surrounding neighbors. Homes to the west and south share a common design comprised of one and two-story structures multi and single family homes with exterior stucco and wood finishes. The proposed homes will maintain the same basic design but will include two story homes with two car garages, fire places, and balconies, with a stucco exterior. Another Urban Design Element objective is to improve the landscaping on both private and public land on both sides of Federal Blvd. The proposed project will provide landscaping to Market Street by providing street trees along Market Street and trees, shrubs and ground cover to the adjacent front yard in accordance with the city's landscape ordinance. The project includes a play area approximately 360 square feet laid with artificial turf with small trees and shrubs.

The proposed development will allow an increase in the number of single family dwelling units and will increase the regional housing supply. The proposed project will assist in preserving the neighborhood character by constructing a six unit detached residential condominium development that will adhere to the Southeastern San Diego Community Plan residential element. Therefore the proposed development shall be compatible with existing and planned land use on adjoining properties and shall not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community shall be achieved as far as practicable.

- 3. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity.**

The project proposes to develop six individual two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

The subject property is rectangular in shape and situated on the north side of Market Street, between 27th and 28th Street. From Market Street, a near-vertical road cut approximately 25 feet in height ascends at a rate of two feet vertical to one foot horizontal (12% of the site) onto a level area, with access from the alley along the north side of the property. The project required the preparation of a geotechnical report. The site is located within geologic hazard zone 52 and 12 as shown on the City's Seismic Safety Study Geologic Hazards Maps. Zone 52 is characterized by other level areas, gently sloping to steep terrain with favorable geologic structure, low risk. Zone 12 is characterized by potentially active faulting. According to the geotechnical reports prepared for this location, there is no evidence the site is underlain by an active or potentially active fault. However, as a permit condition, the applicant will be required to submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans.

The development required the preparation of a water quality technical report which concluded that the proposed site improvements would comply with the requirements of the State Water Resources Control Board and Municipal Storm Water Permit, Waste Discharge Requirements for Discharges of Storm Water Runoff Associate with Construction Activity. Erosion control in the steep topography will be improved with flow through planters and a drainage containment system for the project. Permanent landscape in the right-of-way is conditioned to be recorded within a Encroachment Maintenance and Removal Agreement.

The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State and Federal regulations to prevent detrimental impacts to the health, safety, and welfare of persons residing in the area. These conditions address requirements relating to storm water runoff, runoff during construction, public improvement repairs, and landscaping. Additionally, the construction permit drawings will be reviewed to achieve conformance with the California Uniform Building Code to assure that structural, mechanical, electrical, plumbing, and access components of the project are designed to protect the public's health, safety and welfare. Therefore, the project will not be detrimental to the public health, safety and welfare.

Therefore, the proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity.

4. The proposed use will comply with the relevant regulations of the Municipal Code.

The project proposes to develop six individual two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

The project proposes to construct six single family residences that are in conformance for density, lot size, floor area ratio, building setback and height regulations of the MR-1500 multi-family zone and other pertinent regulations of the Land Development Code which includes grading and landscaping. A Variance is included as described below:

Attachment 5
Draft Permit Resolution with Findings

3. Interior side setback: Two (2) six-foot high retaining walls are allowed provided a horizontal separation is proposed between the two walls.

The project proposes one (1) nine-foot high wall in a portion of the setback area with no horizontal separation.

4. Front yard setback: Two (2) three-foot high retaining walls are allowed provided a horizontal separation is proposed between the two walls

The project proposes a 5'-9" foot high wall with a horizontal separation.

Deviations to these development regulations can be supported as they facilitate the construction of required improvements necessary to allow development of the site. The project will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code. The project will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Site Development Permit No. 503843 and Variance No. 1458897 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. 503843 and Variance No. 1458897 a copy of which is attached hereto and made a part hereof.

William Zounes
Development Project Manager
Development Services

Adopted on: June 18, 2015

SAP Number: 23428818

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

INTERNAL ORDER NUMBER: 23428818

SITE DEVELOPMENT PERMIT NO. 503843
VARIANCE NO. 1458897
MARKET STREET ROW HOMES - PROJECT NO. 143996 [MMRP]
PLANNING COMMISSION

This Site Development Permit No. 503843 and Variance No. 1458897 is granted by the Planning Commission of the City of San Diego to VIET HUNG, LLC, Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] sections 1519.0202, 126.0802, and 125.0410. The 0.29-acre site is located at 2748 Market Street in the Grant Hill neighborhood of the Southeastern San Diego Community Plan. The site is zoned Southeastern San Diego Planned District Multi Family (SESD-MF-1500). The project site is legally described as: Lots 35-37 and a portion of Lot 38 of Block 53 Carr's Subdivision according to Map No. DB 14 page 83 in the City of San Diego, County of San Diego, State of California;

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to develop six detached residential condominiums described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 18, 2015, on file in the Development Services Department.

The project shall include:

- a. The development of six 2,133 square-foot, three-bedroom, residential condominiums with attached garages;
- b. Variance for over height retaining walls within the front yard setback and interior side yard setback, and to not provide required offsets as follows:
 - i. Interior side setback: One nine foot retaining wall where two six foot high retaining walls are permitted with a six foot separation;

- ii. Front yard setback: One 5'-9" foot high wall with separation within the front yard setback where two three-foot high retaining walls are allowed provided a horizontal separation is proposed between the two walls;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by June 25, 2018.
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. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
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 building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

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

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

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

10. 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.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

11. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

12. The mitigation measures specified in the MMRP and outlined in Mitigation Negative Declaration No. 143996 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 Mitigation Negative Declaration No. 143996, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas: Historical Resources (Archaeology).

AFFORDABLE HOUSING REQUIREMENTS:

14. Prior to the issuance of any construction permit, the Owner/Permittee shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.).

AIRPORT REQUIREMENTS:

15. Prior to issuance of a construction permit, the Owner/Permittee shall provide a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration [FAA].

ENGINEERING REQUIREMENTS:

16. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an encroachment maintenance removal agreement for the private curb outlet, landscape and irrigation located in Market Street public right-of-way, satisfactory to the City Engineer.

17. Prior to the issuance of any building permit, the Owner/Permittee shall relocate the existing power pole located on site to a location not to impede with the proposed driveway egress or ingress satisfactory to the City Engineer.

18. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the installation of the concrete pavement, along the project site, to meet the existing alley pavement, satisfactory to the City Engineer.

19 The drainage system for this project shall be private and will be subject to approval by the City Engineer.

20 Prior to the issuance of any building permit, the Owner/Permittee shall obtain a bonded 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.

21 Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

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

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

LANDSCAPE REQUIREMENTS:

24 Prior to issuance of any construction permit, construction plans consistent with this development permit shall be submitted for approval. Improvement plans shall take into account a 40 sq-ft area around each required tree which is unencumbered by utilities.

25 Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees. In the event that the Landscape Plan and the Public Improvement Plan conflict, the Public Improvement Plan shall be revised to be consistent with the Landscape Plan such that landscape areas are consistent with the Exhibit "A" Landscape Development Plan.

26 Prior to building permit issuance, landscape and irrigation plans substantially conforming to Exhibit "A," (Landscape Development Plan) shall be submitted to the Development Services Department for approval.

27 Any existing landscape to remain as indicated on the approved plans, that is damaged during construction shall be replaced in kind to the satisfaction of the Development Services Department within 30 days of damage or final inspection.

28 Eighty percent of the walls along Market Street must be screened with 80 percent of landscape materials within two years of installation.

PLANNING/DESIGN REQUIREMENTS:

28. The Owner/Permittee shall maintain a minimum of 14 off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

29. 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.

30. Outdoor storage of personal belongings of occupants of dwelling units, material or equipment, shall be permitted only when incidental to a permitted use, or other similar items are used, located on the same premises, and provided that: (1) The storage area shall be completely enclosed by walls, fences or buildings, or a combination thereof. Any walls or fences shall be solid and not less than 6-ft in height and shall not be located on the property line or within the setback areas; (2) There shall be no outdoor storage of personal belongings of occupants of dwelling units, materials or equipment, or other similar items, to a height greater than that of any enclosing wall, fence or building; (3) Operable motor vehicles shall not be considered as items of outdoor storage, and shall not be regulated by this section; (4) Outdoor storage shall be restricted to only those items which are considered to be the personal property of the occupants of the premise, or the owner of the premise, when the items are required for the functional operation of the premise.

For the purpose of this condition an individual shall be considered to be an occupant of the premises for a permit not exceeding 30 days prior to occupancy of the premises, and a period not exceeding 30 days following discontinuance of occupancy of the premises. No portion of any premises shall be used by, leased, or rented to a non-occupant for storage purposes.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

31. 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 and sewer service(s) outside of any driveway, and the disconnection of the existing unused water and sewer service adjacent to the project site, in a manner satisfactory to the Public Utilities Department and the City Engineer.

32. 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 Public Utilities Department and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

33. The Owner/Permittee shall design and construct all proposed public water and sewer facilities in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

INFORMATION ONLY:

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

APPROVED by the Planning Commission of the City of San Diego on June 18, 2015.

Attachment 6
Draft Permit with Conditions

Permit Type/PTS Approval No.: Variance No. 1458897/SDP No. 503843
Date of Approval: June 18, 2015

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

William Zounes
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.**

By

VIET HUNG, LLC

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

PLANNING COMMISSION RESOLUTION NUMBER R-_____

TENTATIVE MAP NO. 505895

MARKET STREET ROW HOMES - PROJECT NO. 143996

WHEREAS, VIET HUNG, LLC, Subdivider, and ERICK L. RICCI, engineer, submitted an application to the City of San Diego for a tentative map for the development of six residential condominiums, and to waive the requirement to underground existing offsite overhead utilities. The project site is located 2748 Market Street (between 27th and 28th Street) in the Grant Hill neighborhood of the Southeastern San Diego Community Plan. The site is zoned Southeastern San Diego Planned District Multi Family (SESD-MF-1500). The property is legally described as Lots 35-37 and a portion of Lot 38 of block 53 Carr's Subdivision according to Map No. DB 14 page 83 in the City of San Diego, County of San Diego, State of California; and

WHEREAS, the Map proposes the Subdivision of a 0.29-site into one (1) lot for a 6 unit residential condominium development; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 1351 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is 6; and

WHEREAS, the request to waive the undergrounding of existing overhead utilities has been determined to be appropriate pursuant to San Diego Municipal Code section 144.0242(c) based on the conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility; and

WHEREAS, on June 18, 2015 the Planning Commission of the City of San Diego considered Tentative Map No. 505895, including the waiver of the requirement to underground existing overhead utilities, and pursuant to San Diego Municipal Code section(s) 125.0440, 144.0240 and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 505895:

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

The project proposes to develop six individual two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

The site is located within the Southeastern San Diego Community Plan area and is designated Residential (15-30 du/ac). Based on the size of the site and the allowable density range, the site could accommodate between 4 and 8 units. The Urban Design Element of the General Plan indicates that projects should provide architectural interest to discourage the appearance of blank walls. This would include not only building walls, but fencing bordering the pedestrian network where architectural variation should be provided to add interest to the streetscape and enhance the pedestrian experience. Additionally convenient, safe, well-marked and attractive pedestrian connections from the public street to building entrances should be provided. The Community Plan also encourages encourage “eyes on the street” security that will serve as a means to discourage and deter crime through the location of physical features, activities and people to maximize visibility. Buildings should be sited so that they reinforce street frontages.

The original site design included three retaining walls reaching a height of 19 feet and no pedestrian access to Market Street. This original design conflicted with a goal of the Community Plan. The project meets the goals and recommendation of the Southeastern San Diego Community Plan and the Urban Design Element of the General Plan by constructing a development which meets the density requirements of the residential designation and includes a design which is oriented towards a public street providing public access to Market Street. The six homes will create architectural variation with two rows of three homes stepped back and up allowing the homes furthest from the street to have a street view. Two retaining walls along Market Street within the front yard will be 5’-9” and 6’-8” respectively separated by a 5-foot landscaped area. Two stairwells leading to a single access to the homes will travel between the

retaining walls allowing for visible street access to the development. Therefore, proposed subdivision and its design or improvements are consistent with the policies, goals, and objectives of the applicable land use plan.

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

The project proposes to develop six individual two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

The project proposes to construct six single family residences that are in conformance for density, lot size, floor area ratio, building setback and height regulations of the MR-1500 multi-family zone and other pertinent regulations of the Land Development Code which includes grading and landscaping. A Variance is included as described below:

1. *Interior side setback:* Two (2) six-foot high retaining walls are allowed provided a horizontal separation is proposed between the two walls.

The project proposes one (1) nine-foot high wall in a 20-foot portion of the setback area with no horizontal separation.

2. *Front yard setback:* Two (2) three-foot high retaining walls are allowed provided a horizontal separation is proposed between the two walls

The project proposes a 5'-9" foot high wall with a horizontal separation.

Deviations to these development regulations can be supported as they facilitate the construction of required improvements necessary to allow development of the site. The project will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code. The project will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

3. The site is physically suitable for the type and density of development.

The project proposes to develop six, two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

The MF-1500 zone allows one dwelling unit for every 1,500 square feet of site area. The existing site is 12,698 square feet which will accommodate eight dwelling units. The subject site is designated Residential (15-30 du/ac) in the Southeastern San Diego Community Plan. Based on the size of the site and the allowable density range, the site could accommodate between 4 and 8 units. Therefore, the site is physically suitable for the type and density of the development.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The project proposes to develop six, two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

The project is located within an urbanized and built-out environment where there are no watercourses or environmentally sensitive lands harboring fish or wildlife on or adjacent to the site. Mitigated Negative Declaration (MND) No. 143996 was prepared from the project as it was determined that the proposed development could have a significant impact to historical resources (archaeology). Because mitigation measures are required to be applied to the project in accordance with Section V of the MND, the project now avoids or mitigates any potentially significant environmental impacts to historical resources in accordance with the California Environmental Quality Act. Therefore, the subdivision or the proposed improvements will not cause substantial environmental damage or substantially injure fish or wildlife or their habitat (Land Development Code Section 125.0440.d and State Map Act Section 66474(e)).

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

The project proposes to develop six, two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

The subject property is rectangular in shape and situated on the north side of Market Street, between 27th and 28th Street. 13-percent of the site's topography is nearly vertical in elevation extending to a height of 25 feet starting From Market Street (two feet vertical to one foot horizontal). The project required the preparation of a geotechnical report. The site is located within geologic hazard zone 52 and 12 as shown on the City's Seismic Safety Study Geologic Hazards Maps. Zone 52 is characterized by other level areas, gently sloping to steep terrain with favorable geologic structure, low risk. Zone 12 is characterized by potentially active faulting. According to the geotechnical report, there is no evidence that the site is underlain by an active or potentially active fault. As a permit condition, the applicant will be required to submit a geotechnical investigation report or updated letter that specifically addresses the proposed construction plans.

The development required the preparation of a water quality technical report which concluded that the proposed site improvements would comply with the requirements of the State Water Resources Control Board and Municipal Storm Water Permit, Waste Discharge Requirements for Discharges of Storm Water Runoff Associate with Construction Activity. Erosion control in the steep topography will be improved with flow through planters and a drainage containment system for the project. Permanent landscape in the right-of-way is conditioned to be recorded within a Encroachment Maintenance and Removal Agreement.

