

## Report to the Planning Commission

DATE ISSUED: NOVEMBER 24, 2022 REPORT NO. PC-22-063

HEARING DATE: DECEMBER 1, 2022

SUBJECT: PROKOPENKO ADDITION, PROCESS FOUR DECISION

PROJECT NUMBER: 635117

OWNER/APPLICANT: IGOR A. PROKOPENKO and ELANA I. PROPKOPENKO

#### **SUMMARY**

<u>Issue</u>: Should the Planning Commission grant or deny an appeal of Development Services Department approval of a 3,697-square-foot addition and remodel to an existing home with a new 1,122 square-foot accessory dwelling unit.

<u>Staff Recommendation</u>: Deny the appeal and affirm the Development Services Department approval decision to approve Coastal Development Permit No. 2286564.

<u>Community Planning Group Recommendation</u>: On January 10, 2020, and July 8, 2020, the Pacific Beach Community Planning Group voted to recommend denial of the project with no conditions (Attachment 9a and 9b).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, New Construction, Section15301 consists of minor additions to existing facilities. The proposed project is an addition to an existing residence and garage with an accessory dwelling unit within the exemptions. Furthermore, the exceptions listed in Section 15300.2 do not apply. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on August 17, 2020, and the opportunity to appeal that determination ended August 31, 2020. (Attachment 6).

<u>Fiscal Impact Statement</u>: All costs associated with the processing of the application are recovered through a fee paid for by the applicant.

<u>Housing Impact Statement</u>: The Pacific Beach Community Plan and Local Coastal Program designates the project for Low-Medium Density Residential (5-9 units/net acre), which allows for the development of two new single dwelling units on a 0.2-acre site. Approval of the

project would add an additional accessory dwelling unit to the Pacific Beach Community.

#### **DISCUSSION**

<u>Project Description</u>: The 0.2-acre site is located at 3535 Promontory Street, north of La Cima Drive and south of La Mancha Drive within RS-1-7 Zone, the Coastal Overlay Zone (Non-Appealable) and the Pacific Beach Community Plan. The project proposes the remodel and additions to an existing single-story 1,923 square-foot single-family residence, including a new attached garage and , second-story addition with a combined total of 3,697 square feet. In addition, a new 1,122 square-foot accessory dwelling unit (ADU) in the rear yard facing Ingraham Street.

The two-story remodel and ADU are consistent with the density and newer homes on Promontory Street. This unique lot abuts two streets: Promontory Street and Ingraham Street. The existing home faces Promontory Street while the ADU will front Ingraham Street. The area has a density of 5-9 units/net acre and this project provides and density of eight units/net acre.

The site is approximately 730 feet from Mission Bay and 1,360 feet from water's edge of Crown Point Park. The proposed project would be constructed on an existing, developed lot that contains no physical accessways used or proposed for public use. The second story addition proposes a maximum height of approximately 29 feet, and the new ADU proposes a maximum height of approximately 23 feet. Both structures are below the allowable 30 feet coastal zone height limit, and no deviations or variances to any development regulations are proposed.

The project site in not located within any coastal view corridor area identified in the Community Plan. Therefore, the proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program lands use plan.

In accordance with Section SDMC 126.0707(a), a Process Two CDP is required for the proposed development as the site is located in the Coastal Overlay Zone (Non-Appealable) (Attachment 2). Development Services Staff approved the project on September 1, 2022, and it was appealed on September 16, 2022.

#### **Community Plan Analysis:**

<u>Land Use & Density</u>: The proposed project would remodel an existing home and provide a new accessory dwelling unit creating two-single family homes which is consistent with the goals and policies of the General Plan and Pacific Beach Community Plan. The proposed site is designated in the General Plan as Residential and has a Community Plan land use designation of Low Density Residential, with a density range of 5-9 dwelling units per net acre.

<u>Mobility</u>: Improving mobility through development of a balanced, multi-modal transportation network is the purpose of the Mobility Element of the Pacific Beach Community Plan. The plan contains several goals and policies to this end, including goals related to walkable communities and parking management. The City of San Diego General Plan Mobility Element also contains several

policies that call for greater walkability achieved through pedestrian friendly street, site and building design. The project retains all of the street trees that help provide shade for a comfortable pedestrian environment and encourage walking as a viable choice for trips in the community. The proposed project also includes two parking spaces, which will help manage demand of on-street parking within the community.

<u>Urban Design:</u> The recommendations contained in the Urban Design Element of the Pacific Beach Community Plan are intended to provide guidance that ensures new construction relates in a compatible way to complement and coordinate with surrounding structures. The architectural design (including bulk and scale, fenestration, roof, and materials) is consistent with the single-family homes directly down the street from the proposed project site and throughout the community.

<u>Environmental Analysis</u>: The project is on a fully developed site, within an urbanized community, and the site does not contain, nor is it located adjacent to, any environmentally sensitive lands or Sensitive Coastal Bluffs; This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, New Construction, and Section 15301, Existing Facilities, consists of minor additions to existing facilities.

#### **PROJECT APPEAL DISCUSSION**

On September 16, 2022, two appeals (Attachment 7a & 7 b) were filed by Julie Hamilton, representing John and Joyce Lilya and Karl Rand, representing Pacific Beach Planning Group as the Chairman. The appeal issues include conflicts with other matters and that the findings were not supported by the record. The following are the appeal issues as stated by the appellant (bolded font), followed by the City staff responses. The project has been appealed for the following reasons:

 Appeal Issue No. 1: The project site is located in the Beach Impact Area and is not located in a Transit Priority Area. Therefore, the project is required to provide two offstreet parking spaces for the five-bedroom single family residence and one off-street parking space for the three-bedroom accessory dwelling unit (" ADU"). SDMC §I 41.0302(a)(3)(B).

#### Staff Response #1:

The project provides the required parking for a single dwelling unit with an ADU that is located within the Beach Parking Impact Overlay Zone: two parking spaces within the existing garage for the existing single dwelling unit and one parking space for the ADU in the driveway.

Appeal Issue No. 2: The project provides a two-car garage attached to the single-family residence but fails to provide a parking space for the ADU because the driveway is too short. The driveway does not meet the minimum standards to provide safe access to the site as required by the certified LCP. SDMC §141.0302(a)(3)(D)(ii). The code requires 20' between the garage and the back of the sidewalk. The project only provides 19.4' from the southern corner of the garage to the back of the sidewalk. SDMC §142.0520.

#### Staff Response #2:

The space is provided in the existing driveway and only the dimensions required for a parking space with no obstructions is 8-feet wide by 18-feet long per SDMC Table 142-05K. The applicant has adjusted the new garage by moving it back to increase the dimension to provide 20-foot along the existing driveway. Therefore, the parking space for the ADU complies with the San Diego Municipal Code. In addition, code section SDMC \$141.0302(a)(3)(D)(ii), was deleted in the code amendments.

• <u>Appeal Issue No. 3:</u> The driveway exceeds the maximum width of 12', the site plan shows the driveway is 16' wide. SDMC §142.0560(j)(l). A portion of the required visibility triangles are located on the adjacent property- the applicant will have no ability to ensure this area stays free obstruction. SDMC §I 13.0273(b)(3).

#### Staff Response #3:

The concrete driveway is existing and falls under previously conforming rights per SDMC **§**127.0102. There appears to be no plan to make the driveway larger. In addition, there are no obstructions related to the visibility triangle mentioned above.

 Appeal Issue No. 4: The ADU cannot be rented for less than 30 days, but what about the primary residence? How will this be enforced?

#### Staff Response #4:

The lottery for Short Term Residential Occupancy (STRO) is still open. Additionally, the CDP was for when CDPs were required for ADUs within the Coastal Overlay Zone. The remodel for the existing dwelling would have been permitted with a CDP exemption, therefore no conditions in the CDP apply to the existing dwelling unit unless explicitly stated.

Enforcement of STRO issues would be through Code Enforcement as in any other circumstance. Furthermore, anything that occurs on site after approval of the CDP that is not conforming to the approved CDP or the SDMC becomes a code enforcement issue.

#### **Conclusion:**

Staff has reviewed the appeal and has determined that all appeal issues have been addressed. The project conforms with the Community Plan, and the adopted City Council policies and regulations of the Land Development Code. Therefore, staff recommends that the Planning Commission deny the appeal and affirm the Development Services Department decision to approve Coastal Development Permit No. 2286564.

#### <u>ALTERNATIVES</u>

- 1. Deny the appeal and modify the Development Services Department decision to approve Coastal Development Permit No 2286564.
- 2. Grant the appeal and reverse the Development Services Department decision to approve

Coastal Development Permit No. 2286564, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Renee Mezo

**Assistant Deputy Director** 

**Development Services Department** 

Will Rogers
Will Rogers

Development Project Manager

**Development Services Department** 

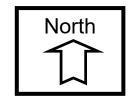
#### Attachments:

- 1. Aerial Photographs
- 2. Community Plan Land Use Map
- 3. Project Location Map
- 4. Draft Permit Resolution with Findings
- 5. Draft Permit with Conditions
- 6. Environmental Exemption
- 7. Copy of Appeal(s)
- 8. Project Plans
- 9. Community Planning Group Recommendation
- 10. Ownership Disclosure Statement



# **Project Location Map**

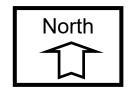
PROKOPENKO ADDITION/ADU CDP Project No. 635117, 3535 Promontory Street





# **Land Use Map**

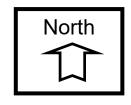
PROKOPENKO ADDITION/ADU CDP Project No. 635117, 3535 Promontory Street





# **Aerial Photograph**

PROKOPENKO ADDITION/ADU CDP Project No. 635117, 3535 Promontory Street



#### PLANNING COMMISION RESOLUTION NO. \_\_\_\_ COASTAL DEVELOPMENT PERMIT NO. 2286564 PROKOPENKO ADDITION PROJECT NO. 635117

WHEREAS, IGOR A. PROKOPENKO and ELANA I. PROPKOPENKO, Owner/Permittees, filed an application with the City of San Diego for Coastal Development Permit No. 2286564 for the remodel, garage conversion, garage addition and second story addition to an existing single dwelling unit and for the construction of an Accessory Dwelling Unit (ADU) (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2286564), on portions of 0.2 acre site;

WHEREAS, the project site is located at 3535 Promontory Street in the RS-1-7 Zone, the Coastal Overlay Zone (Non-Appealable) and the Pacific Beach Community Plan Area;

WHEREAS, the project site is legally described as: Lot No 234, Crown Point, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1891 filed in the Office of the County Recorder of San Diego County, March 2, 1926;

WHEREAS, on August 17,2020, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, New Construction, Section15301 consists of minor additions to existing facilities; and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on September 1, 2022, the Development Services Department of the City of San Diego considered and approved Coastal Development Permit No. 2286564 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on September 16, 2022, two appeals were filed by Julie Hamilton, representing John and Joyce Lilya and Karl Rand, representing Pacific Beach Planning Group as the Chairman alleging conflicts with other matters and the findings were not supported by the record (Appeals);

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. 2286564.

#### A. COASTAL DEVELOPMENT PERMIT [SDMC Section 126.0708]

#### 1. Findings for all COASTAL DEVELOPMENT PERMIT Permits:

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

The project proposes the remodel of, and additions to, an existing single story, 1,923-square-foot single- family residence with attached garage, including a second story addition and new garage for a total of 3,697 square feet. In addition, a new 1,122-square-foot Accessory Dwelling Unit(ADU) in the rear yard facing Ingraham Street. The project site is located at 3535 Promontory Street, north of La Cima Drive and south of La Mancha Drive within RS-1-7 Zone, the Coastal Overlay Zone (Non-Appealable) and the Pacific Beach Community Plan.

The site is approximately 730 feet from Mission Bay and 1,360 feet from waters edge of Crown Point Park. The proposed project would be constructed on an existing, developed lot that contains no physical accessways used or proposed for public use. The second story addition proposes a maximum height of appoximately 29 feet, and the new ADU proposes a maximum height of appoximately 23 feet. Both structures are below the allowable 30 feet coastal zone height limit, and no deviations or variance to any development regulations are proposed.