The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State and Federal regulations to prevent detrimental

impacts to the health, safety, and welfare of persons residing in the area. These conditions address requirements relating to storm water runoff, runoff during construction, public improvement repairs, and landscaping. Additionally, the construction permit drawings will be reviewed to achieve conformance with the California Uniform Building Code to assure that structural, mechanical, electrical, plumbing, and access components of the project are designed to protect the public's health, safety and welfare. Therefore, the design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare

6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

The project proposes to develop six, two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

There are no public easements on the site. The site has frontage on Market Street with vehicular access from a paved alley which is a dedicated public rights-of-way. Additionally, general utilities run along the public rights-of-way and not through the project site. The subdivision proposes public improvements to include the relocation of an existing power pole to be relocated so that it does not impede with the proposed driveway, the installation of concrete pavement, along the project site, to meet the existing alley pavement, a new driveway, and new water services and sewer laterals. Therefore, the design of the subdivision and proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

The project proposes to develop six, two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

The development will not impede or inhibit any future passive or natural heating and cooling opportunities. Design guidelines have been adopted for the future construction of six individual condominiums, however they do not impede or inhibit any future passive or natural heating and cooling opportunities. With the independent design of the proposed subdivision each structure will have the opportunity through building materials, site orientation, architectural treatments, placement and selection of plant materials to provide to the extent feasible, for future passive or natural heating and cooling opportunities. The proposed design provides the opportunity for future roof top passive solar heating. The living spaces are well ventilated and take advantage of the cooling offshore breezes without the requirement of conventional air-conditioning equipment. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

The project proposes to develop six individual two story residential condominiums with attached two-car garages on a 0.29-acre site located at 2748 Market Street in the MF-1500 zone of the Southeastern San Diego Planned District.

The City of San Diego requires new residential developments to provide housing to accommodate the needs of low income households, as certified by the San Diego Housing Commission. The applicant has chosen the option of paying an in-lieu fee to the San Diego Housing Commission in accordance with the City of San Diego Inclusionary Affordable Housing regulations. Balanced needs for public facilities were taken into consideration with the development of the Southeastern San Diego Community Plan and the projected build-out with the applied zone designations. The subdivision of this parcel into six residential condominiums is consistent with what was anticipated in the community plan. Environmentally Sensitive Lands are not present on the site. The project design has taken into account the best use of the land to reduce excessive walls and providing access to Market Street. The decision maker has reviewed the administrative record including the project plans, technical studies, environmental documentation and heard public testimony to determine the effects of the proposed subdivision on the housing needs of the region and; that those needs are balanced against the needs for public services and the available fiscal and environmental resources and found that the addition of six residential condominiums for private development is consistent with the housing needs anticipated for the Southeastern San Diego Community Planning area.

The six residential units are within a built out urbanized community with adequate infrastructure. The decision maker has determined that the available fiscal and environmental resources are balanced by adequate public transit in the immediate area, the proximity of shopping, and essential services and recreation in the nearby developed urban area. The project is adjacent to Metropolitan Transit System bus route, a block from Grant Hill Park, and a few blocks away from markets, and retails services. Therefore, the housing needs of the region are balanced against the needs for public services and the available fiscal and environmental resources.

By

William Zounes
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 23428818

PLANNING COMMISSION
CONDITIONS FOR TENTATIVE MAP NO. 505895,
MARKET STREET ROW HOMES- PROJECT NO. 143996 MMRP
ADOPTED BY RESOLUTION NO. R-_____ ON JUNE 18, 2015

GENERAL

1. This Tentative Map will expire June 18, 2018.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
3. Prior to the Tentative Map expiration date, a Parcel Map to consolidate the existing lots into one lot shall be recorded in the Office of the San Diego County Recorder.
4. Prior to the recordation of the Parcel Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
5. The Tentative Map shall conform to the provisions of Site Development Permit No. 503843/Variance No. 1458897.
6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

Project No. 143996
TM No. 505895

ENGINEERING

7. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
8. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
9. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

10. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
11. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
12. The shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.

Public Utilities

13. All onsite water and sewer facilities will be private and 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.
14. The developer shall provide evidence, satisfactory to the Metropolitan Wastewater Department Director, indicating that each condominium will have its own sewer lateral or provide CC&R's for the operation and maintenance of onsite private sewer mains that serve more than one ownership.
15. The developer shall design and construct all proposed public water and sewer facilities in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.
16. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.
17. Prior to the recording of the Parcel Map, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.
18. The Parcel Map shall comply with the provisions of the Site Development Permit No. 503843.

GEOLOGY

19. Prior to the issuance of a grading permit, the Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.
20. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out

INFORMATION:

- The approval of this Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within ninety days of the approval of this Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 23428818

Project No. 143996
TM No. 505895

Attachment 9
Draft Environmental Resolution with MMRP

RESOLUTION NUMBER R- _____

ADOPTED ON _____

WHEREAS, on December 7, 2007, Erick L. Ricci submitted an application to Development Services Department for a Variance, Tentative Map and Site Development Permit for the Market Street Row Homes Project; and

WHEREAS, the matter was set for a public hearing to be conducted by the Planning Commission of the City of San Diego; and

WHEREAS, the issue was heard by the Planning Commission on June 18, 2015; and

WHEREAS, the Planning Commission considered the issues discussed in Mitigated Negative Declaration No. 143996 (Declaration) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission that it is certified that the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Planning Commission finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that

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the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this Planning Commission in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101.

BE IT FURTHER RESOLVED, that Development Services Staff is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

APPROVED:

By: William Zounes, Development Project Manager

ATTACHMENT(S): Exhibit A, Mitigation Monitoring and Reporting Program

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

Variance, Tentative Map and Site Development Permit

PROJECT NO. 143996

This Mitigation Monitoring and Reporting Program has been designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the entity responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Development Services Department, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration No. 143996 shall be made conditions of Variance, Tentative Map and Site Development Permit as may be further described below.

V. MITIGATION MONITORING REPORTING PROGRAM (MMRP):

A. GENERAL REQUIREMENTS – PART I
Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.

2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, **"ENVIRONMENTAL/MITIGATION REQUIREMENTS."**

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

<http://www.sandiego.gov/development-services/industry/standtemp.shtml>

4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City

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is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

B. GENERAL REQUIREMENTS – PART II

Post Plan Check (After permit issuance/Prior to start of construction)

1. PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT. The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

**QUALIFIED ARCHAEOLOGIST
NATIVE AMERICAN MONITOR**

Note:

Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the RE at the **Field Engineering Division – 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**

2. MMRP COMPLIANCE: This Project, Project Tracking System (PTS) # 143996 and /or Environmental Document # 143996, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc)

Note:

Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.

3. OTHER AGENCY REQUIREMENTS: Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

Federal Aviation Administration-FAA Determination

4. MONITORING EXHIBITS

All consultants are required to submit , to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

NOTE:

Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

5. OTHER SUBMITTALS AND INSPECTIONS:

The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

<i>Issue Area</i>	<i>Document submittal</i>	<i>Associated Inspection/Approvals/Note</i>
General	Consultant Qualification Letters	Prior to Pre-Construction meeting
General	Consultant Const. Monitoring Exhibits	Prior to or at Pre-Construction meeting
Archaeology	Archeology Reports	Archaeology/ Historic Site Observation
Bond Release	Request for Bond Letter	Final MMRP inspections prior to Bond Release Letter

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

HISTORICAL RESOURCES (ARCHAEOLOGY)

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.

B. Letters of Qualification have been submitted to ADD

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1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the 1/4 mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
 - b. The AME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
3. When Monitoring Will Occur

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- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor(s) Shall be Present During Grading/Excavation/Trenching

1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.**
2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

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4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.
- C. Determination of Significance
1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. **Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.**
 - c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.
2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.
2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.

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3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.
- C. If Human Remains **ARE** determined to be Native American
1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
 2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
 3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
 4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
 5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN,
 - c. In order to protect these sites, the Landowner shall do one or more of the following:
 - (1) Record the site with the NAHC;
 - (2) Record an open space or conservation easement on the site;
 - (3) Record a document with the County.
 - d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.
- D. If Human Remains are **NOT** Native American
1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS,

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the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

V. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
 - 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 - 2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8AM of the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed.
 - d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. **It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.**
 - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with State of California Department of Parks and Recreation

Attachment 9
Draft Environmental Resolution with MMRP

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts
1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
 3. The cost for curation is the responsibility of the property owner.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
 3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.
- D. Final Monitoring Report(s)
1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

RINCON BAND OF LUISEÑO INDIANS

Committee

al Road · Valley Center, California 92082 ·
-2621 or (760) 297-2622 & Fax: (760) 749-8901



015

Rhonda Benally
The City of San Diego
Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101

Re: Market Street Row Homes

Dear Ms. Benally:

This letter is written on behalf of the Rincon Band of Luiseno Indians. Thank you for inviting us to submit comments on the Market Street Row Homes Project. Rincon is submitting these comments concerning your projects potential impact on Luiseno cultural resources.

The Rincon Band has concerns for the impacts to historic and cultural resources and the finding of items of significant cultural value that could be disturbed or destroyed and are considered culturally significant to the Luiseno people. This is to inform you, your identified location is not within the Luiseno Aboriginal Territory. We recommend that you locate a tribe within the project area to receive direction on how to handle any inadvertent findings according to their customs and traditions.

If you would like information on tribes within your project area, please contact the Native American Heritage Commission and they will assist with a referral.

Thank you for the opportunity to protect and preserve our cultural assets.

Sincerely,

Rose Duro
Chairman
Rincon Culture Committee

Response to Comment

Letter from the Rincon Band of Luiseno Indians, March 18, 2015

1. The City's Environmental Analysis Section (EAS) received this letter after the public review that ended on April 1, 2015. This letter was postmarked April 14, 2015 and was not received by EAS staff until April 21, 2015, and subsequently was not included in the final Mitigated Negative Declaration (MND). Please see response below to this letter.

Comment noted. The City of San Diego provides draft environmental documents to the Native American Heritage Commission and to Native American Tribes from San Diego County when a cultural resources report and/or archaeological monitoring are required. Mitigation measures have been included in Section V. of the MND for historical resources (archaeology) to ensure that the proper procedures are adhered to in the event previously unknown subsurface cultural resources are encountered.

Ownership Disclosure Statement

Project Title: Market Street Row Homes**Part II - To be completed when property is held by a corporation or partnership****Legal Status (please check):**

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

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached ☐ Yes ☐ No

Corporate/Partnership Name (type or print):

VIET HUNG, LLC☒ Owner ☐ Tenant/Lessee

Street Address:

404 WEST ROBINSON AVE

City/State/Zip:

SAN DIEGO, CA 92103

Phone No:

619-737-6786

Fax No:

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

HUYNH MANH VU

Title (type or print):

MANAGER

Signature:

Huynh M. Vu

Date:

5/3/07

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature:

Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature:

Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature:

Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature:

Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature:

Date:



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

Community Planning Committee Distribution Form Part 2

Project Name: Market Street Row Homes		Project Number: 428818	Distribution Date: 5/11/2015
Project Scope/Location: Market Street Rowhomes, Project No. 143886, 2748 Market Street, MF-1500 Zone, Grant Hill Neighborhood, Condominium Project 6 units, Application for Site Development Permit (SDP) and Tentative Map. Applicant is Tharyco, LLC.			
Applicant Name: Erick L. Ricci		Applicant Phone Number:	
Project Manager: Will Zounes	Phone Number: (619) 687-5942	Fax Number: (619) 321-3200	E-mail Address: wzounes@sandiego.gov
Committee Recommendations (To be completed for Initial Review):			
<input type="checkbox"/> Vote to Approve	Members Yes 7	Members No 0	Members Abstain 3
<input checked="" type="checkbox"/> Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Deny	Members Yes	Members No	Members Abstain
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			<input type="checkbox"/> Continued
CONDITIONS: SEE ATTACHED CONDITIONS AND RECOMMENDATIONS			
NAME: Tom Fuller (by Reynaldo Pisano)		TITLE: Chair	
SIGNATURE: <i>Tom Fuller (By R.P.)</i>		DATE: 5/17/2015	
Attach Additional Pages If Necessary.		Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	
Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services . Upon request, this information is available in alternative formats for persons with disabilities.			

Attachment 12
Community Planning Group Recommendation

May 12, 2015

The Southeastern San Diego Planning Group voted to approve the Market Street Rowhomes Project with the following conditions and Recommendations:

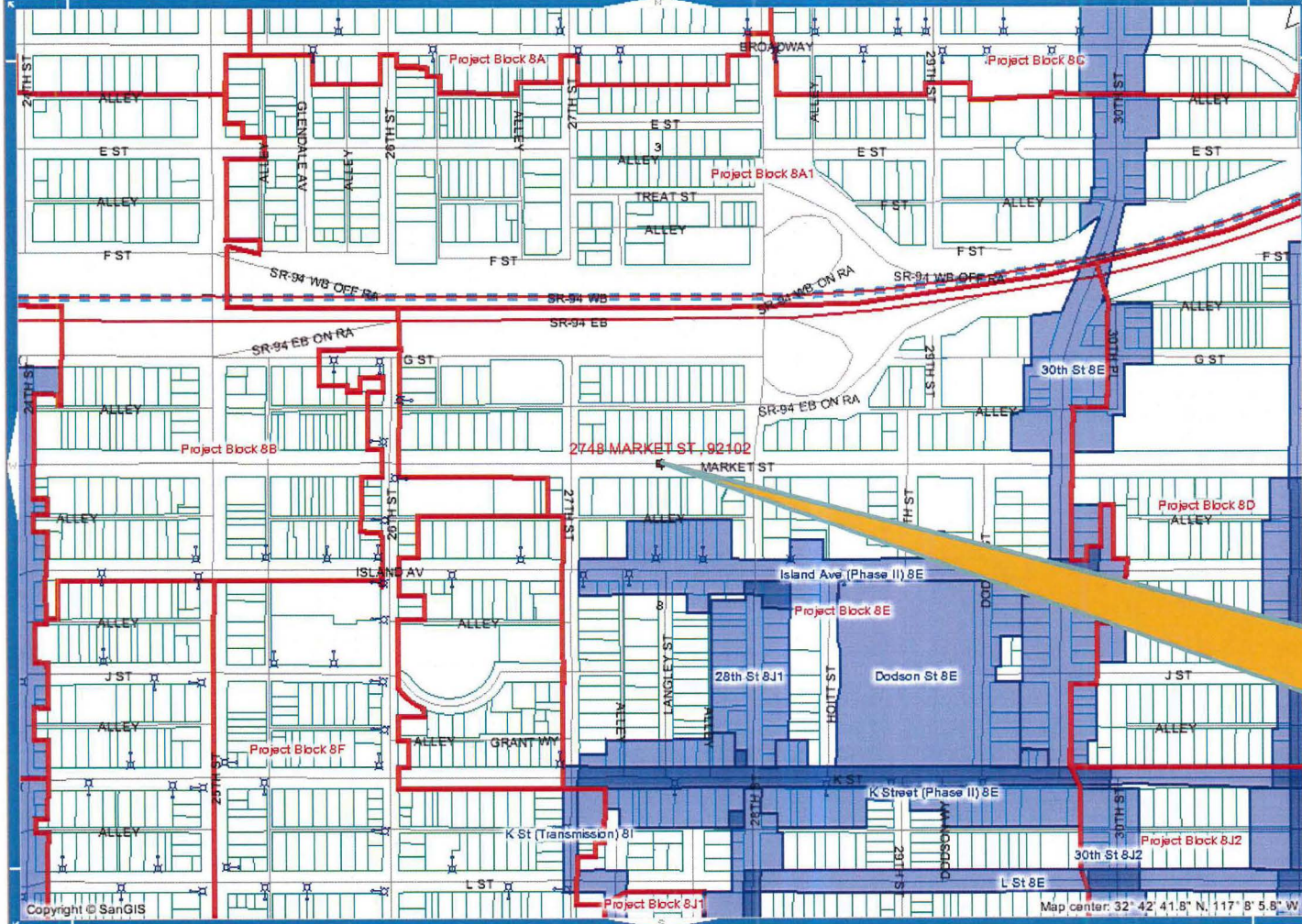
1. Solar/electrical power lights recommended for security lights.
2. Drought-resistant landscaping should be used.
3. Exhaust fans in the bathrooms and kitchens should be two times CMF (cubic feet per minute) of the City Standard.
4. Support variance for all over height walls with 6 ft. wrought iron fencing on top, with child-proof-spaced bars. This fence should be finished and hot-dipped galvanized, including the stair well entrance in front with prevention to prevent trespassing.
5. Recommend that the retaining walls foundation be cantilevered with "L" base.
6. Recommend that all walls foundation be coated with two coats of poly sealant below ground level, and with two coats of clear anti-graffiti sealant above ground level.
7. Recommend security gates entrance locks be touch button coded, or similar mechanism, instead of keyed. There should be a speaker to communicate with the residents to allow guests' entrances, with cameras for security.
8. Recommend support and implementation of the SDPD recommendations.
9. Recommend support of the Final Mitigated Negative Declaration (MND), which acknowledges that the only access to the rear of the Project is off 27th Street.
10. Tot lot should include some sort (possibly security cameras) that can be monitored by each residential unit.
11. Recommend that the roof eaves extend far beyond the walls and include rain gutters.
12. Recommend that the Development Impact Fees (DIF) of \$36,654 go to Stockton Recreation Center for ADA improvements an infrastructure expenses as needed.

Motion: To recommend approval of the Project with the above stated Conditions and Recommendations.

M/S/C 7-0-3 (abstentions made by Members claiming not to have seen the Project.

Utilities Undergrounding Mapping Application

Layers Legend Council Priorities Find Location Refresh Map Help



Copyright © SanGIS

Scale: 1: 4,000



Map Tool: **Drill Down Identify**

Active Layer: * NO ACTIVE LAYER *

Identify Results

Council Districts

Council District: 8
Member Name: David Alvarez
Office Phone: (619) 236-6688

Utilities Undergrounding

Projects

Project Name: Project Block 8E
Year Allocated: 2020
Project Start: May 31, 2024
Project End: May 31, 2026
Contact Person: UNDERGROUND UTII
Phone #: (619) 533-3841
Email: undergrounding@sa
Website: www.sandiego.gov/
Council District: 8
Phase: unallocated
JOB: 0

Attachment 13 Utility Undergrounding Schedule



Undergrounding Schedule

Market Street Row Homes Project No. 143996

2748 Market Street



ATTACHMENT 14
Project Chronology

Project Chronology
Market Street Row Homes
PROJECT NO. 143996

Date	Action	Description	City Review Time	Applicant Response
12/7/07	First Submittal	Normal Submittal		
1/25/08	First Submittal Assessment Letter out		55 days	
7/28/08	Second submittal In	Normal Submittal		185 days from First Assessment Letter
8/28/08	Second Submittal Assessment Letter out		31 days	
12/5/08	Third submittal In	Normal Submittal		99 days from First Assessment Letter
1/7/09	Third Submittal Assessment Letter out		33 days	
8/18/10	Fourth Submittal In	Normal Submittal		588 days from First Assessment Letter
9/24/10	Fourth Submittal Assessment Letter out		37 days	
3/28/12	Fifth Submittal In	Normal Submittal		551 days from Last Assessment Letter
5/1/12	Fifth Submittal Assessment Letter out		34 days	
8/29/13	Sixth Submittal In	Normal Submittal		120 days from Last Assessment Letter

10/7/13	Sixth Submittal Assessment Letter out		39 days	
7/9/14	Seventh Submittal In	Normal Submittal		364 days from Last Assessment Letter
8/11/14	Seventh Submittal Assessment Letter out		33 Days	
9/29/14	Eight Submittal In	Normal Submittal		49 days from Last Assessment Letter
10/23/14	Eight Submittal Assessment Letter out		24 days	
Planning Commission hearing	6/18/15		238 days	
TOTAL STAFF TIME**			16 month 24 days	
TOTAL APPLICANT TIME**				65 months 6 days
TOTAL PROJECT RUNNING TIME**		From Deemed Complete to HO Hearing	79 months 0 days	

**Based on 30 days equals to one month.

GENERAL NOTES

ABBREVIATIONS

SHEET INDEX

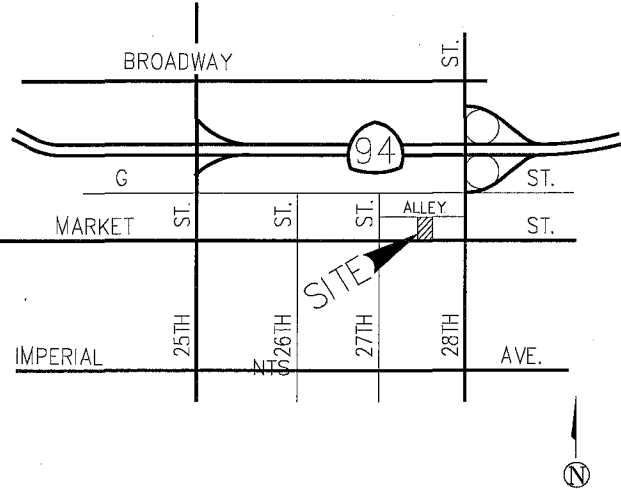
BUILDING DATA

PROJECT DATA-
Project: Market Street Row Homes
Owner: Themyc LLC
404 Robinson Ave.
San Diego, CA 92103
Job Address: 2748 Market Street
San Diego, CA 92102
Zone: MF-1500
SouthEastern SD PDO
Transit Area Overlay Zone
Permits: Discretionary Review Permit
Setbacks: Front 10 15.00 feet
Min. Side 5 5.00 feet
3rd floor 6 9.00 feet
Rear 5 5.00 feet
Height (max) 32.00 feet
Occupancy: R-3 and U
Construction: Type V-B Sprinklered
Year Built: N/A Years Old: 0
Floor Areas: Garage Proposed 499.05
First Floor Proposed 189.07
Second Floor Proposed 816.77
Third Floor Proposed 632.18
Total Habitable 2,133.07
x number of units = 5.00 12,788.42
Less basement area Unit A -395.34
Unit B -273.18
Unit C -114.46
Total 12,015.46
Lot Area: .29 Acres 12,600.00
Floor Area Ratio 12,015.46 Total Building Area 95.36% Actual FAR
12,600.00 Total Lot Area 100.00% Allowed 12,600.00
Required Parking: 584.55 Additional Area Permitted
2 per unit x 6 Units = 12.00
Additional per section 142,025.6 (d) = 6.00
Total = 18.00
Parking Provided: Standard in attached Garages = 12.00
On Site open spaces = 1.00
Van/Disabled = 1.00
On Street = 4.00
Total = 18.00
Motorcycle spaces = 1.00 (6 required)
Trash Areas: Res. Trash Enclosure 24 Sq Ft 50.5 Sq Ft
Res. Recycle Enclosure 24 Sq Ft 50.5 Sq Ft
Scope of Work: Six New Single Family Residences
Each unit shall be three bedrooms
Plan File #
Architect: Primary Design Tel: 619-276-1865
William H. Metz
1094 Cuddey Place #112
San Diego, CA 92110
APN: 535-321-06 00
Legal: Being Lot # 35-37 and a portion lot 38 of Block 53 Carr's
Subdivision according to Map # (DB 14 page 83) in the City of
San Diego, County of San Diego, State of California, filed in
the office of the County Recorder of San Diego County.

BUILDING PERMIT COMPLIANCE

This project shall be based on the 2013 edition of the California Code of Regulations (CCR), Title 24, (which is composed of 12 parts) referred to as the California Building Standards Code, and adopts the following model codes with California Amendments:
i. 2013 California Residential Code and/or 2013 California Building Code as applicable
ii. 2013 California Green Building Standards Code
iii. 2013 California Electrical Code
iv. 2013 California Plumbing Code
v. 2013 California Fire Code
vi. 2011 California Building Energy Efficiency Standards
All walls indicated to remain shall not have ANY modification to wood stud framing or be covered with new framing. This includes the removal of any top plates or modifications to any window or door opening sizes. Refer to Planning Department Approvals. Failure to comply could result in a stop work order, the building permit being voided or a 1-2 year delay. See also demolition plan for items to be relocated or to remain.
Separate permit shall be required to move or demolish existing buildings. Fences, walls and retaining walls over 3' in height are not part of this permit. A separate permit shall be required.
The structure(s) shall be located entirely on undisturbed native soil.
Signature _____ Owner/Licensed Engineer or Architect
Date _____
If the building inspector suspects fill, expansive soils or any geologic instability based upon observation of the foundation excavation, a soils or geological report, and resubmission of plans to plan check to verify that the report recommendations have been incorporated, may be required.
Where repairs are made to structural elements of an existing building, and uncovered structural elements are found to be unsound or otherwise structurally deficient, such elements shall be made to conform to the requirements for new structures (CBC SECTION 3403.2)
I William Metz do hereby certify that the structure or modification to existing structure shown on these plans do not require Federal Aviation Administration notification because per Section 77.15(a) of Title 14 of the code of Federal Regulations CFR part 77, notification is not required.
Signature _____ William H. Metz, Architect
Date _____

VICINITY MAP



CONDITIONS FOR APPROVAL

No mechanical equipment, tank, duct, elevator enclosure, cooling tower, or mechanical ventilator shall be erected, constructed, maintained, or altered anywhere on the premises unless all such equipment and appurtenances are contained within an completely enclosed penthouse or other portion of a building having walls and roofs with construction and appearance similar to the main building.
No fewer than 8 parking spaces and 1 motorcycle. 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.
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 regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
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.
Outdoor storage requirements
Outdoor storage of personal belongings of occupants of dwelling units, material or equipment, shall be permitted only when incidental to a permitted use, or other similar items are used, located on the same premises, and that:
Outdoor storage requirements
(1) The storage area shall be completely enclosed by walls, fences or buildings, or a combination thereof. Any walls or fences shall be solid and not less than 6 ft in height and shall not be located on the property line or within the setback areas.
Outdoor storage requirements
(2) There shall be no outdoor storage of personal belongings of occupants of dwelling units, materials, or equipment, or other similar items, to a height greater than that of any enclosing wall, fence or building.
Outdoor storage requirements
(3) Operable motor vehicles shall not be considered as items of outdoor storage, and shall not be regulated by this section.
Outdoor storage requirements
(4) Outdoor storage shall be restricted to only those items which are considered to be the personal property of the occupants of the premise, or the owner of the premise, when the items are required for the functional operation of the premise.
Outdoor storage requirements
(A) For the purpose of this section an individual shall be considered to be an occupant of the premises for a permit not exceeding 30 days prior to occupancy of the premises, and a period not exceeding 30 days following discontinuance of occupancy of the premises.
(B) No portion of any premises shall be used by, leased, or rented to a non-occupant for storage purposes.
Lighting
(C) Any artificial lighting shall be directed or shielded so as not to fall onto adjacent properties. Lighting shall be provided for walkways, common areas, and parking areas for security.

Market Street Row Homes
2748 Market Street
San Diego Ca, 92102

December 18, 2014
Project 1415
PRIMARY DESIGN
1094 Cuddey Pl. Suite 112, San Diego, California 92110
(619) 276-1865