The project site in not located within any coastal view corridor area identified in the Community Plan. Therefore, the proposed coastal development will not encouach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Loacal Coastal Program lands use plan.

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

The project is on a fully developed site, within an urbanized community, and the site does not contain, nor is it located adjacenet to, any enviornmentally

sensitive lands or Sensitive Coastal Bluffs. The project will not contribute to any drainage runoff erosion to the adjacent coastal bluff.

The roof drainage shall be capture by rain barrels and site drainage from the project shall be directed easterly and westerly to new, on-site drainage inlets and drain pipes and then discharged through a new curb outlet to the City's public right-of-way curb and gutter.

Furthermore, the site is not within or adjacent to the Multiple Species Conservation Program/Multi-Habitat Planning Area (MSCP/MHPA). Therefore, the proposed coastal development will not adversely affect any environmentally sensitive lands.

c. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The Community Plan designates the site for single-family development and is zoned RS- 1-7. The site is within the Pacific Bearch community, north of Ski Bearch between La Cima Drive and south of La Mancha Drive. Per the Community Plan. This area is exclusively devoted to single-family homes, most of which are one- and two-story structures with relatively contemporary architectural styles. The project is consistent with the land use designation of single-family residential development (maximum of 5-9 dwelling unites per acre(du/ac) in the Community Plan, with a 8 du/ac density.

The Community Plan's Design Guidelines indicates that flat roof surfaces should be considered for use as terraces, with limited landscaping if it is structurally and economically feasible. The project is utilizing a small amount of roof space as a terrace deck. This design creates variation at the residential structure's second-floor level and does tryies not create a boxed design. The project site in not located within any coastal view corridor area identified in the Community Plan. In addition, the Design Guidelines also states that parking should not be a dominant element of a neighborhood character and should be screened or located in areas not highly visible from the street. The development's parking is taken from the street and will be screened by an attached garage and wall/fence along the side yards. Therefore, the project is consistent with this Community Plan's Design Guidelines.

The project is not requesting any deviations or variances from the applicable regulations and therefore, the second story addition and remodel of the existing single family dwelling unit and new garage, with a new ADU is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

d. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in

**ATTACHMENT 4** 

conformity with the public access and public recreation policies of Chapter 3 of

the California Coastal Act.

The project site is located at 3535 Promontory Street, north of La Cima Drive and south of La Mancha Drive within RS-1-7 Zone, the Coastal Overlay Zone (Non-

Appealable) and the Pacific Beach Community Plan.

The site is approximately 730 feet from Mission Bay and 1,360 feet from waters edge of Crown Point Park. The proposed additon, remodeled dwelling unit and ADU will

be constructed on the existing developed lot that contains no physical accessways.

The site is not between the first public roadway and the sea or shoreline of any body of water located in the Coastal Overlay Zone. No public access or public recreation

facilities exist on the Project site. Therefore, the proposed project is in conformity

with the public access and public recreation policies of Chapter 3 of the California

Coastal Act.

The above findings are supported by the minutes, maps and exhibits, all of which are

incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning

Commission, that the Appeals are denied and COASTAL DEVELOPMENT PERMIT NO. 2286564 is

hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form,

exhibits, terms and conditions as set forth in Permit No. 2286564, a copy of which is attached hereto

and made a part hereof.

Will Rogers

Development Project Manager

**Development Services** 

Adopted on: December 1, 2022

IO#: 11004543

#### **RECORDING REQUESTED BY**

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

WHEN RECORDED MAIL TO CITY CLERK MAIL STATION 2A

INTERNAL ORDER NUMBER:11004543

SPACE ABOVE THIS LINE FOR RECORDER'S USE

# COASTAL DEVELOPMENT PERMIT 2286564 PROKOPENKO ADDITION - PROJECT NO. 635117 PLANNING COMMISSION

This Coastal Development Permit No. 2286564 is granted by the PLANNING COMMISSION of the City of San Diego to IGOR A. PROKOPENKO and ELANA I. PROPKOPENKO, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0702. The 0.2-acre site is located at 3535 Promontory Street in the RS-1-7 zone, the Coastal Overlay Zone (Non-Appealable Area 2), the Coastal Height Limit Overlay Zone, the Parking Impact Overlay Zone for Beach and Coastal within the Pacific Beach Community Plan Area. Including The project site is legally described as: Lot No 234, Crown Point, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1891 filed in the Office of the County Recorder of San Diego County, March 2, 1926.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for the remodel, garage conversion, garage addition and second story addition to an existing single dwelling unit and new accessory dwelling unit as described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated December 1, 2022, on file in the Development Services Department.

#### The project shall include:

- a. The remodel and additions to an existing single-story 1,923 square-foot single-family residence, including a new attached garage and, second-story addition with a combined total of 3,697 square feet. In addition, a new 1,122 square-foot accessory dwelling unit (ADU) in the rear yard.
- b. The Owner/Permittees shall maintain two off-street parking spaces for the single familty dwelling and one parking space for the ADU 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.

#### **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 December 1, 2025.
- 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 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 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 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" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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

#### **ENGINEERING REQUIREMENTS:**

- 11. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond the drainage system proposed for this development is subject to approval by the City Engineer.
- 12. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
- 13. The project proposes to export 18 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.
- 14. 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 SDMC, into the construction plans or specifications.

15. 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 Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

#### **PLANNING/DESIGN REQUIREMENTS:**

- 16. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing authorized by the appropriate City decision maker in accordance with the SDMC.
- 17. 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.
- 18. Owner/Permittee shall maintain 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.
- 19. The Accessorry dwelling unit may not be sold or conveyed separately from the primary dwelling unit.
- 20. The Accessorry dwelling unit shall not be used for a rental term of less than 30 consecutive days.
- 21. 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.

#### PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

- 22. Prior to the issuance of any building permits, if it is determined during the building permit review process the existing water and sewer service will not be adequate to serve the proposed project, the Owner/Permittee shall, assure by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.
- 23. All proposed private water and sewer facilities located within a single lot are to be designed to meet the requirements of the California Plumbing Code and will be reviewed as part of the building permit plan check.

- 24. 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.
- 25. Prior to final inspection of the buildings, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.
- 26. 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, and to the satisfaction of the City Engineer.

#### **INFORMATION ONLY:**

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

APPROVED by the PLANNING COMMISSION of the City of San Diego on December 1, 2022 and Resolution No \_\_\_\_\_.

## **ATTACHMENT 5**

Coastal Development Permit No. 2286564 Date of Approval: December 1, 2022

AUTHENTICATED BY THE CITY OF SAI	N DIEGO DEVELOPMENT SERVICES DEPARTMENT
Will Rogers Development Project Manager	
NOTE: Notary acknowledgment	
must be attached per Civil Code section 1189 et seq.	
	<b>e</b> , by execution hereof, agrees to each and every condition of a each and every obligation of Owner/Permittee hereunder.
	IGOR A. PROKOPENKO Owner/Permittee
	By NAME TITLE
	ELANA I. PROPKOPENKO Owner/Permittee
	By NAME TITLE



Date of Notice: August 17, 2020

# NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

#### **DEVELOPMENT SERVICES DEPARTMENT**

PROJECT NAME / NUMBER: Prokopenko Addition Companion Unit CDP / 635117

**COMMUNITY PLAN AREA:** Pacific Beach

**COUNCIL DISTRICT: 2** 

LOCATION: 3535 Promontory Street, San Diego, CA 92109

**PROJECT DESCRIPTION:** Coastal Development Permit for the remodel, garage conversion, garage addition and second story addition to an existing single dwelling unit for a total 3,697-square-feet and the construction of a new Companion Unit of 1,151-square-feet for a total area of 4,849-square-feet of construction. The project site is located at 3535 Promontory Street (APN 423-502-0600) in a RS-1-7 zone, in Council District 2 within Pacific Beach Community Plan (PBCP) area in the Coastal Overlay Zone (Non-Appealable Area 2), and the Coastal Height Limit Overlay Zone. The site is in the Parking Impact Overlay Zone for Beach and Coastal and the Residential Tandem Parking Overlay Zone. The property sits on a 9,100 square foot (0.208-acre) site. It is in an area of the PBCP that is designated "Low Density", which have 5-9 residential dwelling units per acre.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Development Services Department

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to CEQA State Guidelines Sections 15301 (Existing Facilities) and 15303 (New Construction).

**ENTITY MAKING ENVIRONMENTAL DETERMINATION:** The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15303, New Construction. Section 15301 consists of minor additions to existing facilities. Section 15303 consists of construction and location of limited numbers of new, small facilities or structures. Since the proposed project is an addition to an existing residence and garage with a companion unit the exemptions are appropriate. Furthermore, the exceptions listed in Section 15300.2 do not apply.

**DEVELOPMENT PROJECT MANAGER:** Derrick Johnson

MAILING ADDRESS: 1222 First Avenue, MS 501, San Diego, CA 92101-4153

PHONE NUMBER / EMAIL: (619) 446-5477 / DNJohnson@sandiego.gov

On August 17, 2020 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determinations to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (August 31, 2020). During the Statewide "Safer-at-Home" directive to reduce the spread of COVID-19, beginning March 19, 2020, appeals to the City Clerk must be filed by email or US Mail as follows:

- 1) Appeals filed via E-mail: Send the appeal by email to <a href="Hearings1@sandiego.gov">Hearings1@sandiego.gov</a>; your email appeal will be acknowledged within 24 hours. The <a href="hearings1@sandiego.gov">application can be obtained here</a>. You must separately mail the appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be postmarked within 5 business days of the date the appeal is filed.
- 2) Appeals filed via US Mail: Send the appeal by US Mail to City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. Appeals filed by US Mail must have a United States Postal Service (USPS) postmark by the appeal deadline to be considered valid. The appeal application can be obtained here. You must separately mail the required appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be postmarked within 5 business days of the date the appeal is filed.

This information will be made available in alternative formats upon request.



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

## Development Permit/ Environmental Determination Appeal Application

FORM **DS-3031** 

November 2017

	NOVEITIBET 2017
In order to assure your appeal application is successfully accepted and process Information Bulletin 505, "Development Permits/Environmental Determ	
1. Type of Appeal:  Appeal of the Project Appeal of the Environmental Determination	
2. Appellant: Please check one  Applicant	"Interested Person" (Per M.C. Sec. 113.0103)
Name: E-mail:	
, , ,	mhamiltonlaw.com
Address: City: State: Zip Code:	Telephone:
501 W. Broadway, Suite 800 San Diego CA 92101 3. Project Name:	
Prokopenko Addition/Compu-CDP	
4. Project Information Permit/Environmental Determination & Permit/Document No.:  Date of Decision/Determination	nination City Project Manager:
635117 September 1, 2022	Will Rogers
September 1, 2022	Will Nogers
Decision(Describe the permivapproval decision):	
Coastal Development Permit	
5 Cround for Annual Disago shock all that annual	
5. Ground for Appeal(Please check all that apply):  ☐ Factual Error  ☐ New Information	on
	ficance (Process Four decisions only)
☑ Findings Not Supported	
Description of Grounds for Appeal (Please relate your description to the allowable reasons for ap Chapter 11 Article 2. Division 5 of the San Diego Municipal Code Attach additional sheets if necessar	
The project site is located in the Beach Impact Area and is not located in a Transit Prior	rity Area. Therefore the project is
required to provide two off-street parking spaces for the five-bedroom single family res	
space for the three-bedroom accessory dwelling unit ("ADU"). SDMC §141.0302(a)(3)	
The project provides a two-car garage attached to the single family residence but fails to	
because the driveway is too short. The driveway does not meet the minimum standard	
required by the certified LCP. SDMC \$141.0302(a)(3)(D)(ii). The code requires 20' be	
sidewalk. The project only provides 19.4' from the southern corner of the garage to the	back of the sidewalk. SDMC
§142.0520.	
The driveway exceeds the maximum width of 12', the site plan shows the driveway is 16	5' wide. SDMC \$142.0560(i)(1)
	,
A portion of the required visibility triangles are located on the adjacent property - the a	pplicant will have no ability to ensure
this area stays free obstruction. SDMC §113.0273(b)(3).	
The ADU cannot be rented for less than 30 days, but what about the primary residence	? How will this be enforced?
6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all	I names and addresses, is true and correct.
Signature: Julie Hamilton  Date: Septer	nber T6. 2022
Note: Faxed appeals are not accepted.	
reote. I used appears are not attented.	



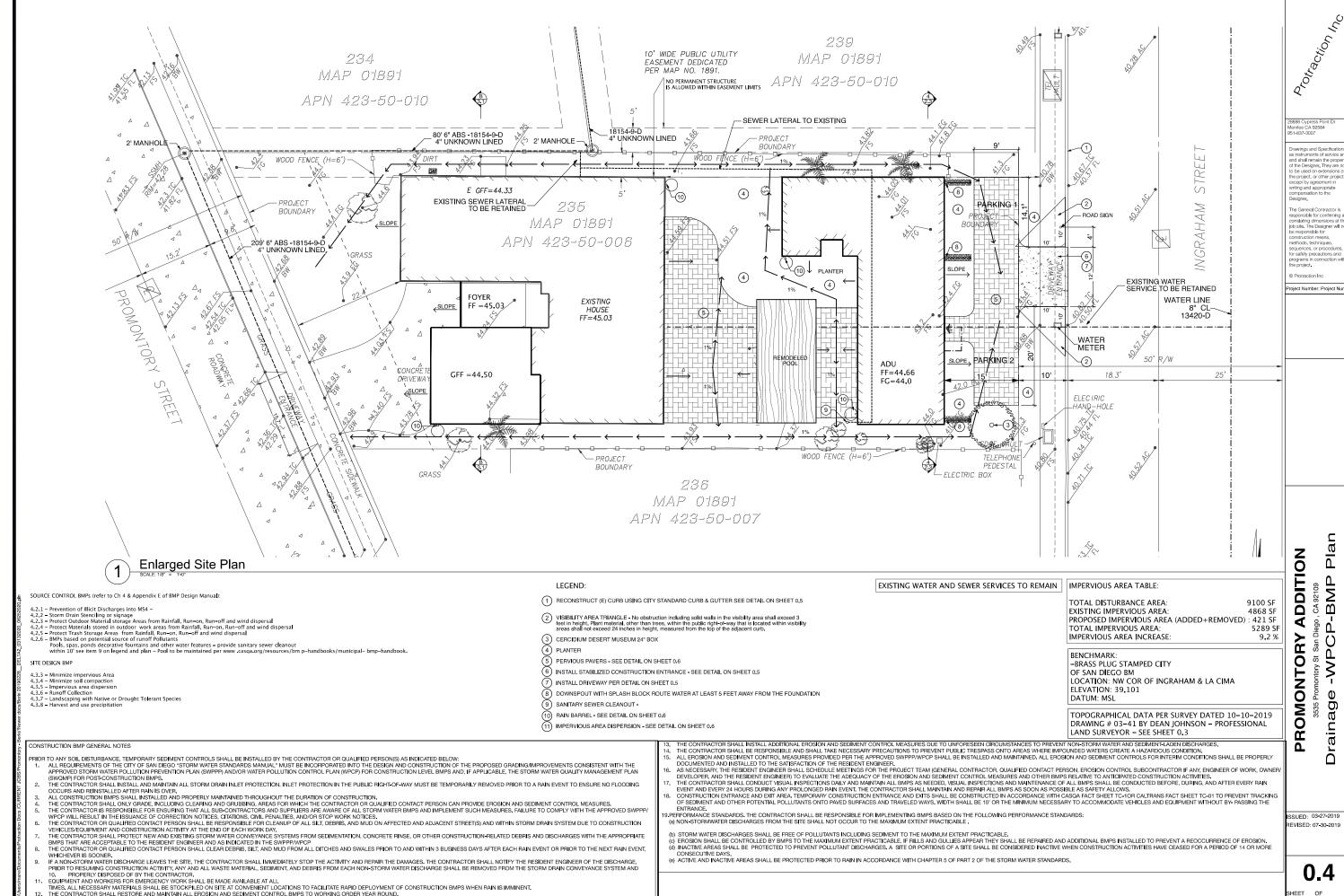
City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101

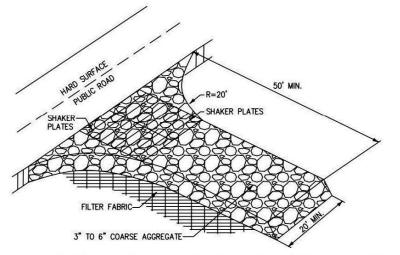
# Development Permit/ Environmental Determination Appeal Application

FORM DS-3031

November 2017

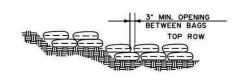
In order to as	ssure your appeal appl nation Bulletin 505, "D	ication is successfu evelopment Permit	lly accepted s/Environm	and processo	ed, you m	nust read and understand
1. Type of Appeal:	Appeal of the Project Appeal of the Environ	t				
2. Appellant: Please cl	neck one  Applicant	☑ Officially recogni	zed Planning	Committee		ested Person" .C. Sec. 113.0103)
Name:	aning Craun			E-mail:	1220	
Pacific Beach Pla	inning Group				022@8	gmail.com
Address:		City:	State:	Zip Code:	1	Telephone:
c/o DSD 1222 Fir	st Avenue	San Diego	CA	92101	(8	58) 204-4786
3. Project Name:						
Prokopenko Addit						
<ol> <li>Project Information Permit/Environmental D</li> </ol>	etermination & Permit/D	ocument No.:	Date of De	cision/Determ	ination	City Project Manager:
635117		*	September	1, 2022		Will Rogers
Decision(Describe the pe	Carried Section 11 Control of the Co					
Coastal Development Pe	ermit					
☐ Factual Error  ☐ Conflict with other ☐ Findings Not Suppo		27,		ew Informatio ity-wide Signifi		ocess Four decisions only)
Description of Grounds Chapter 11 Article 2. Divis	for Appeal (Please relation 5 of the San Diego Mu	nicipal.Code. Attach	additional sh	eets if necessary	y.)	
required to provide to		paces for the five-be	droom sing	le family resi	dence an	Therefore the project is d one off-street parking
because the driveway required by the certif	is too short. The drive	eway does not meet 0302(a)(3)(D)(ii).	the minimi The code re	um standards quires 20' bet	to provi	a parking space for the ADU de safe access to the site as garage and the back of the he sidewalk. SDMC
The driveway exceeds	s the maximum width	of 12', the site plan	shows the d	riveway is 16	wide. S	DMC §142.0560(j)(1)
-	ired visibility triangles struction. SDMC §113		adjacent pro	perty - the ap	pplicant	will have no ability to ensure
The ADU cannot be	rented for less than 30	days, but what abou	at the prima	ry residence?	Howw	ill this be enforced?
6. Appellant's Signature	: I certify under penalt	ty of perjury that th	e foregoing	including all	names a	and addresses, is true and correc
	1/11/11	1			,	,
	144701			ate:	9/16	/22
Signature:	A. RANA	CHAID	D	ate:	1 /	
MAKE	Ar Kara,	CHAIR				
		Note: Faxed appe	als are not	accepted.		





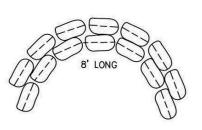
### **DETAIL STABILIZED CONSTRUCTION ENTRANCE**

NOT TO SCALE



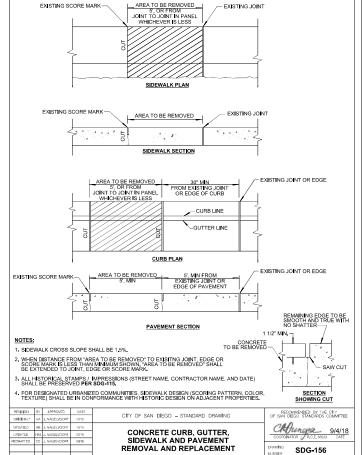
#### **TYPICAL GRAVEL BAG DETAIL**

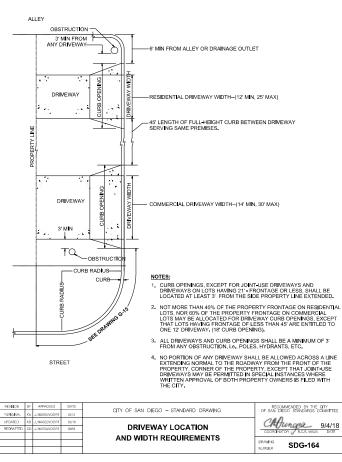
NOT TO SCALE

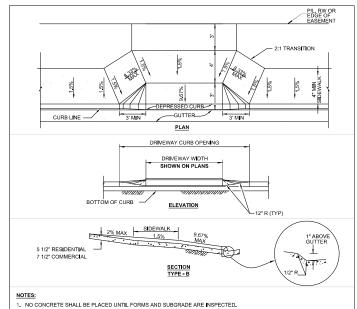


### **GRAVELBAG CHECKDAM**

NOT TO SCALE







- 2. FOR RESIDENTIAL USE, CONCRETE SHALL BE 520-C-2500; FOR COMMERCIAL USE, CONCRETE SHALL BE 560-C-3250. 3. SEE STANDARD DRAWINGS SDG-164 AND G-15 FOR WIDTH AND LOCATION REQUIREMENTS.
- 4. DRIVEWAY RAMP TO EXTEND TO 10' FROM CURB FACE OR TO RIGHT-OF-WAY, WHICHEVER IS LESS, FOR COMMERCIAL USE ONLY).
- 5. PLACE EXPANSION JOINT AT RIGHT-OF-WAY OR 10', WHICHEVER IS LESS.
- 6. SEE SDG-151 AND G-10 FOR CURB AND JOINT DETAILS.
- 7. DIMENSIONS SHOWN REFLECT A 6" CURB HEIGHT.
- 8. METER BOXES SHALL NOT BE LOCATED WITHIN DRIVEWAY.
- 9, DRIVEWAY IN EXCESS OF 150' IN LENGTH FROM CURB FACE SHALL HAVE 7 1/2" MINIMUM CONCRETE THICKNESS.

10. ALL HISTORICAL STAMPS (IMPRESSIONS (STREET NAME, CONTRACTOR NAME, AND DATE) SHALL BE PRESERVED PER SDG-1

11. FOR DESIGNATED URBANIZED COMMUNITIES, SIDEWALK DESIGN (SCORING PATTERN, COLOR, TEXTURE) SHALL BE IN CONFORMANCE WITH HISTORIC DESIGN ON ADJACENT PROPERTIES.							SHEET 2 OF
	REVISION	ВУ	APPROVED	DATE	CITY OF SAN DIEGO STANDARD DRAWING	RECOMMENDED B	

CONCRETE DRIVEWAY (CONTIGUOUS SIDEWALK)