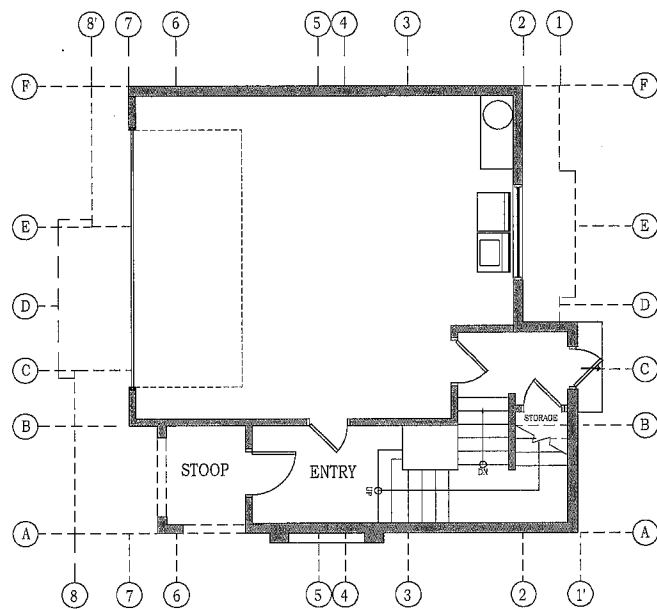
A-1

Attachment 15
Project Plans
Sheet 1 of 10

TITLE SHEET

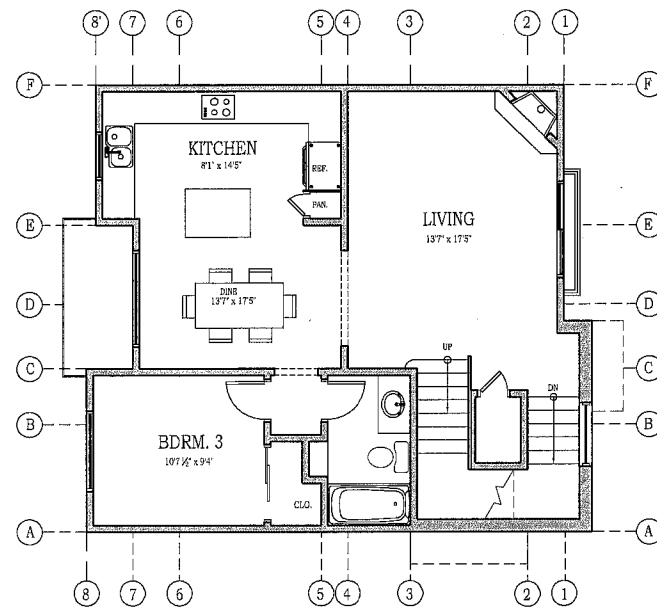


Attachment 16
Project Plans
Sheet 2 of 10



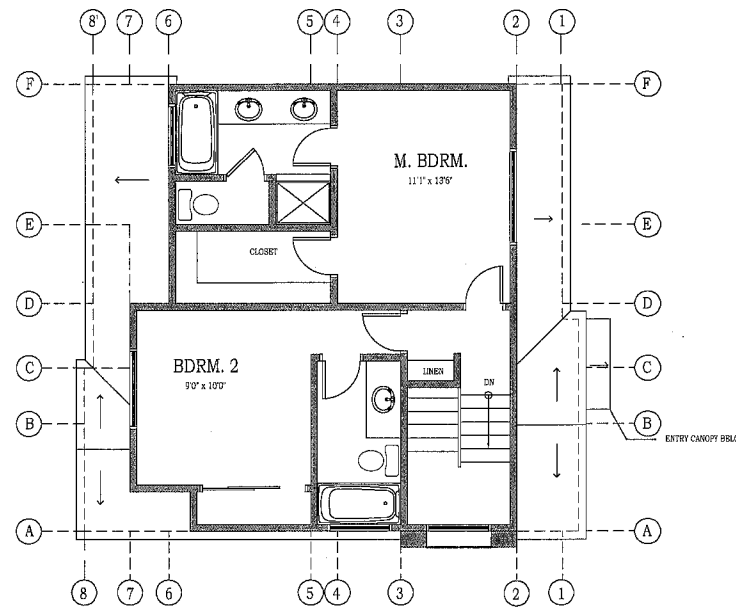
GARAGE FLOOR PLAN
UNIT D E F

SCALE: $\frac{3}{16}" = 1'-0"$
GARAGE 496.05 SQ FT
HOUSE 188.07 SQ FT



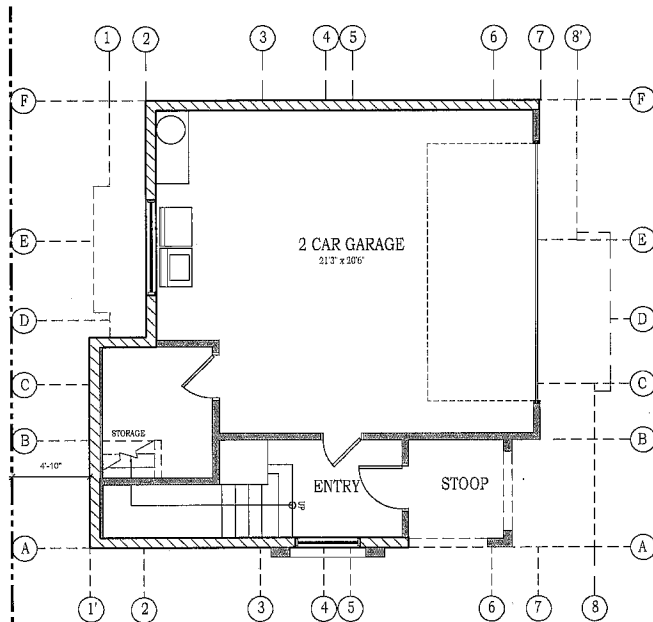
FIRST FLOOR PLAN
UNIT D E F

SCALE: $\frac{3}{16}" = 1'-0"$
HOUSE 816.77 SQ FT



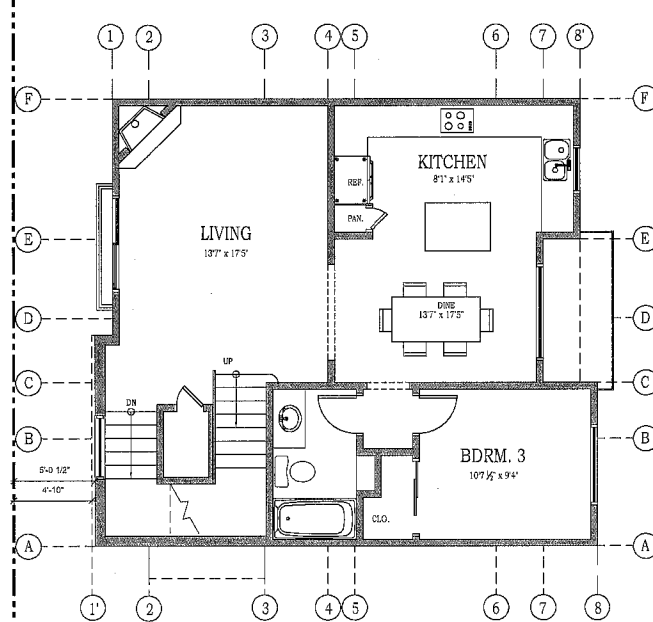
SECOND FLOOR PLAN
UNIT D E F

SCALE: $\frac{3}{16}" = 1'-0"$
HOUSE 632.18 SQ FT



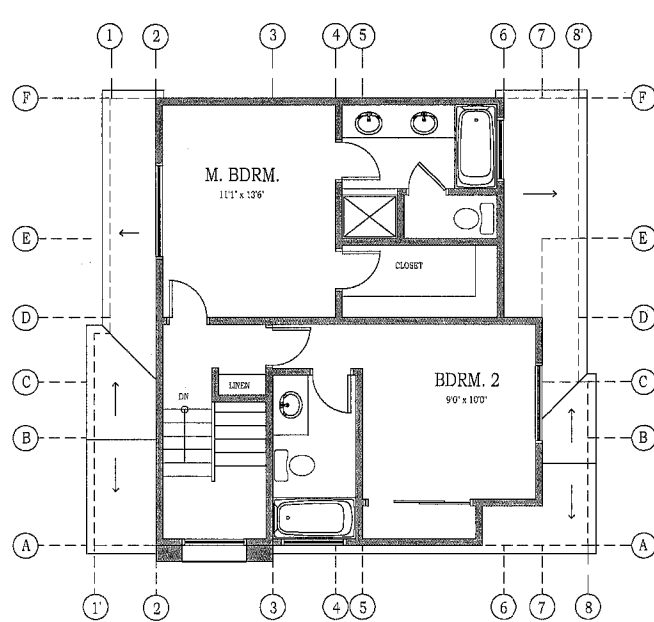
GARAGE FLOOR PLAN
UNIT A B C

SCALE: $\frac{3}{16}" = 1'-0"$
GARAGE 496.05 SQ FT
HOUSE 188.07 SQ FT



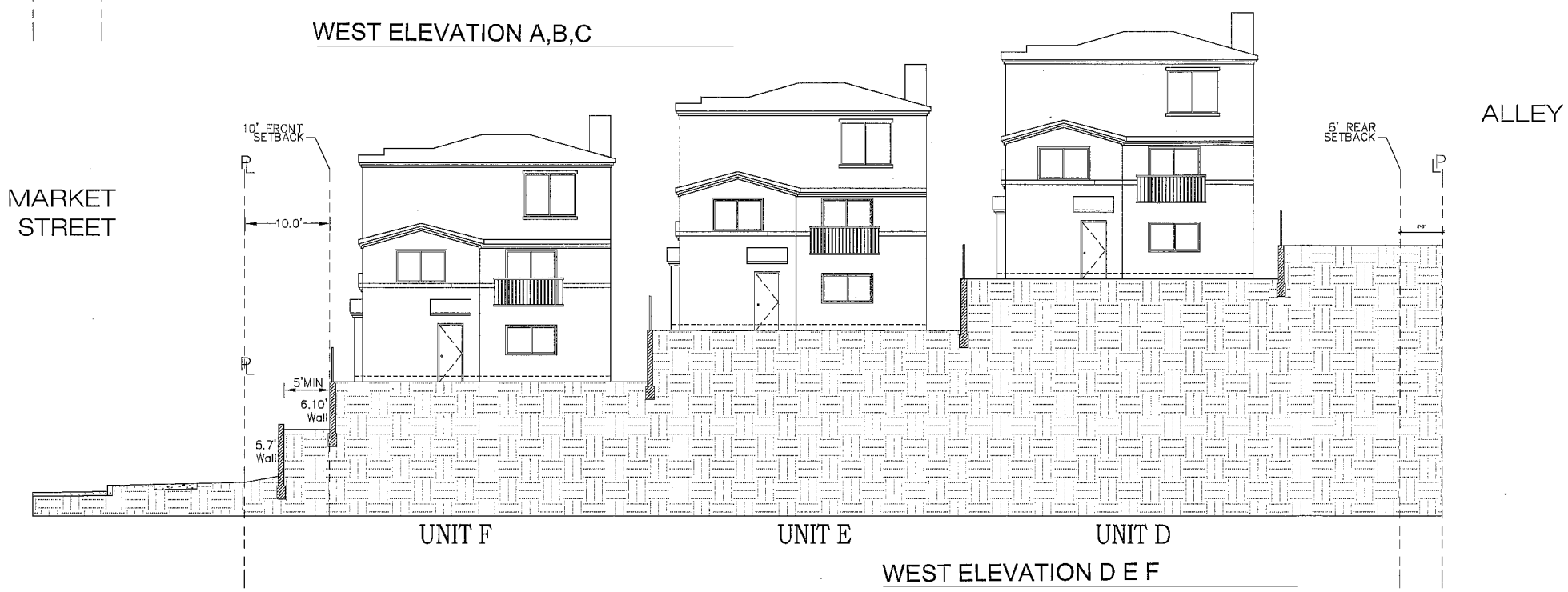
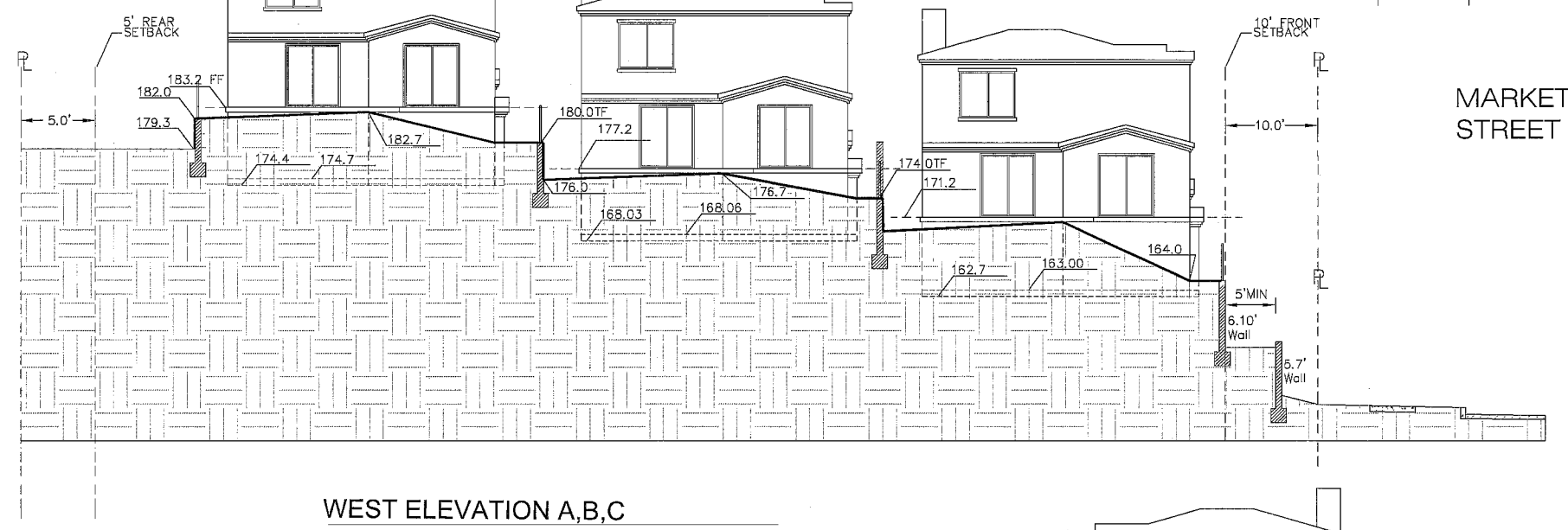
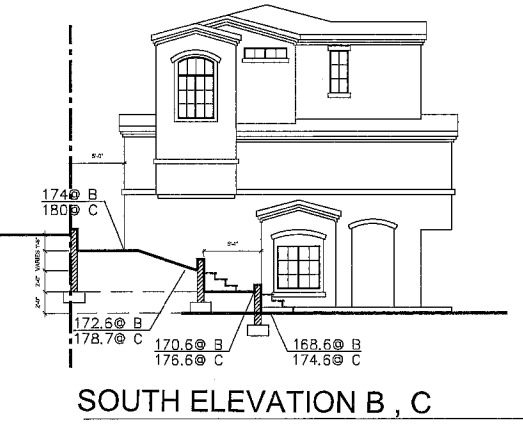
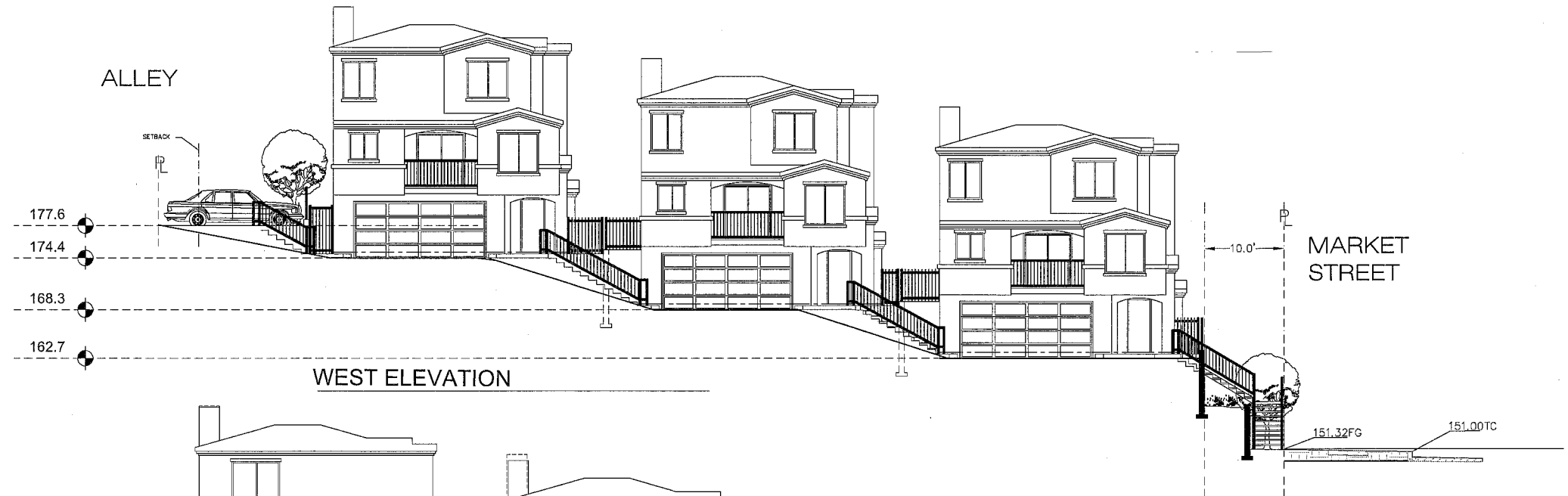
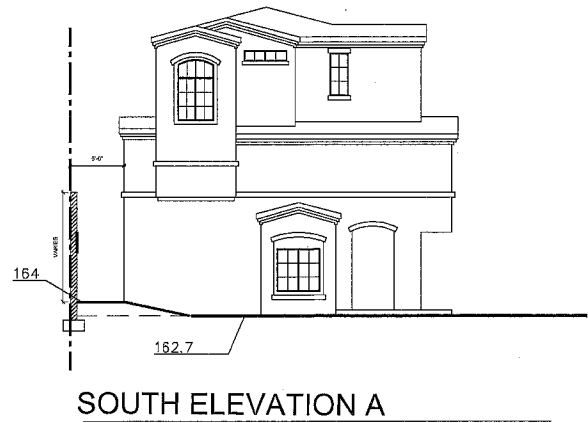
FIRST FLOOR PLAN
UNIT A B C

SCALE: $\frac{3}{16}" = 1'-0"$
HOUSE 588.20 SQ FT

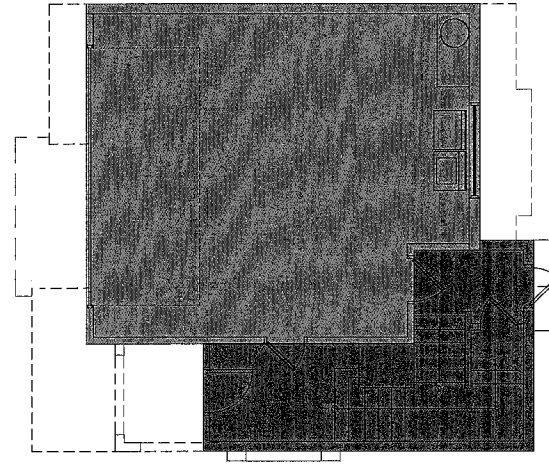


SECOND FLOOR PLAN
UNIT A B C

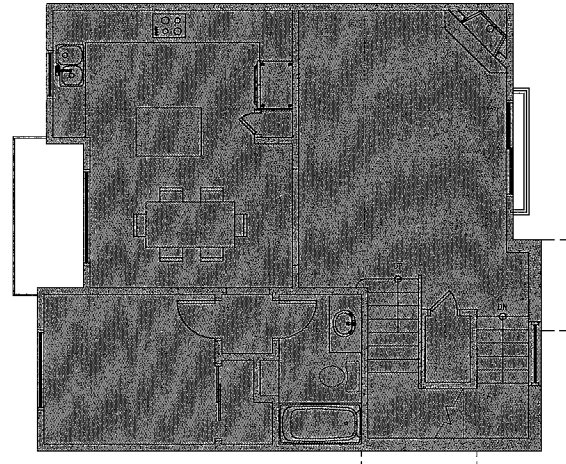
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HOUSE 632.18 SQ FT



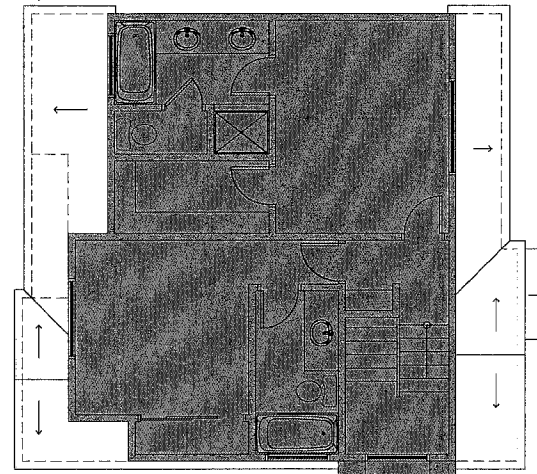
Market Street Row Homes
2748 Market Street
San Diego Ca, 92102



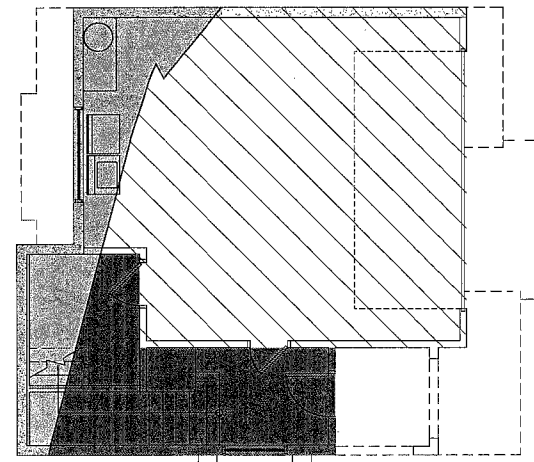
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GARAGE 496.05 SQ FT
HOUSE 188.07 SQ FT



SCALE: $\frac{3}{16}" = 1'-0"$
HOUSE 816.77 SQ FT



SCALE: $\frac{3}{16}" = 1'-0"$
HOUSE 632.18 SQ FT



GE FLOOR PLAN

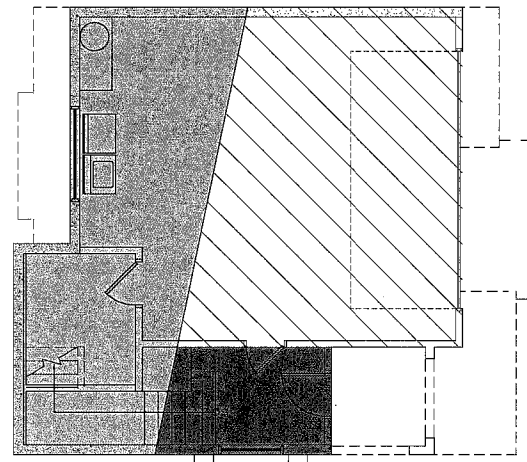
UNIT C

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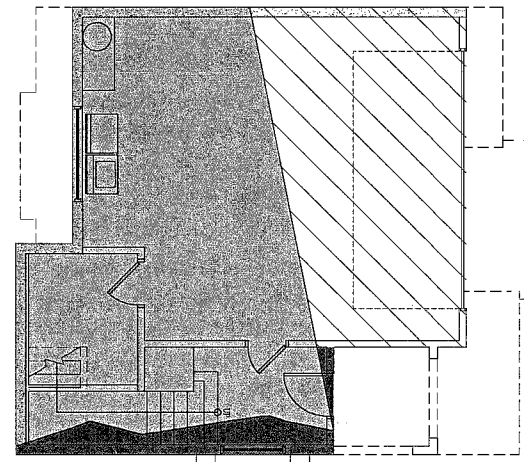
GARAGE 496.05 SQ FT

HOUSE 188.07 SQ FT

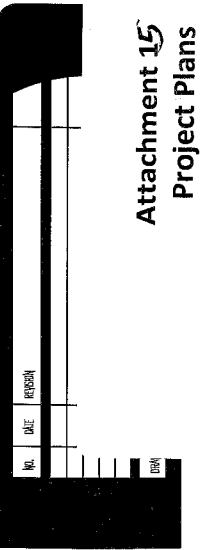
AREA EXEMPT 114.45 SQ FT



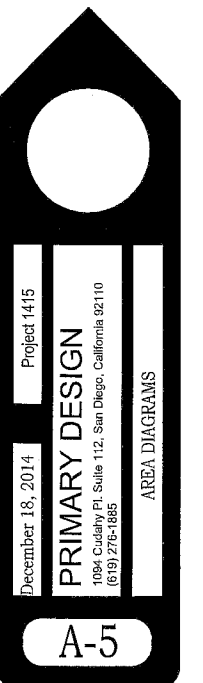
GE FLOOR PLAN
UNIT B
SCALE: $\frac{3}{16}" = 1'-0"$
GARAGE 496.05 SQ FT
HOUSE 188.07 SQ FT
AREA EXEMPT 273.18 SQ FT

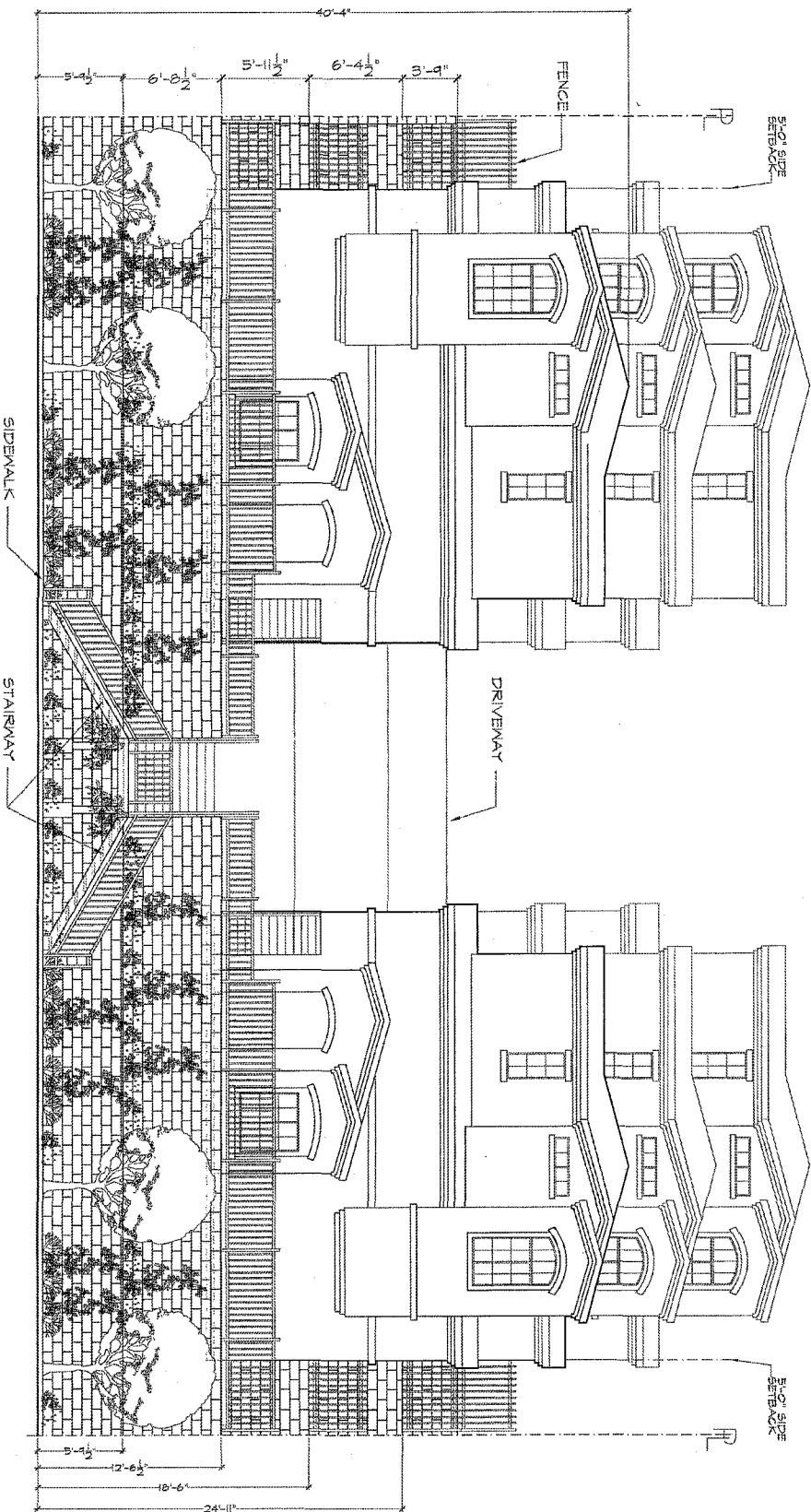


SCALE: $\frac{3}{16}" = 1'-0"$
 GARAGE 496.05 SQ FT
 HOUSE 188.07 SQ FT
 AREA EXEMPT 395.34 SQ FT



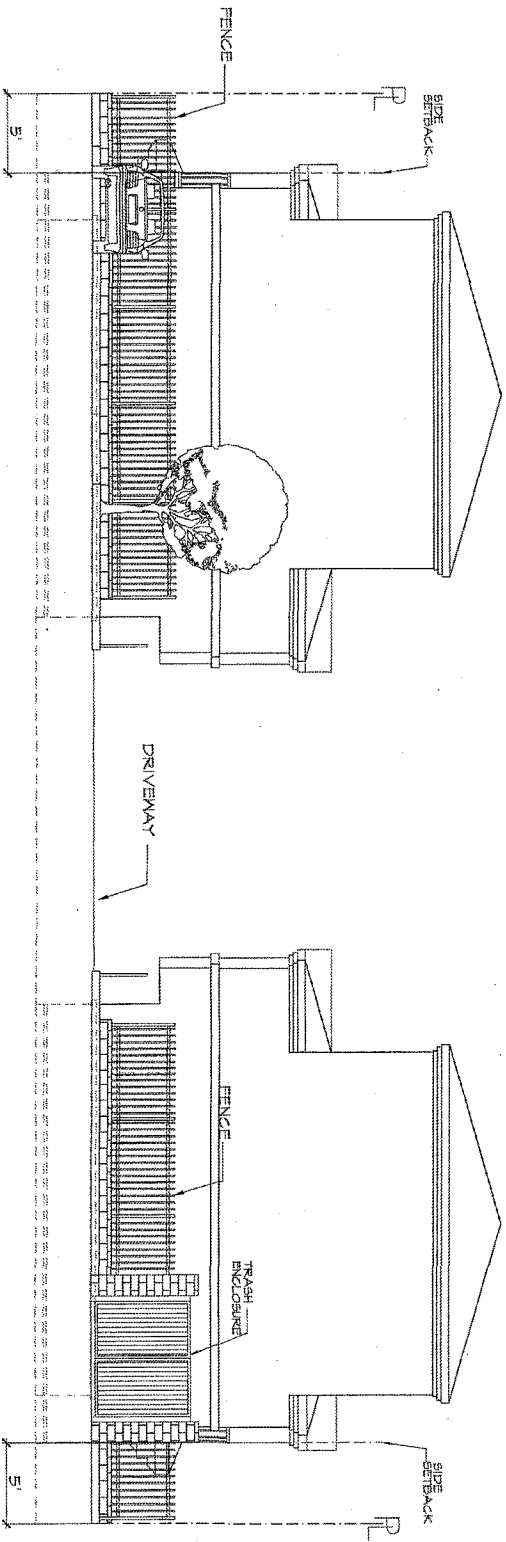
Market Street Row Homes
2748 Market Street
San Diego Ca, 92102





SOUTH ELEVATION
VIEW FROM MARKET STREET

SCALE: 3/8" = 1'-0"



NORTH ELEVATION
VIEW FROM ALLEY

SCALE: 3/8" = 1'-0"

Market Street Row Homes
2748 Market Street
San Diego Ca, 92102

NO.	DATE	REVISION
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August 25, 2014