CASTURGES 9/4/18
COORDINATOR R.C.E. 56523 DATE SDG-159

0.5

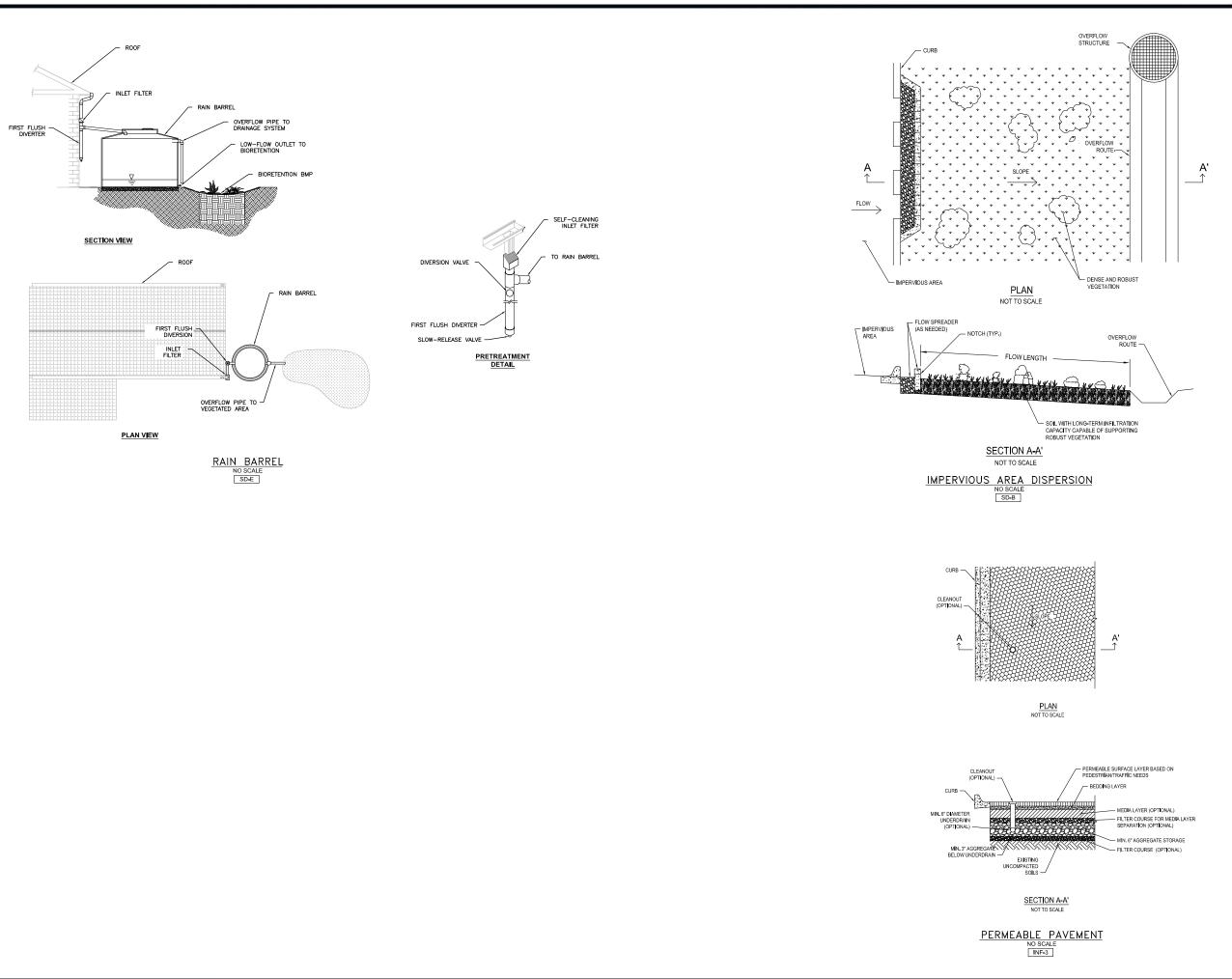
ADDITION iego, CA 92109 t San Diego, CA 9210

Details OMONTORY BMP Č

rawings and Specifications is instruments of service and shall remain the propert the Designer. They are no to be used on extensions of the project, or other projects scopi by agreement in riting and appropriate ompensation to the esigner.

REVISED: 07-30-2019

ISSUED: 03-27-2019



Drawings and Specifications as instruments of service are and shall emain the propet of the Designer. They are no to be used on extensions of the project, or other project writing and appropriate compensation to the Designer of appropriate compensation to the Designer of the Designer o

PROMONTORY ADDITION
3535 Promontory St. San Diego , CA 92109
BMP Details

ISSUED: 03-27-2019 REVISED: 07-30-2019

0.6

REFRIGERATOR- PROVIDE DEDICATED ELEC CIRCUIT OUTLET & COLD WATER

(©

, 3'-0" , 3'-0" , 2'-0"

<u>8</u>

Living
(N) ADU ADDITION
A: 1,121.47 sq ft

3'-0"

Potraction,

is instruments of service and shall remain the proper of the Designer. They are to be used on extensions he project, or other project except by agreement in rifting and appropriate compensation to the esigner.

Plan

Roof

Ø

Plan

Floor

 $\mathsf{D}\mathsf{C}$ 

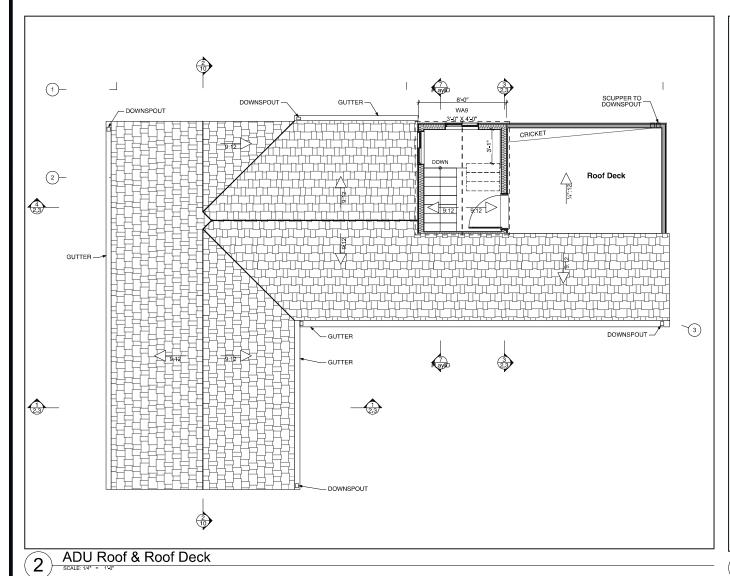
ISSUED: 03-27-2019

REVISED: 07-30-2019

1.3

**ADDITION** 

**PROMONTORY** 



ROOF PLAN GENERAL NOTES

CONCRETE ROOF TILE BY EAGLE ROOFING PRODUCTS CLASS A (ICC 58P-1900)

- PROVIDE MIN 26 GA GALV METAL FLASHING AT ALL VALLEYS, ROOF TO WALL, AND METAL SADDLES OF CHIMNEYS (AS NEEDED)

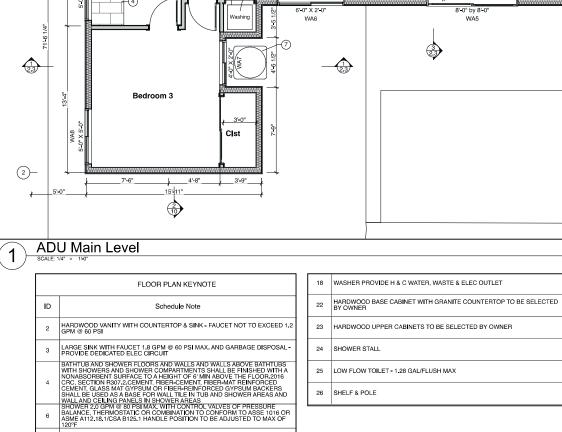
- CRICKET OR SADDLE COVERINGS SHALL BE SHEET METAL OR OF THE SAME MATERIAL AS THE ROOF COVERING.

- PROVIDE RAIN GUTTERS, DIVERTERS AND DOWN SPOUTS TO DIRECT WATER AWAY FROM HOUSE & FOUNDATION

- VENTILATION OPENINGS SHALL HAVE CORROSION RESISTANT WIRE MESH OR OTHER APPROVED MATERIAL OR OTHER APPROVED MATERIAL WITH 1/16 IN MINIMUM AND ½ IN MAXIMUM OPENING.

SH-1900) -MODEL: PONDEROSA 5532 WEATHERED TERRACOTA -3 YEAR REFLECTIVITY 26% EMISSIVITY 0.88, SRI 23

- MULTI-PLY ROOFING BY GAF-ENERGYCAP SBS 30 FR -3 YEAR REFLECTIVITY 80%, EMISSIVITY 0.84, SRI 99



Clst

1)-

4 2.3

2'-11"-+2'-8 1/2"+2'-6"-+

Z<sub>25</sub>

AC CONDENSER - - PROVIDE GFCI AND WATER PROTECTED POWER OUTLET, & DISCONNECT

8 DISHWASHER WITH APPROVED AIR GAP FITTING PER 2016 CPC SECTION 807.3

RANGE HOOD VENTED TO OUTDOOR - DUCT TO BE SMOOTH METAL- MIN EXHAUST FAN 100 CFM WITH BACK DRAFT DAMPER - 3 SONES MAX - PROVIDE ELEC OUTLET

12 REFRIGERATOR- PROVIDE DEDICATED ELEC CIRCUIT OUTLET & COLD WATER

DIRECT VENT PROPANE FIREPLACE "HEATILATOR" CD4842IFT -UL LISTED HTL-1096U-0218 PROVIDE GAS OUTLET WITH SHUT-OFF VALVE AND ELEC
OUTLET - INSTALL PER MANUFACTURERS SPECIFICATIONS. SEE SHEET 603
FOR MANUFACTURERS DATA.

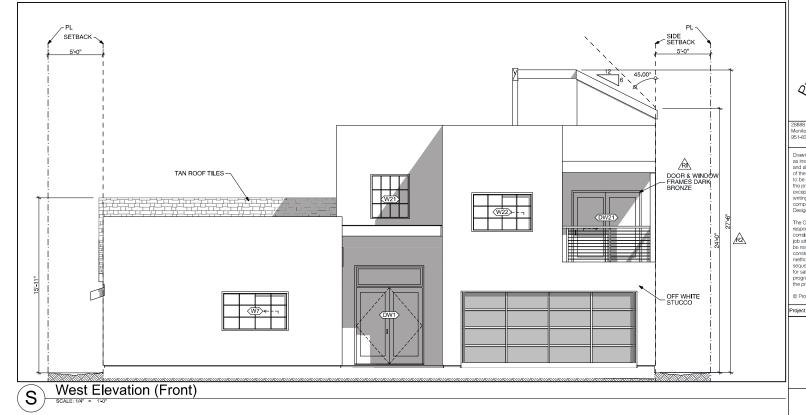
50 GAL GAS WATER HEATER. ELEVATE ON PEDESTAL 18" ABOVE FF.INSTALL
WITH 2 EARTHOUAKE STRAPS ONE AT BOTTOM ½ ONE AT TOP ½. PROVIDE
GAS OUTLET WITH SHUT OFF VALVE

CLOTHES DRYER PROVIDE GAS, ELEC OUTLET & EXHAUST DUCT WITH BACK 17 DRAFT DAMPER -MAX LENGTH 14' WITH TWO 90° ELBOWS MAX. 2016 CMC SECTION 504.4

9 GAS RANGE - PROVIDE GAS OUTLET & ELEC OUTLET

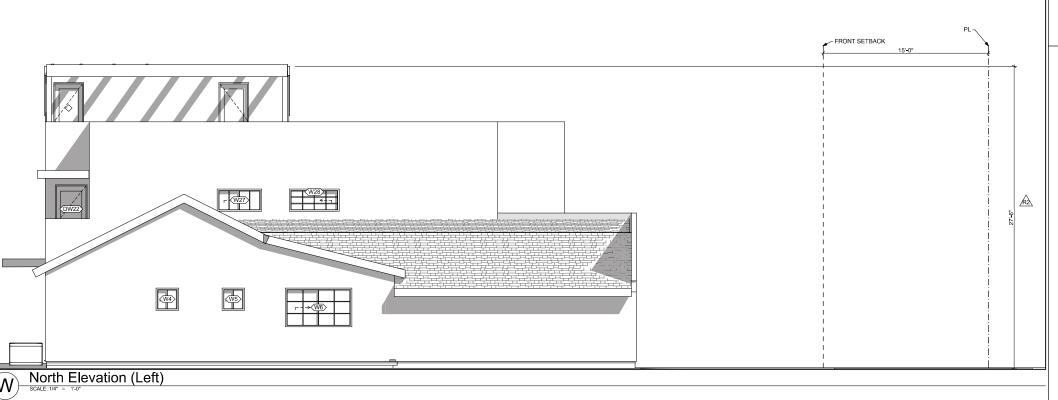
В

Bedroom 1



ID	Type	Width	Height	U-value	SHGC	Area	Egres	Tempere d
DW1	Sliding Door	6'-0"	7'-0"	.32	0.25	42.00	Yes	No
DW2	Sliding Door	12'-0"	6'-8"	.32	0.25	80.00	No	No
DW21	Sliding Door	6'-0"	6'-8"	.32	0.25	40.00	No	No
DWA1	Sliding Door	3'-0"	7'-0"	-32	0.25	21.00	Yes	Yes
W1	Sliding Window	4'-0"	3'-6"	.32	0.25	14.00	No	No
W2	Sliding Window	6'-0"	3'-6"	.32	0.25	21.00	No	No
W3	Sliding Window	6'-0"	3'-6"	.32	0.25	21.00	No	No
W4	Sliding Window	2'-0"	2'-0"	.32	0.25	4.00	No	No
W5	Sliding Window	2'-0"	2'-0"	.32	0.25	4.00	No	No
W6	Sliding Window	6'-0"	3'-6"	.32	0.25	21.00	No	No
W7	Sliding Window	6'-0"	3'-6"	.32	0.25	21.00	No	No
W21	Fixed	3'-6"	4'-0"	.32	0.25	14.00	No	No
W22	Sliding Window	5'-6"	3'-6"	.32	0.25	19.25	No	No
W23	Sliding Window	4'-6"	3'-6"	.32	0.25	15.75	No	No
W24	Sliding Window	2'-0"	4'-0"	.32	0.25	8.00	No	No
W25	Sliding Window	6'-0"	3'-6"	.32	0.25	21.00	No	No
W26	Sliding Window	3'-0"	2'-0"	.32	0,25	6.00	No	No
W27	Sliding Window	4'-0"	2'-0"	.32	0.25	8.00	No	No
W28	Sliding Window	4'-6"	2'-0"	.32	0.25	9.00	No	No
WA1	Sliding Window	5'-0"	5'-0"	.32	0.25	25.00	Yes	No
WA2	Sliding Window	5'-0"	5'-0"	.32	0.25	25.00	Yes	No
WA3	Sliding Window	8'-0"	5'-0"	.32	0.25	40.00	No	No
WA4	Sliding Window	6'-0"	5'-0"	.32	0.25	30.00	No	No
WA5	Sliding Door	8'-0"	8'-0"	.32	0.25	64.00	No	No
WA6	Sliding Window	6'-0"	2'-0"	.32	0.25	12.00	No	No
WA7	Sliding Window	4'-0"	2'-0"	.32	0.25	8.00	No	No
WA8	Sliding Window	5'-0"	5'-0"	.32	0.25	25.00	Yes	No
WA9	Sliding Window	5'-0"	2'-0"	.32	0.25	10.00	No	Yes
WA10	Sliding Window	5'-0"	5'-0"	.32	0.25	25.00	No	No
WA11	Sliding Window	3'-0"	4'-0"	.32	0.25	12,00	No	No
WA12	Sliding Window	3'-0"	4'-0"	.32	0.25	12,00	No	No
WA13	Inswing Door	3'-0"	7'-0"	.32	0.25	21.00	Yes	Yes
						699.0		

ALL WINDOWS AND DOORS TO BE INSTALLED AND WEATHER-PROOFED IN STRICT ACCORDANCE WITH MANUFACTURER'S INSTALLATION INSTRUCTIONS. REFER TO MANUFACTURERS INSTALLATION MANUALOR REFERENCE AMA 2400 FOR NEW INSTALLATIONS AND AAMA 2410 FOR RETROFIT INSTALLATIONS.

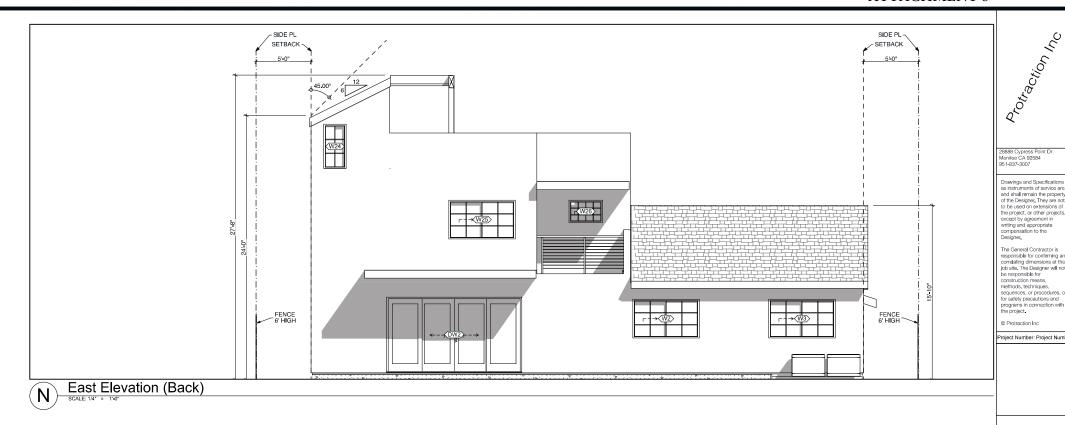


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PROMONTORY ADDITION
3535 Promontory St San Diego, CA 92109
Remodel & Addition Elevations

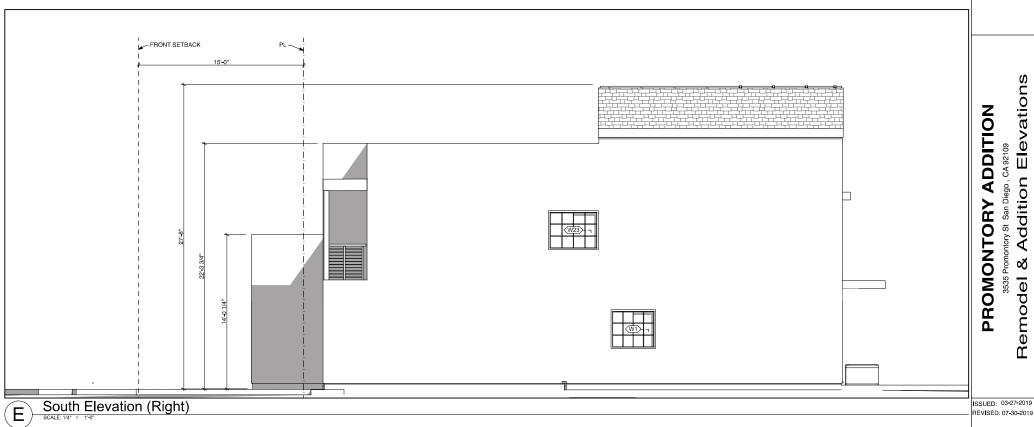
ISSUED: 03-27-2019 REVISED: 07-30-2019

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Element ID	Туре	Width	Height	U-value	SHGC	Area	Egres	Tempere
DW1	Sliding Door	6'-0"	7'-0"	.32	0.25	42.00	Yes	No
DW2	Sliding Door	12'-0"	6'-8"	.32	0.25	80.00	No	No
DW21	Sliding Door	6'-0"	6'-8"	.32	0.25	40.00	No	No
DWA1	Sliding Door	3'-0"	7'-0"	.32	0.25	21.00	Yes	Yes
W1	Sliding Window	4'-0"	3'-6"	.32	0.25	14.00	No	No
W2	Sliding Window	6'-0"	3'-6"	.32	0.25	21.00	No	No
W3	Sliding Window	6'-0"	3'-6"	.32	0.25	21.00	No	No
W4	Sliding Window	2'-0"	2'-0"	.32	0.25	4.00	No	No
W5	Sliding Window	2'-0"	2'-0"	.32	0.25	4.00	No	No
W6	Sliding Window	6'-0"	3'-6"	.32	0.25	21.00	No	No
W7	Sliding Window	6'-0"	3'-6"	.32	0.25	21.00	No	No
W21	Fixed	3'-6"	4'-0"	.32	0.25	14.00	No	No
W22	Sliding Window	5'-6"	3'-6"	.32	0.25	19.25	No	No
W23	Sliding Window	4'-6"	3'-6"	.32	0.25	15.75	No	No
W24	Sliding Window	2'-0"	4'-0"	.32	0.25	8.00	No	No
W25	Sliding Window	6'-0"	3'-6"	.32	0.25	21.00	No	No
W26	Sliding Window	3'-0"	2'-0"	.32	0.25	6.00	No	No
W27	Sliding Window	4'-0"	2'-0"	.32	0.25	8.00	No	No
W28	Sliding Window	4'-6"	2'-0"	.32	0.25	9.00	No	No
WA1	Sliding Window	5'-0"	5'-0"	.32	0.25	25.00	Yes	No
WA2	Sliding Window	5'-0"	5'-0"	.32	0.25	25.00	Yes	No
WA3	Sliding Window	8'-0"	5'-0"	-32	0.25	40.00	No	No
WA4	Sliding Window	6'-0"	5'-0"	.32	0.25	30.00	No	No
WA5	Sliding Door	8'-0"	8'-0"	.32	0.25	64.00	No	No
WA6	Sliding Window	6'-0"	2'-0"	.32	0.25	12.00	No	No
WA7	Sliding Window	4'-0"	2'-0"	.32	0.25	8.00	No	No
WA8	Sliding Window	5'-0"	5'-0"	.32	0.25	25.00	Yes	No
WA9	Sliding Window	5'-0"	2'-0"	.32	0.25	10.00	No	Yes
WA10	Sliding Window	5'-0"	5'-0"	.32	0.25	25.00	No	No
WA11	Sliding Window	3'-0"	4'-0"	.32	0.25	12.00	No	No
WA12	Sliding Window	3'-0"	4'-0"	.32	0.25	12.00	No	No
WA13	Inswing Door	3'-0"	7'-0"	.32	0.25	21.00	Yes	Yes
						699.0		

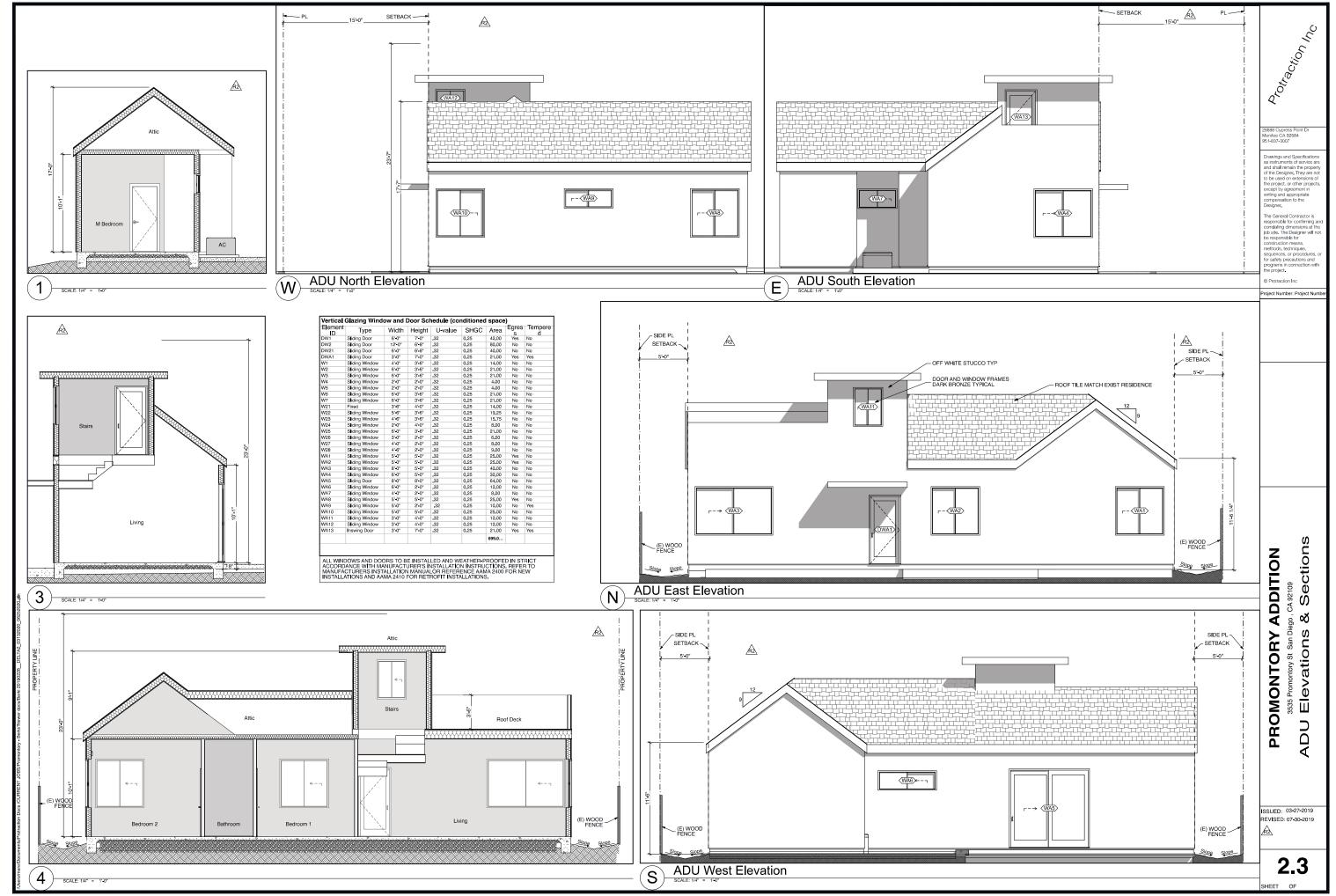
ALL WINDOWS AND DOORS TO BE INSTALLED AND WEATHER-PROOFED IN STRICT ACCORDANCE WITH MANUFACTURER'S INSTALLATION INSTRUCTIONS. REFER TO MANUFACTURERS INSTALLATION MANUFACTURERS INSTALLATION MANUFACTURERS INSTALLATION AND A