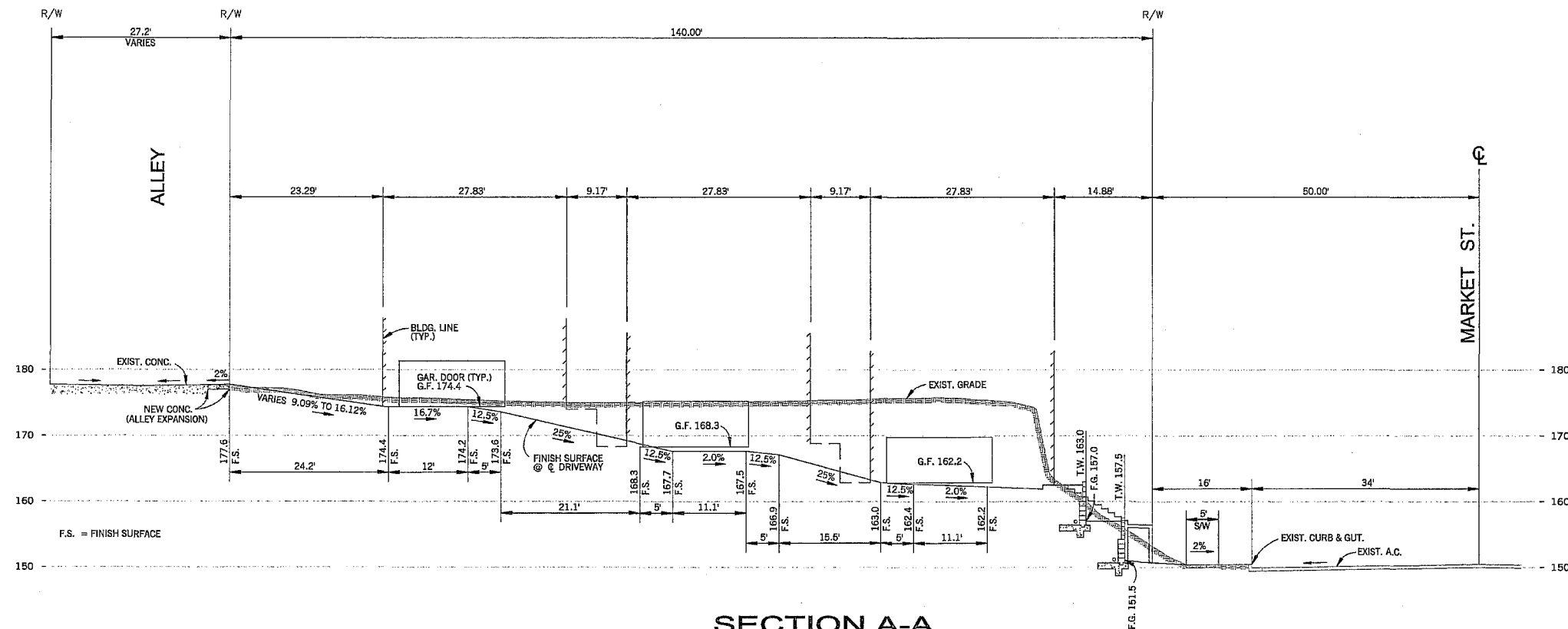
Project 1415

A-6

PRIMARY DESIGN

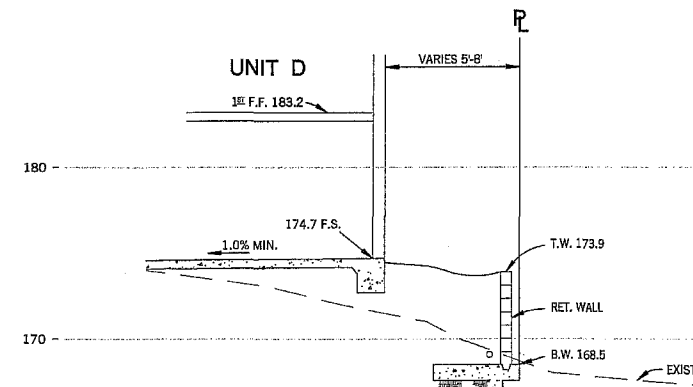
1094 Cuddeby Pl. Suite 112, San Diego, California 92110
(619) 276-1885

ELEVATIONS



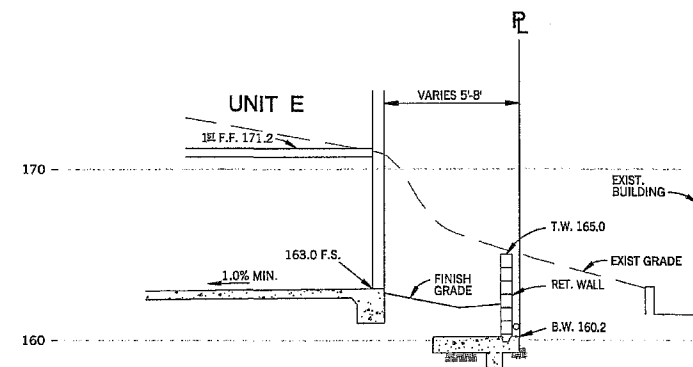
**SECTION A-A
DRIVEWAY PROFILE (LOOKING EAST)**

SCALE: VER. 1" = 10'
HORZ. 1" = 10'



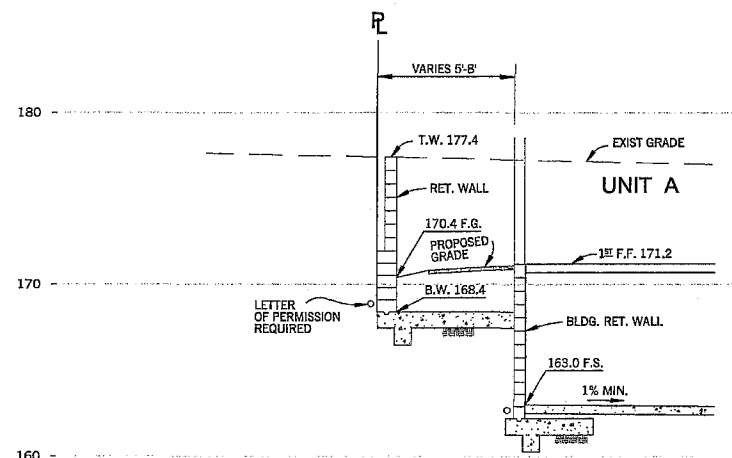
SECTION D-D

SCALE: VER. 1" = 5'
HORZ. 1" = 5'



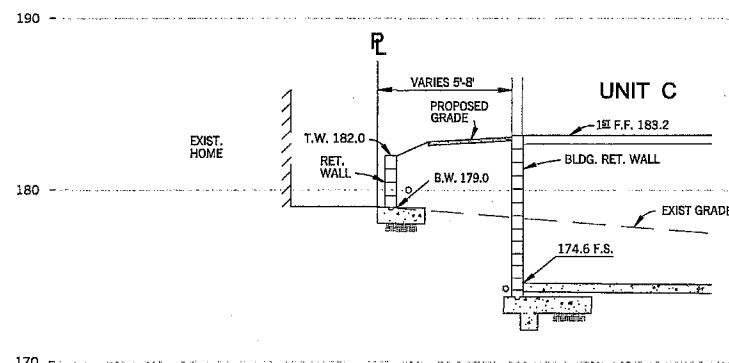
SECTION E-E

SCALE: VER. 1" = 5'
HORZ. 1" = 5'



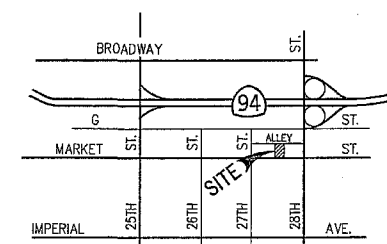
SECTION B-B

SCALE: VER. 1" = 5'
HORZ. 1" = 5'



SECTION C-C

SCALE: VER. 1" = 5'
HORZ. 1" = 5'



VICINITY MAP
NTS

Prepared By:
Name: E. RICCI, CIVIL ENGINEERING
3103 FALCON STREET, SUITE H
SAN DIEGO, CA 92103
Phone: (619) 296-3183

Project Address:
2748 MARKET STREET
SAN DIEGO, CA. 92102

Project Name:
MARKET STREET ROW HOMES

Sheet Title: PROJECT CROSS SECTIONS
Tentative Map No. 143996 Exhibit
THIS SUBDIVISION IS A CONDOMINIUM PROJECT
AS DEFINED IN SECTION 4125 ET. SEQ. OF THE
CIVIL CODE OF THE STATE OF CALIFORNIA AND IS
FILED PURSUANT TO THE SUBDIVISION MAP ACT.
THE TOTAL NUMBER OF CONDOMINIUM
DWELLING UNITS IS 6.

REVISION 14:
REVISION 13:
REVISION 12:
REVISION 11:
REVISION 10:
REVISION 9:
REVISION 8:
REVISION 7:
REVISION 6:
REVISION 5:
REVISION 4:
REVISION 3:
REVISION 2:
REVISION 1:
ORIGINAL DATE: 6/16/14

Sheet 1 of 1

Dep #



ENGINEER:

Erick L. Ricci
ERICK L. RICCI, R.C.E. 32103

6/16/14
DATE

NAD 27 198 - 1725

NAD 83 1838 - 6285

PLANTING NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UNDERGROUND UTILITIES.
2. THE LANDSCAPE CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDINGS AND DRIVEWAYS. LANDSCAPE AREAS SHALL BE FINISH GRADED AT A MINIMUM OF 2%.
3. LANDSCAPE AREAS SHALL BE FINISH GRADED TO REMOVE ROCKS ONE INCH AND LARGER AND EXCESS SOIL. CONTRACTOR SHALL STOCKPILE EXCESS SOIL AND HAIL AWAY AT END OF PROJECT.
4. FINISH SOIL SHALL BE 2 INCHES BELOW TOP OF PAVING IN SHRUB AND GROUNDCOVER AREAS.
5. ALL PLANT MATERIAL SHALL BE APPROVED BY THE OWNER OR OWNER'S REPRESENTATIVE PRIOR TO PLANTING. ALL MATERIAL NOT APPROVED SHALL BE REMOVED FROM THE SITE.
6. PLACEMENT OF PLANT MATERIAL SHALL BE APPROVED BY THE OWNER OR OWNER'S REPRESENTATIVE PRIOR TO EXCAVATION FOR HOLES.
7. TREES SHALL BE LOCATED A MINIMUM OF 5 FEET FROM STRUCTURES, CENTER OF SHRUBS AND GROUNDCOVER SHALL BE LOCATED A MINIMUM AND UNIFORM DISTANCE OF 24 INCHES FROM WALLS OF CONCRETE IMPERMEABLES.
8. LOCATE AND ALIGN DOUBLE STAKES FOR TREES PERPENDICULAR TO PREVAILING WINDS.
9. PLACE 2 INCH LAYER OF SHREDED DARK MULCH IN ALL PLANTERS AREAS.
10. THE MAINTENANCE PERIOD WILL BEGIN ONLY UPON ACCEPTANCE BY THE OWNER.
11. ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE STANDARDS OF THE CITY AND LANDSCAPE REGULATIONS, AND THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL, LANDSCAPE STANDARDS AND ALL OTHER LANDSCAPE RELATED CITY AND REGIONAL STANDARDS.
12. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED FOR PROPOSED IRRIGATION. DEVELOPMENT AND MAINTENANCE OF THE VEGETATION, THE DESIGN SYSTEM SHALL PROVIDE ADEQUATE SUPPLY FOR THE VEGETATION SELECTED.
13. A RAISED CONCRETE OR OTHER CURB OF AT LEAST 6 INCHES IN HEIGHT WILL BE PROVIDED TO ALL PLANTER AREAS IN OR ADJACENT TO ALL VEA AREAS FOR PROTECTION FROM VEHICULAR DAMAGE.
14. CONTRACTOR SHALL INSTALL ROOT BARRIERS "DEEP ROOT UB-24" SHALL BE INSTALLED WHERE TREES WHICH ARE LOCATED WITHIN 5 FEET OF ANY HARDSCAPE, PAVEMENT OR CURB, EXTERD 6 FEET FROM PERIMETER LINE. INSTALL PROTECTIONS ALONG CONCRETE IMPERMEABLES (A SINGLE LENGTH OF ROOTGUARD FOR A SINGLE TREE WOULD BE 16 FEET). DO NOT NAIL ROOT BARRIER AROUND ROOT BALL.
15. IRRIGATION SYSTEMS ARE TO BE INSTALLED IN ACCORDANCE WITH THE CRITERIA AND STANDARDS OF THE CITY OF SAN DIEGO LANDSCAPE ORDINANCE SECTION 42.0405 AND THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL, LANDSCAPE STANDARDS.
16. TURF, GRASSES AND/OR LAWN AREAS SHALL NOT EXCEED 10% OF THE PLANTING AREA PER 42.0418(1) AND CONFORM TO THE CITY OF SAN DIEGO RECREATION AREAS, AND PLANTING WITHIN THE RIGHT-OF-WAY ARE EXCLUDED FROM REGULATION.

MAINTENANCE


ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE OWNER. LANDSCAPE AREAS SHALL BE 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 FOR THE CONDITIONS OF THE PERMIT.

SPECIAL NOTES

A MIN. OF 40 S.F. WITH A MIN. DIMENSION OF 5 FEET, SHALL BE PROVIDED FOR ALL TREES. ALL OTHER REQUIRED PLANTING AREAS SHALL BE GREATER THAN 30 S.F. IN SIZE WITH A MIN. DIMENSION OF 3 FEET.

RIGHT-OF-WAY PERMIT WILL BE A CONDITION
OF SITE DEVELOPMENT PERMIT

City of San Diego Public Works Department Landscape Planning Division 100 N. Harbor Drive San Diego, CA 92101		Landscape Calculations Worksheet <i>(Cov-2) Multiple Dwelling Unit Development In All Zones</i>		
Provide the following information for all Landscape Plans. The Landscape Calculations summarize the planting area and points provided for the Landscape Planting Schedule, C-1, A-1, B-1, C-2, D-1, E-1, F-1, G-1, H-1, I-1, J-1, K-1, L-1, M-1, N-1, O-1, P-1, Q-1, R-1, S-1, T-1, U-1, V-1, W-1, X-1, Y-1, Z-1.				
SHEET NAME:				
* Minimum depth of planting area shall be provided at all trees, with dimensions noted on S.D. * At least one-half of the required planting points shall be achieved with trees.				
Planting Area Provided	Planting Area Required	Trees Area Provided	Trees Area Required	
Total Area 1,251 sq. ft. x 0.012 = 15.01	601 sq. ft.	801 sq. ft.	155 sq. ft.	
Planting Points Provided	Planting Points Required	Minimum Plants	Minimum Trees	
Total Area 1,251 sq. ft. x 0.012 = 15.01	601 points	708 plants	140 trees	
Points Achieved with Trees:	180 points			
Planting Area allowable as landscape or hardscape or other uses	Provided			
Total Area N/A sq. ft. x 0.012 = N/A	N/A sq. ft.			
PLANTING YARD - 2 Dwelling Units	Plant Points Provided	Plant Points Required	Points Achieved With Trees per Two Units	
60 points in the remaining plot	N/A points	N/A points	N/A points	
REMAINING YARD - 3 or more Dwelling Units	Plant Points Provided	Plant Points Required	Points Achieved With Trees per Three Units	
80 points in 6' or more Dwelling Units	6 plantings = 360	800 plants	800 points	
ADDITIONAL YARD PLANTING (YAMA) - See separate worksheet (Dd-1)				
VEGETATIONAL YIELD PLANTING AREA AND POINT REQUIREMENTS				
If any of the requirements of Landscape Tables, Sections 14.2005 (S-1), 2, or 3 apply to your project, provide a written narrative explaining why requirements are being met.				