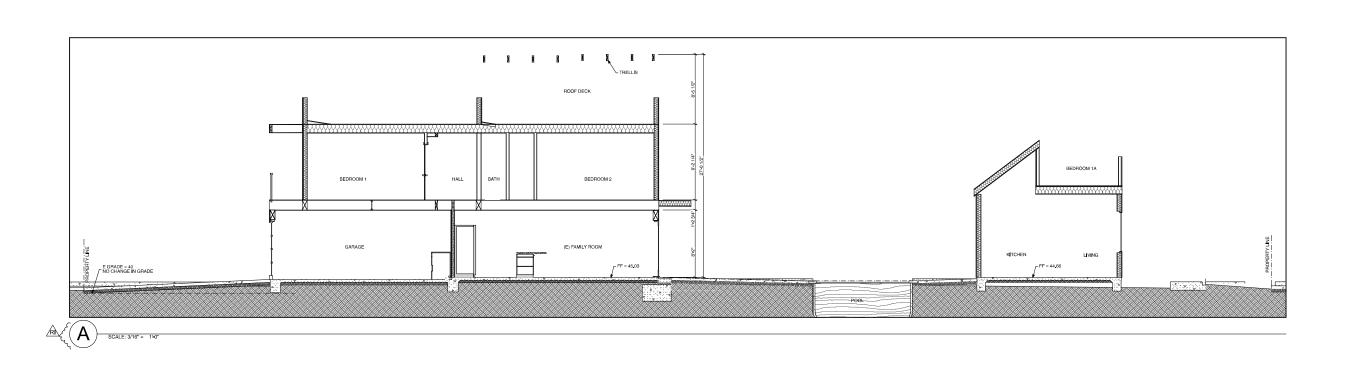


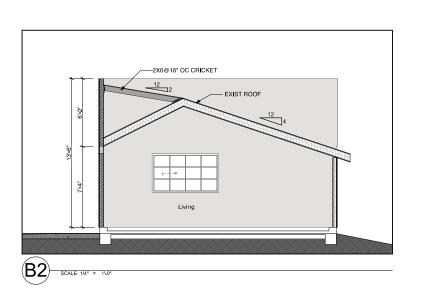
REVISED: 07-30-2019

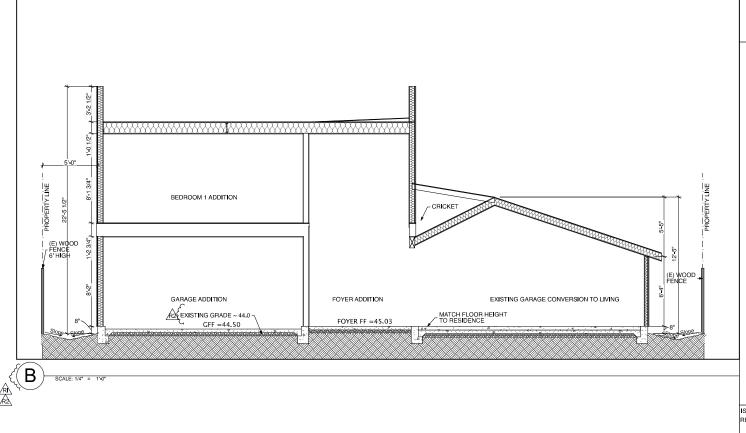
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## ATTACHMENT 8







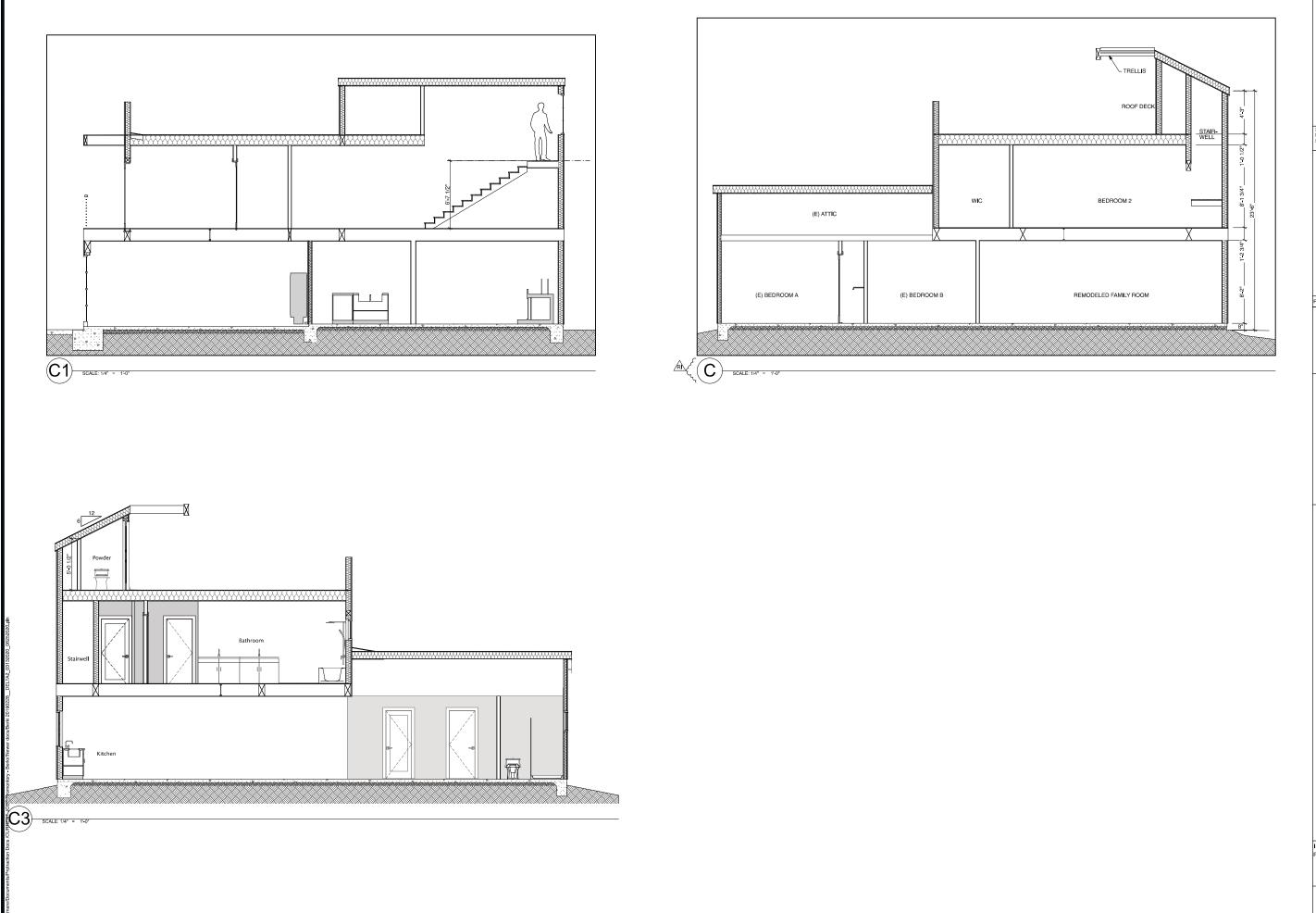


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PROMONTORY ADDITION
3535 Promontory St. San Diego , CA 92109
Remodel & Addition Sections

ISSUED: 03-27-2019 REVISED: 07-30-2019

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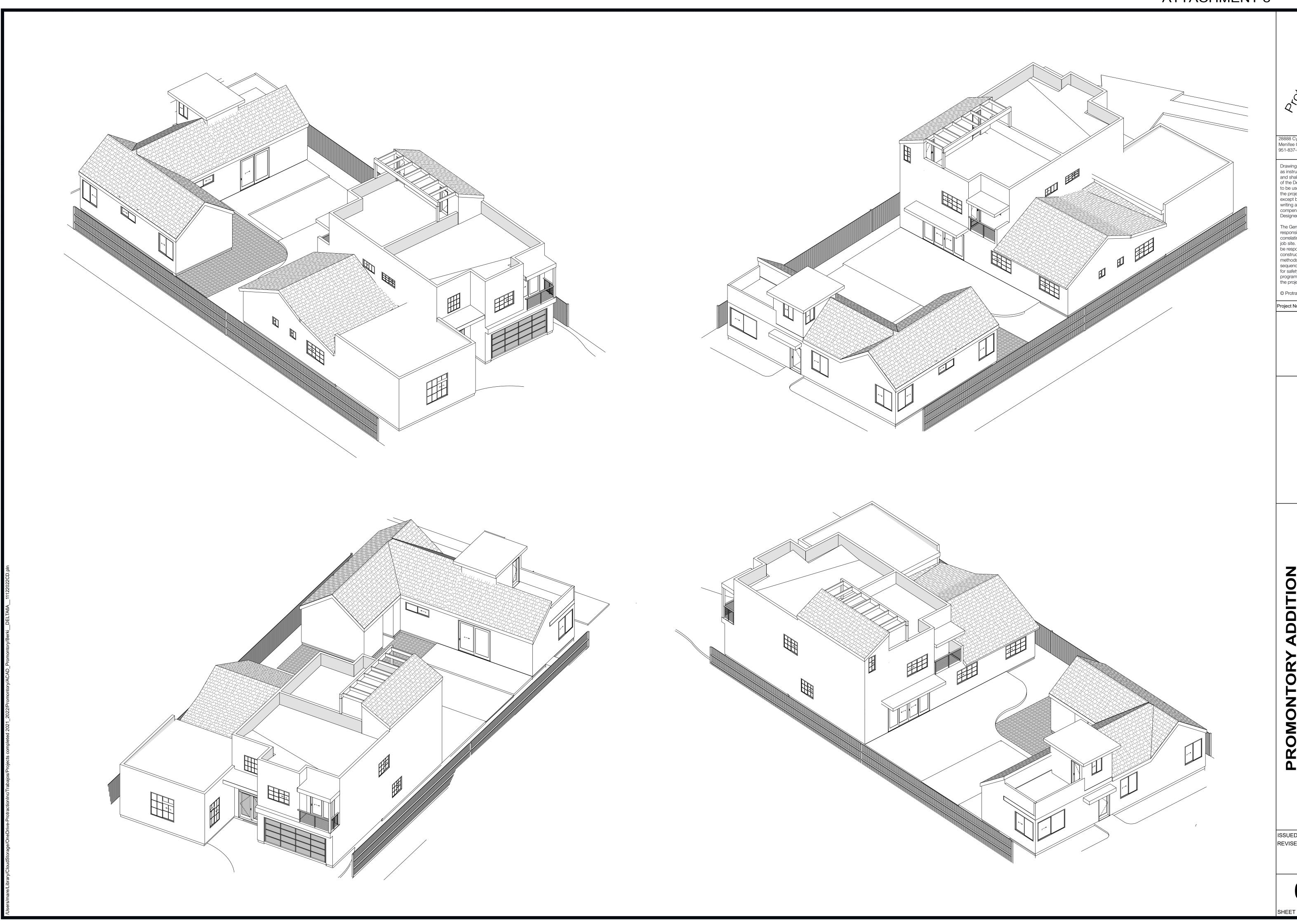


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PROMONTORY ADDITION
3535 Promontory St. San Diego, CA 92109
Remodel & Addition Sections

ISSUED: 03-27-2019 REVISED: 07-30-2019

3.2



28888 Cypress Point Dr Menifee CA 92584 951-837-3007

Drawings and Specifications as instruments of service are and shall remain the property of the Designer. They are not to be used on extensions of the project, or other projects, except by agreement in writing and appropriate compensation to the Designer.