City of Diego
Development Services
222 E. 15th St.
San Diego, CA 92101-1564
(619) 443-2000

The Seal of the City

Landscape Calculations Worksheet

(D-S-D) Vehicular Use Areas (VUA)

Provide the following information on the Landscape Plan. The Landscape Calculations determine the planting area and points required by the Landscape Requirements, Chapter 14, Article 2, Division 4 of the Ordinance Code.

One tree (minimum 24" dbh) is required within 50 ft. of each parking space. If palm trees are used, one palm (minimum if 8' brown trunk height) is required within 15 ft. of each parking space.

VEHICULAR USE AREA (= 6,000 sq. ft.) (142.8-006 - 142.8-007)

Planting Area Required: provide 40 sq. ft. per tree (with no dimension less than 5')

Plant Points Required	Plant Points Provided	Excess Points Provided
Total VUA: <u>3,807</u> sq. ft. @ 0.65 = <u>160</u> points	<u>214</u> points	<u>134</u> points

Points provided (minimum) at least: 160 points

DISCRETIONARY PERMIT

RESIDENTIAL DEVELOPMENT FOR 6 INDIVIDUAL PRIVATE HOMES WITH ATTACHED (2) CAR GARAGES.
HOMES WILL BE SIX INDIVIDUAL BUILDINGS.

PRELIMINARY SUBMITTAL SET FOR DESIGN REVIEW

Prepared By: BRIAN KATZ :
LANDSCAPE ARCHITECT
R.L.A. 2568, CALIFORNIA
Tel: 619-995-9773

Project Address: 2748 MARKET ST.
SAN DIEGO CA. 92102

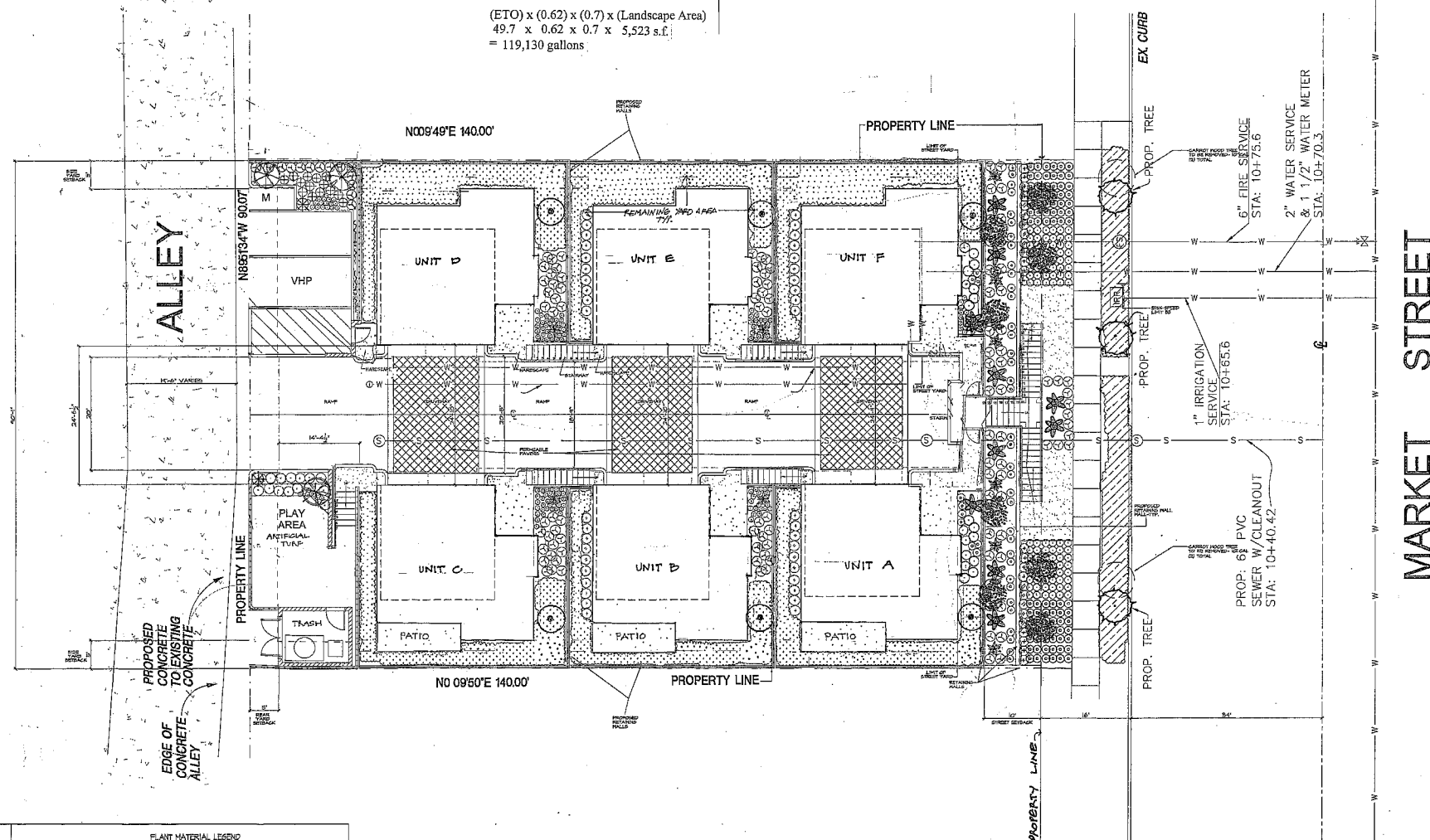
Project Name: MARKET STREET ROW HOMES

Project Owner: THAMYCO, LLC
2930 Dove Street
San Diego, Ca 92103
(619) 549-2974

Sheet Title: (619) 549-2974
L-1 LANDSCAPE PLAN

Revision 04: _____
Revision 03: _____
Revision 02: _____
Revision 01: _____
Original Date: _____
Sheet **1** of **1**
DEP# _____

WATER BUDGET

$$\begin{aligned} & (\text{ETO}) \times (0.62) \times (0.7) \times (\text{Landscape Area}) \\ & 49.7 \times 0.62 \times 0.7 \times 5,523 \text{ s.f.} \\ & = 119,130 \text{ gallons} \end{aligned}$$


LANDSCAPE PLAN

SCALE 1"=10'-0"



PLANTING FOR RETAINING WALLS GREATER THAN 6' IN HEIGHT SHALL PROVIDE 80% SCREENING OF THE WALLS WITHIN TWO YEARS.

LANDSCAPE CONDITIONS

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. IMPROVEMENTS PLANS SHALL TAKE INTO ACCOUNT A 40 SQ. FT. AREA AROUND EACH TREE WHICH IS UNOCCUPIED BY UTILITIES. DRIVEWAYS, UTILITIES, DRAINS, WATER AND SEWER LATERALS SHALL BE DESIGNED SO AS NOT TO PROHIBIT THE PLACEMENT OF STREET TREES.

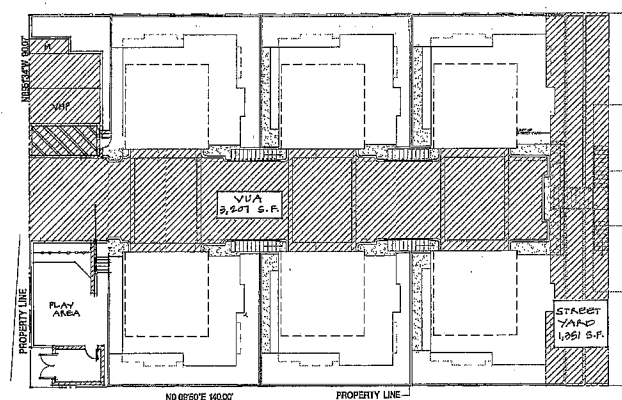
PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMITS FOR BUILDINGS, THE PERMITTEE OR SUBSEQUENT OWNER SHALL SUBMIT COMPLETE LANDSCAPE AND IRRIGATION CONSTRUCTION DOCUMENTS CONSISTENT WITH THE LAND DEVELOPMENT MANUAL, LANDSCAPE STANDARDS TO THE DEVELOPMENT SERVICES DEPARTMENT FOR APPROVAL. THE CONSTRUCTION DOCUMENTS SHALL BE IN SUBSTANTIAL CONFORMANCE WITH EXHIBIT 'A', LANDSCAPE DEVELOPMENT PLAN, ON FILE IN THE OFFICE OF THE DEVELOPMENT SERVICES DEPARTMENT.

PRIOR TO ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY, IT SHALL BE THE RESPONSIBILITY OF THE PERMITTEE OR SUBSEQUENT OWNER TO INSTALL ALL REQUIRED LANDSCAPE AND OBTAIN ALL REQUIRED INSPECTIONS. A NO FEE STREET TREE PERMIT SHALL BE OBTAINED FOR THE INSTALLATION, ESTABLISHMENT, AND ON-GOING MAINTENANCE OF ALL STREET TREES.











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.

THE PERMITEE OR SUBSEQUENT OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPE IMPROVEMENTS IN THE BUILDING-AREA AGREEMENT 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.

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 PERMITEE OR SUBSEQUENT OWNER IS RESPONSIBLE TO REPAIR AND/OR REPLACE ANY LANDSCAPE IN KIND AND EQUIVALENT SIZE PER APPROVED DOCUMENTS TO THE SATISFACTION OF THE DEVELOPEMNT SERVICES DEPARTMENT WITHIN 30 DAYS OF DAMAGE OR PRIOR TO A CERTIFICATE OF OCCUPANCY.



KEY DIAGRAM

PLANT MATERIAL LEGEND			
SYMBOL	BUTANICAL NAME	COMMON NAME	COMMENTS
	JACARANDA MINOZOLITA	JACARANDA	DECIDUOUS • EVERGREEN 20'-40' SPREAD 100# 24" BOX
	PLATANUS ACROPIOLA MANGLIA GANDOLINA LINDA PROSTRATA "TREE CRACK"	LONDON PLANE TREE MANGLIA TREE GREEN ELIM	DECIDUOUS • EVERGREEN 20'-40' SPREAD 50# 24" BOX, 30# 24" BOX
	FRAXINA FRAXINA MANGLIA GANDOLINA "LITTLE SHED" TAXUS CANADENSIS	FRAXINA MANGLIA (SMALL) SHEDDING	DECIDUOUS • EVERGREEN 10'-20' SPREAD 100# 30" BOX
	BARKHA VARIEGATA FRAXINA CANADENSIS BACOPARIA DELICATA	PAWEE CRACKED TREE PAWEE LEAF PLUM BRIGHT LIGHT	DECIDUOUS • EVERGREEN 10'-20' SPREAD 100# 30" BOX
	FRAXINA ROBELLIANA POTODARUS HEMLOCK STREPTILITIS NIGRILATA	FRAXIN WHITE PLUM LONG LEAF YELLOWGLOW SWART BRND OF PARADISE	100# 6 GAL
	RAPOSLITIS PRINCA "YINKE" FLORINA PRINCE POTODARUS VARIEGATA VARIEGATA DORSTICA	YINKE PRINCE RED PRINCE VARIEGATED HOOK GRABER HEAVILY DANCING	10# 6 GAL, 10# 6 GAL
	LYSTHETH JAPONICUM "REYAH"	JAPANESE PRINCE	100# 6 GAL, 10# 6 GAL
	OPHEA WESOLOPOLIA AZALEA SPINOSA PRINCE NORFOLKIA WINTER ASAPARINUS AFRICANUS ARISA CAUTIA SOLANUM JAPONICUS	YALE HEATHER AZALEA DANLEY LILLY OF THE NILE LAVENDER BEAR FLOWER POTATO VINE	100# 6 GAL, 10# 6 GAL
	DYMONDIA MARGARITATA	DYMONDIA	FLATLY GAL
	ROSMARINUS "PROSTRATUS"	ROSEMARY SP.	

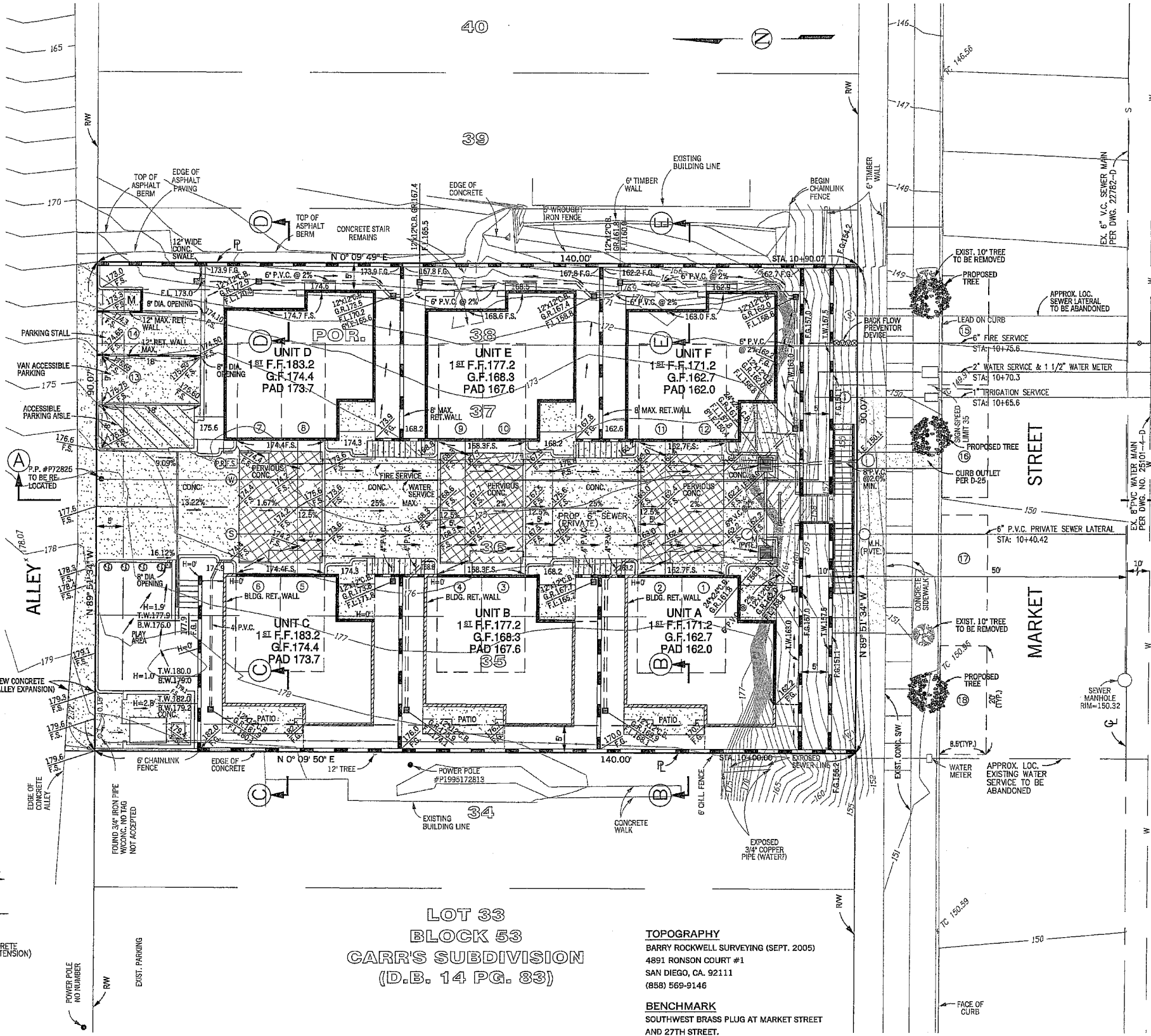
MINIMUM TREE SEPARATION DISTANCE
TRAFFIC SIGNALS (STOP SIGN) - 20 FEET
UNDERGROUND UTILITY LINES - 5 FEET
ABOVE GROUND STRUCTURES - 10 FEET
PRIVATE'S ENTRANCES - 10 FEET
INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS) - 25 FEET
SIDEWALK LINES - 10 FEET
"DEAD" TREE LOCATED IN A VEGICULAR USE AREA OR ALONG A STREET SHALL HAVE A MINIMUM OF 40 SQUARE FEET OF AIR AND WATER PERMEABLE AREA WITH MIN. DIMENSION OF 5 FEET, MEASURED FROM THE INSIDE FACE OF A CURB."