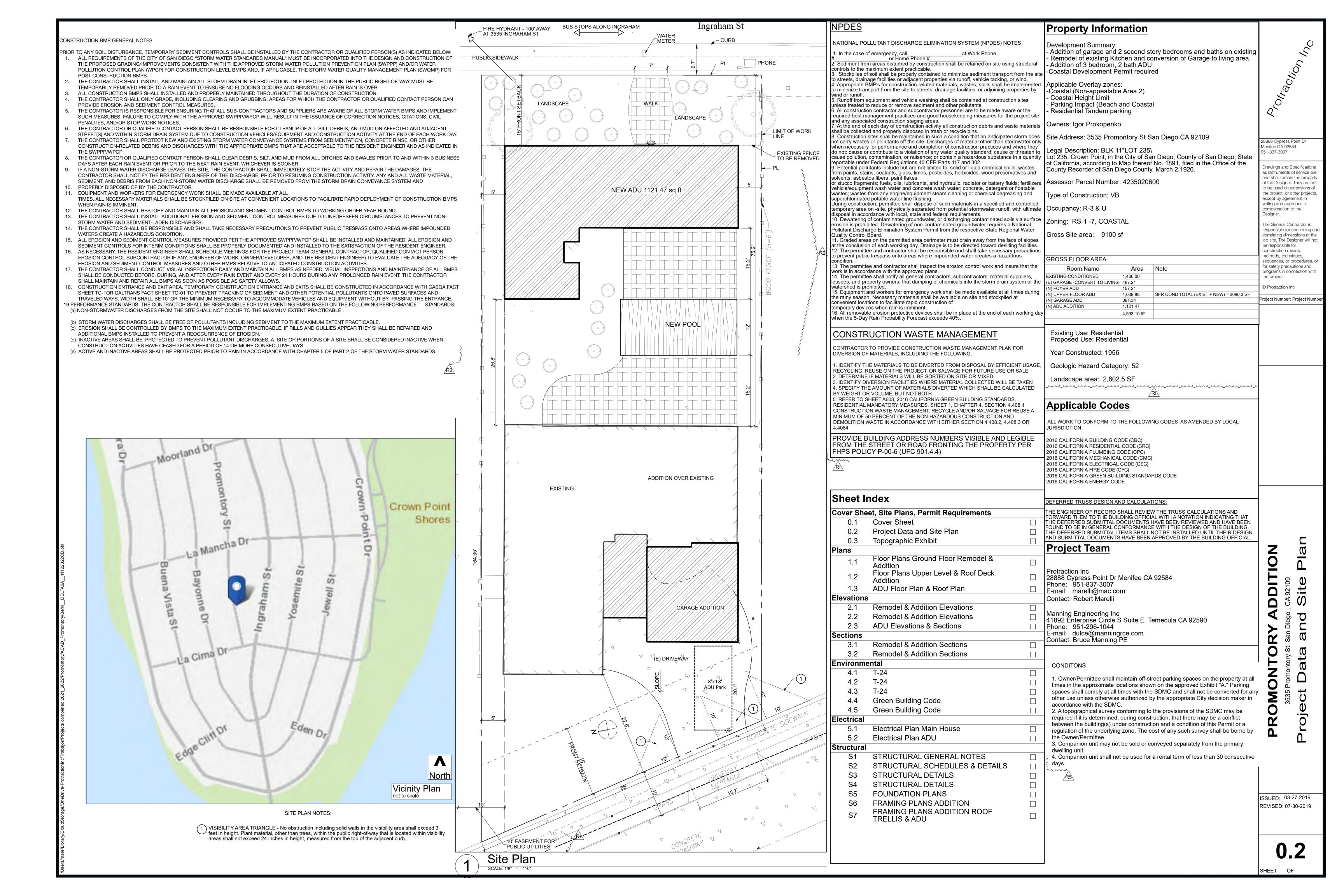
The General Contractor is responsible for confirming and correlating dimensions at the job site. The Designer will not be responsible for construction means, methods, techniques, sequences, or procedures, or for safety precautions and programs in connection with the project.

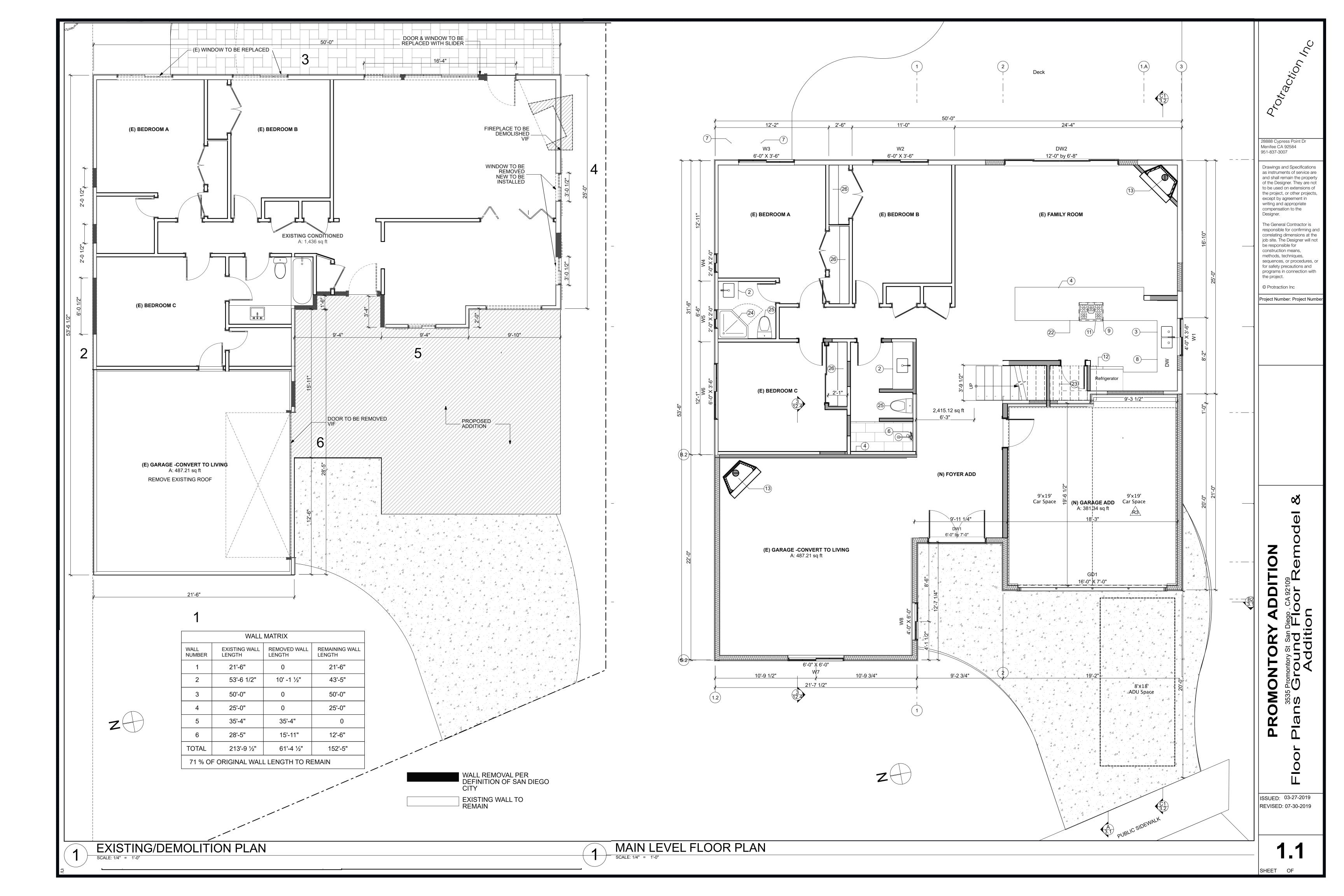
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Project Number: Project Number

ISSUED: 03-27-2019 REVISED: 07-30-2019

Cover





Page 4 City of San Diego · Information Bulletin 620 August 2018 Community Planning Committee Distribution City of San Diego **Development Services** 1222 First Ave., MS-302 Form Part 2 San Diego, CA 92101 Distribution Date: January 10,2020 Project Name: Prokopenko Addition Project Number: 635117 Project Scope/Location: Coastal Development Permit for the remodel, garage conversion, garage addition and second story addition to an existing single dwelling unit for a total 3,697-square feet and the construction of new Companion Unit of 1,151-square feet for a total area of 4,849 square feet of construction located. Applicant Name: Igor Prokopenko Applicant Phone Number: Email Address: igorpro888@gmail.com Project Manager: Phone Number: Committee Recommendations (to be completed for Initial Review): Sub committee recommended to forward to full Community Planning Committee for full review with no recommendation. ☐ Vote to Approve Members Yes Members No Members Abstain Vote to Approve Members Yes Members No Members Abstain With Conditions Listed Below Members Yes Members No Members Abstain Vote to Approve With Non-Binding Recommendations Listed Below Vote to Deny Members Yes Members No Members Abstain 10 □ Continued □ No Action (Please specify, e.g., Need further information, Split vote, Eack of quorum, etc.) CONDITIONS: Recommend some parking; prior maintenance history is a problem; design is too unlike the neighborhood character especially on Ingraham and out-of-scale. NAME: TITLE: Marcella Bothwell Dev Comm Chair, PBPG SIGNATURE: DATE: Koharliso 1/10/2020 Attach Additional Pages if Necessary. Please return to: Project Management Division
City of San Diego
Development Services Department
1222 First Avenue, M5 302

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San Diego, CA 92101

Clear Forms

#### **Karl Rand**

From: Sent: Karl Rand <karlrand22@gmail.com> Tuesday, January 14, 2020 4:28 PM

To:

Karl Rand

**Subject:** 

Fwd: [PBPG Board] DRAFT PBPG Minutes of January 8, 2020

----- Forwarded message -----

From: Carolyn Chase < carolyn@icontactweb.com>

Date: Fri, Jan 10, 2020 at 8:35 AM

Subject: [PBPG Board] DRAFT PBPG Minutes of January 8, 2020

To: <box>
<br/>board@pbplanning.org>

The Pacific Beach Planning Group met at their regular monthly meeting now on the 2nd Wednesday January 8, 2020

at the

PB Library, 4275 Cass St, San Diego CA 92109

Eve Anderson 1
Marcella Bothwell 2
Joe Bettles 3
Carolyn Chase 4
Jon Cole 5
Scott Chipman 6
Brain Delon 7
Paula Gandolfo 8
Junior Leoso 9
Jim Morrison 10

Absent Board members: Ed Gallagher, Jason Legros

All others attending

Steve Pruett 11 Karl Rand 12 Bill Zent 13

Paula Gandolfo left at 8pm

ITEM 1: Call to order at 6:36pm

ITEM 2: Non-Agenda Public Comment

Don Gross showed a photo of stairs next to an cement incline west side of Mission Bay Dr bridge over lower Rose Creek = a dangerous situation

and spoke about Figueroa next to the golf course and when it rains it floods and it happened six times this year. There's a ditch at the golf course that they have refused to clean up. Please write to the Mayor and ask for these situations to be

# 635117 60 TO PAGE 2 cleaned up.

Bill Zent - spoke about an issue about retail. PB has almost 20 empty retail spaces. We should entertain rezoning for residences. Some have been empty for two years or we need to do something else about this.

ITEM 3: Current Agenda - Modifications & Approval

- Assembly member Gloria staff M Valk won't be attending tonight going to attend every other meeting
- Since Jason won't be there Item 10 will be presented by the Chair

MOTION TO APPROVE Agenda with changes SC/EA All in Favor, Chair not voting MOTION PASSES

ITEM 4: Minutes of December 11, 2019

MOTION to APPROVE EA/SP All in Favor with SC abstaining due to being absent, Chair not voting MOTION PASSES

ITEM 5: Chair's Report by Karl Rand Happy Birthday to Eve Anderson tonight!

6:48pm

**ITEM 6: Political Representatives** 

City Council member Campbell rep: Monica Eslamian

Foothill Blvd at Loring roundabout is happening; PB Holiday Parade was fun; Council passed a ban on motorized vehicles on the Boardwalk but call President Gomez to ask her to docket the second reading sooner rather than later; 5 parking spaces at the Lifeguard 21 (end of Grand) are being designed; Please nominate people to be acknowledged at State of the District event at Liberty Station on Jan 30th at 5:30pm;

Still looking for Board & Commissions nominations. Sign-up for Council newsletter online.

6:54pm

ITEM 7: Development Project Review (CRMS Subcommittee) Action Items presented by Marcella Bothwell Subcommittee Chair

a. #622028: 5076 Bayard St & 919 Tourmaline St

RS 1-7 Zone Mr. Bateman presented

Creation of two lots using small lot subdivision Process 3. Two existing single family residences.

SubCommittee recommended approval. Owner's intention is for his daughters to occupy.

MOTION to Approve JM/BD All in Favor, 12-0-0 Chair not voting MOTION PASSES

b. #644803: 1024 Felspar St

RM-2-5 Zone Presented by Ted Larson, Stel Builders, Inc. and Jon Ramirez-Terrero

Coastal Development Permit to construct a second, 2-story, 2289 sq ft single family residence with an attached garage fronting on the alley. Will have a mechanical list to allow for 4 parking spaces (the requirement is for 3 spaces).

SubCommittee recommended approval

MOTION to Approve JM/BD 11-1-0 Chair not voting PG voted no MOTION PASSES

12 members of the public in attendance besides the Board

7:06pm

c. #635117: 3535 Promontory St

RS-1-7 Zone presenter: Mr. Prokopenko

Coastal Development Permit to remodel existing dwelling unit to convert existing garage into living space, construct a new garage, and add second story for a resulting total of 3697 sq ft and plus the construction of a new companion unit of 1151 sq ft with the entrance on Ingraham.

No recommendation by the Subcommittee

MB presented questions by the Subcommittee:

1. There is only one address for the entire project

#635777

- 2. setbacks are 15' from Ingraham, 5' on each side
- 3. FAR is OK

Keeps existing pool. It's 10,000 sq ft and is the biggest lot in the neighborhood.

A freestanding ADU Accessory Dwelling Unit can go up to 1200 sq ft

Speaker 1: Powerpoint presentation showing ADU examples that are smaller than what is being proposed and other small houses with driveways and as much as 18 feet in between houses. Objecting to the project as a "monstrosity" and not consistent with the character of their neighborhood. This will forever will be a high-price rental without parking due to proximity to the bus stop. We don't want an apartment complex in Crown Point's R-1 neighborhood.

Speaker: 2 Joyce Lilyea

with time ceded to her by two others for a total of six minutes.

In opposition to the project. Bought their home in Crown Point due to quality of neighborhood with a beloved sense of community. Their sole intent is to maximize development on the lot and build two houses on the property without doing a lot split because it isn't required. Renters since the past owner died have caused many problems and there has been no maintenance. We had to repair a broken fence to protect us from a guard. It will require mature trees and greenery to be cut down. It doesn't match the character of the smaller single family homes in the neighborhood. The reason the lot is bigger is because it was deemed unsuitable for two units. Community character isn't being considered at all. It could be filled with multiple, unrelated adults and sounds like an apartment or a hotel. They are creating an artificial lot and will forever be a rental open to short term rentals.

Speaker 3: Don Gross

What does ADU actually mean? It used to be called a 'granny flat'. I live a few blocks away and it is the talk of the neighborhood. This is supposed to be one house only. There is no such thing as the address provided on Promontory - it does not exist. When you have a driveway backing out on to a busy street, it's a problem.

End of public comment

Q - as of right now, there is no parking being provided?

A - it's not required. We're talking to the City about this

WIll it be a rental?

A - Doesn't have to be.

Q - Has it been a rental?

A - yes but until last week, I'd never heard there have been complaints until last week. The design of the house fits with the neighborhood. No tenants have been there for the last year and I didn't know about any complaints.

Q - how far along is this?

A - we're trying to figure out some parking but we're ready to pull the permits

There will be a new landscape plan.

Board Comments - it's wrong to design these without parking; without a driveway; 3 bedrooms
The public should realize that the State and the City allowed any lot to add an ADU and this is what you get. If they redesigned it more in character, would it have been OK?(opposition answers yes but as is, it's really an apartment building). I can't fathom why it's not in character with the neighborhood, they are wedging in a mini-skyscraper. It should somehow be in character with the community. I wouldn't like to live next door to it? Listen to the neighbors and redesign the ADU and have parking. I'm pro expanding housing so this is tough for me since I think ADUs are one of the best ways to add housing. Even if the project meets all the technical requirements, we can vote against it if we think it doesn't fit the community character. This is an unusual lot where the back of the lot is Ingraham and front is Promontory

with a pool in the middle taking up a lot of space - so they are going up to get more space. The ADU has no door to the pool area. (The City does not require it - it's not a Companion Unit it's an ADU and they are different things.) Street does allow overnight parking. Our role is to help implement the PB Community Plan and that includes Single Family Design and be advocates for community character. It meets the regulations; you can't just say it needs to be a single story. Think of a clever way to use the space, but all I see is maximizing the build. Please compromise.



MOTION to deny: SC/SP 10-1-1 with CC voting no and MB abstaining because it meets the regulations and they have not worked with the community. Chair not voting MOTION PASSES

It's not about the trees, the two story or the shape. The code is horrible and may allow this with no parking, so you're going to have to go to the City and complain.

Recommend that it have some parking; prior maintenance history is a problem; design is too unlike the neighborhood character; out-of-scale;

7:51pm - 7 members of the public still here

ITEM 8: Streets & Sidewalks Committee - Eve Anderson, Chair

- Status of Safety improvements at Foothill at Vickie Dr roundabout design expected in 2021 and that's not acceptable; they will put in a ped-activated flashing beacon within six months
- Support push for increased budget funding for sidewalk repairs citywide / Don Gross reported there are no sidewalks on La Playa and pestered the City and they have finally put them in. Another area on Shasta has also been put in. Public Comment Don Gross: Repairs to sidewalks are the responsibility of the property owners, but adding sidewalks that are required are the City's responsibility. Showed photos of locations on La Playa. Thanks to Don!

EA It also costs \$2,000 for a permit for an owners to repair sidewalks and so they don't proceed with it and it should be lowered.

Paula Gandolfo left at 8pm 4 members of the public still in attendance

#### 8:06pm

- Traffic light timing problems at new signal at the I-5 north exit on Balboa west of East Mission
There's 28 seconds to go off freeway and 14 seconds going east on Balboa and traffic is backing up even worse than usual in the intersection that was already blocked frequently before this signal went in. Priority must be provided to Balboa going east. They took a bad intersection and made it worse. D2 staff: the city must do a study first to change. Q - Then what study allowed them to put it in this way? D2 staff - I'll find out. D2 staff will look into it.

Karl Rand - re roundabouts on Foothill - why did the one on Loring get approved but the other we were interested in not get approved? There was evidently some neighborhood opposition to the others at that time. The City said: do a petition to overcome it and it's being circulated in the neighborhood.

#### 8:16pm

ITEM 9: Mission Blvd Public Spaces & Active Transportation Plan (Action Item) Letter distributed in advance; approved the substance at the last meeting. MOTION to approve MB/SP All in favor, Chair not voting MOTION PASSES Thanks to Ed Gallagher who did a terrific job with Chris Olson

#### 8:17pm

ITEM 10: Community Planning Group Reform Proposals (Information Item) - Chair Rand
Report on City Attorney's 12-page Report to City Council Land Use & Housing Committee dated December 3, 2019

Page 3 City of San Diego · Information Bulletin 620 May 2020 Community Planning Committee Distribution City of San Diego Form **Development Services** Project Number: Project Name: 3535 Promontory 635117 Community: For project scope and contact information (project manager and applicant), log into OpenDSD at https://aca.accela.com/SANDIEGO. Select "Search for Project Status" and input the Project Number to access project information. ☐ Vote to Approve ☐ Vote to Approve with Conditions Listed Below □ Vote to Approve with Non-Binding Recommendations Listed Below Vote to Deny # of Members Yes # of Members No # of Members Abstain 12 1 Conditions or Recommendations: "Accessory Dwelling Unit or ADU" of 1121.5 sq ft should be categorized as a new home not an ADU. ADU's of this size and scale are not in character with the neighborhood. While parking for this ADU in the "front yard" is allowed, it is not allowed by the City for their neighbors. □ No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.) NAME: Marcella Bothwell, MD,MBA TITLE: DATE: July 09, 2020 Development Chair, Pacific Beach Planning Group Attach additional pages if necessary (maximum 3 attachments).



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

# Ownership Disclosure Statement

**FORM** 

**DS-318** 

October 2017

Approval Type: Check appropriate box for type of approval(s) requested: ☐ Neighborhood ☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Developm ☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment	nent Permit 🗅 Conditional Use Permit 🗅 Variance
Project Title: Addition (emodel & ADU	Project No. For City Use Only:
Project Title: Addition remodel & ADU  Project Address: 3535 Promontory Str. Sc	in Diego, CA 92109
Specify Form of Ownership/Legal Status (please check):  □ Corporation □ Limited Liability -or- □ General – What State?Corporate	Identification No
□ Partnership 💆 Individual	
By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an appliwith the City of San Diego on the subject property with the intent to record an encumowner(s), applicant(s), and other financially interested persons of the above referenced individual, firm, co-partnership, joint venture, association, social club, fraternal organiza with a financial interest in the application. If the applicant includes a corporation or paindividuals owning more than 10% of the shares. If a publicly-owned corporation, including forces. (A separate page may be attached if necessary.) If any person is a nonprofit organization or as true. A signature is required of at least one of the property owners. Attach additional page notifying the Project Manager of any changes in ownership during the time the application of the project Manager at least thirty days prior to any public accurate and current ownership information could result in a delay in the hearing process.	nbrance against the property. Please list below the property. A financially interested party includes any tion, corporation, estate, trust, receiver or syndicate rtnership, include the names, titles, addresses of all de the names, titles, and addresses of the corporate ganization or a trust, list the names and addresses of stee or beneficiary of the nonprofit organization. It is if needed. Note: The applicant is responsible for ation is being processed or considered. Changes in hearing on the subject property. Failure to provide
Property Owner	
	△Owner □ Tenant/Lessee □ Successor Agency
Street Address: 8358 Auburn Ridge Way	
city: San Dicelo	State: CA Zip: 92129
Phone No.: 858-945-2688 Fax No.:	Date: 04/18/19
Additional pages Attached:	Suice
Applicant	
Name of Individual: I GOR PROKOPENKO	⚠Owner ☐ Tenant/Lessee ☐ Successor Agency
Street Address: 8358 Auburn Ridge Way	
	State: <u>CA</u> Zip: 92129
Phone No.: 858-945-2688 Fax No.:	
Signature.	Date:
A STATE OF THE PROPERTY OF THE	
Other Financially Interested Persons	
Name of Individual: <u>Ed Ward</u> Ber Ki Street Address: 332 A. Ave.	☐ Denant/Lessee ☐ Successor Agency ☐ Denant/Lessee ☐ Successor Agency ☐ Denant/Lessee ☐ Successor Agency
Street Address: 532 A. AVE.	State: CA Zip: 92118
Phone No.: 951 - 453 - 7272 Fax No.:	Email: eberki@ apl. com
Signature:	Date:
Additional pages Attached:	Date.
Additional pages Attached.	