TENTATIVE MAP NO. 143996 EXHIBIT

LEGEND

PROPERTY LINE
EXISTING SPOT ELEVATION
FINISH FLOOR ELEVATION
CONCRETE AREAS
DIRECTION OF DRAINAGE
NEW WATER SERVICE & METER
EXISTING WATER SERVICE
EXISTING SEWER LATERAL
PARKING SPACE No.
MOTORCYCLE SPACE

80.04
F.F.
M



LEGAL DESCRIPTION:

LOTS 35, 36, 37 AND 38, EXCEPTING THE EAST 10 FEET OF LOT 38, BLOCK 53, OF C.L. CARR'S SUBDIVISION, AND THE NORTH ONE-HALF OF THE NORTHEAST QUARTER OF P.U. LOT 1154, ACCORDING TO MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORD SAN DIEGO COUNTY, SEPTEMBER 16, 1871, IN BLOCK 14, PAGE 83, DEEDS.

A.P.N.: 535-321-06-00 & 535-321-07-00

GRADING TABULATION:

TOTAL AMOUNT OF THE SITE TO BE GRADED: 0.289 ACRES
PERCENT OF TOTAL SITE GRADED = 100%
AMOUNT CUT: 2,170 CUBIC YARDS (INCLUDING 8' MAX. SEWER & WATER LAT. TRENCH)
AMOUNT OF FILL: 170 CUBIC YARDS
MAXIMUM HEIGHT OF FILL SLOPES: 1.0 FT
MAXIMUM OF CUT SLOPES: 6.7 FT
AMOUNT OF EXPORT SOIL: 2,000 CUBIC YARDS
RETAINING WALLS:
HOW MANY: 11
LENGTH: L = 660 FT
MAXIMUM HEIGHT: 10.0 FT; AVG. HEIGHT: 5.0 FT

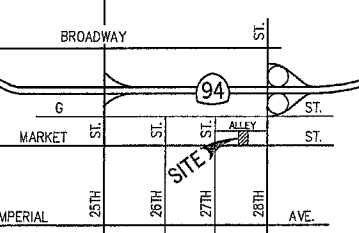
OWNER & DEVELOPER:

THAMY CO. LLC
2930 DOVE STREET
SAN DIEGO, CA. 92103
(619) 549-2974

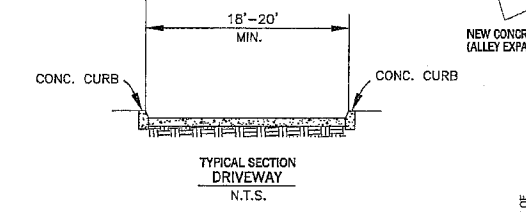
BY: *henhoan* DATE: 9/3/2014
LIEN HOA VU

NOTES:

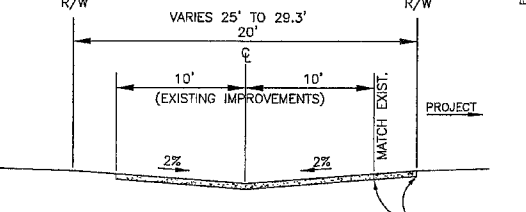
1. SITE AREA: 0.289 AC. (12,609.8 SQ. FT.)
2. COMMUNITY PLAN NAME: SOUTHEASTERN PD
3. EXISTING NUMBER OF LOTS: 3 PLUS A PORTION
4. NUMBER OF PROPOSED LOTS: 1
5. NUMBER OF UNITS: 6 (3 BEDROOM EA.)
6. TOTAL PARKING SPACES: 18 (GAR. 12, OPEN 2, ST. 4), MOTORCYCLE 1.
7. PROJECT STATUS:
8. BASE ZONE: MF - 1500
9. WATER AND SEWER REQUIREMENTS
THE SUBDIVIDER SHALL INSTALL APPROPRIATE PRIVATE BACKFLOW PREVENTION DEVICES ON ALL EXISTING AND PROPOSED WATER SERVICES (DOMESTIC, IRRIGATION, AND FIRE) ADJACENT TO THE PROJECT SITE IN A MANNER SATISFACTORY TO THE WATER DEPARTMENT DIRECTOR.
- THE SUBDIVIDER SHALL PROVIDE A LETTER, AGREEING TO PREPARE CC&RS FOR THE OPERATION AND MAINTENANCE OF ALL PRIVATE WATER AND SEWER FACILITIES THAT SERVICES OR TRAVERSE MORE THAN A SINGLE CONDOMINIUM UNIT OR LOT.



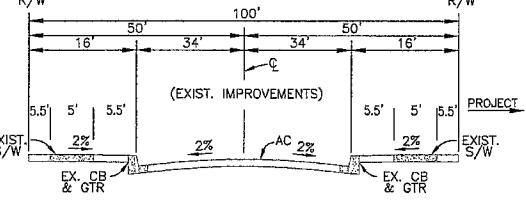
VICINITY MAP
NTS



TYPICAL SECTION
DRIVEWAY
N.T.S.



TYPICAL SECTION
ALLEY
N.T.S.

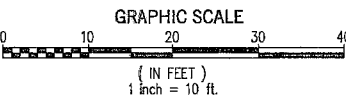


TYPICAL SECTION
MARKET STREET
N.T.S.

LOT 33
BLOCK 53
CARR'S SUBDIVISION
(D.B. 14 PG. 83)

TOPOGRAPHY
BARRY ROCKWELL SURVEYING (SEPT. 2005)
4891 RONSON COURT #1
SAN DIEGO, CA. 92111
(858) 569-9146

BENCHMARK
SOUTHWEST BRASS PLUG AT MARKET STREET
AND 27TH STREET.
ELEV. 134.775 M.S.L.



NAD 27 198 - 1725

ENGINEER:

Erick L. Ricci
ERICK L. RICCI, R.C.E. 32103

6/16/14
DATE

NAD 83 1838 - 6285

Prepared By:
Name: E RICCI, CIVIL ENGINEERING
3103 FALCON STREET, SUITE H
SAN DIEGO, CA 92103
Phone: (619) 296-3183

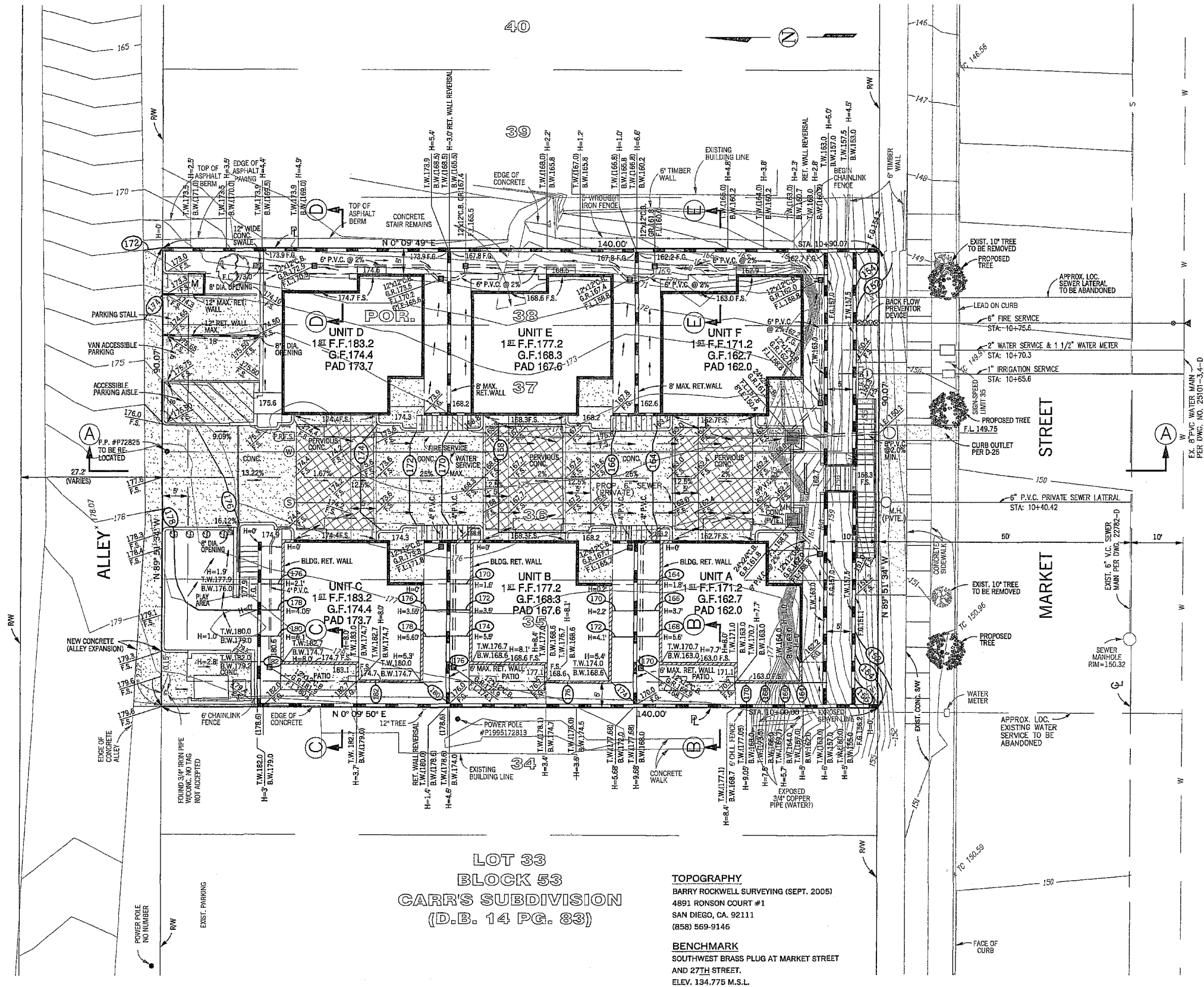
Project Address:
2748 MARKET STREET
SAN DIEGO, CA. 92102

Project Name:
MARKET STREET ROW HOMES

Sheet Title: TENTATIVE MAP
Tentative Map No. 143996 Exhibit
THIS SUBDIVISION IS A CONDOMINIUM PROJECT
AS DEFINED IN SECTION 4125 ET. SEQ. OF THE
CIVIL CODE OF THE STATE OF CALIFORNIA AND IS
FILED PURSUANT TO THE SUBDIVISION MAP ACT.
THE TOTAL NUMBER OF CONDOMINIUM
DWELLING UNITS IS 6.

REVISION 14:	
REVISION 13:	
REVISION 12:	
REVISION 11:	
REVISION 10:	
REVISION 9:	
REVISION 8:	
REVISION 7:	
REVISION 6:	
REVISION 5:	
REVISION 4:	
REVISION 3:	
REVISION 2:	9/02/14
REVISION 1:	7/30/14
ORIGINAL DATE:	6/16/14

Dep #



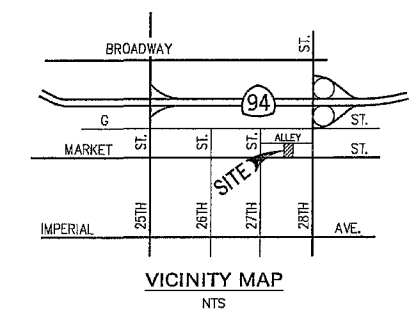
SPECIAL GEOTECHNICAL NOTES:

THE GEOTECHNICAL CONSULTANT SHALL PROVIDE A CONTINUOUS OBSERVATION PROGRAM DURING THE EXCAVATION TO EVALUATE FAULTING ON THE SITE.

FAULTS DISCOVERED DURING GRADING OF THE SITE SHALL BE EVALUATED AND ANALYZED FOR ACTIVITY LEVEL BY THE GEOTECHNICAL CONSULTANT WITH DETAILED REPORTS SUBMITTED SUBJECT TO REVIEW AND APPROVAL BY THE CITY GEOLOGY STAFF PRIOR TO ISSUANCE OF BUILDING PERMITS.

A "NOTICE OF GEOLOGIC AND GEOTECHNICAL CONDITIONS" SHALL BE RECORDED PRIOR TO ISSUANCE OF BUILDING PERMITS FOR BUILDINGS SITED OVER ANY POTENTIALLY ACTIVE FAULT(S) DISCOVERED ON SITE UNLESS A SETBACK FROM THE FAULT IS RECOMMENDED BY THE GEOTECHNICAL CONSULTANT. NO STRUCTURE FOR HUMAN OCCUPANCY SHALL BE PERMITTED OVER THE TRACE OF AN ACTIVE FAULT.

THE PRECISE AS-GRADED LOCATION OF FAULT(S) SHALL BE SHOWN ON THE FINAL AS-GRADED PLANS SUBJECT TO REVIEW AND APPROVAL BY CITY GEOLOGY STAFF.



Prepared By:	REVISION 14:
Name: E RICCI, CIVIL ENGINEERING	REVISION 13:
3103 FALCON STREET, SUITE H	REVISION 12:
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	REVISION 6:
	REVISION 5:
	REVISION 4:
	REVISION 3:
	REVISION 2:
	REVISION 1:
	ORIGINAL DATE:

Sheet Title: GRADING PLAN
Tentative Map No. 143996 Exhibit
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Sheet 1 of 1
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NAD 27 198 - 1725

NAD 83 1838 - 6285



Market Street Row Homes - Street View



Market Street Row Homes - Street