



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: January 8, 2016 **REPORT NO:** PC-15-130

ATTENTION: Planning Commission, Agenda of January 21, 2016

SUBJECT: 101 DICKINSON - PROJECT NO. 406244
PROCESS FOUR

OWNERS: Shiraz Partners, a Delaware Limited Partnership

APPLICANT: Ben Badiee

SUMMARY

Issues: Should the Planning Commission approve the development of 49 residential condominiums and one commercial condominium located at 101-112 Dickinson Street within the Uptown Community Plan Area?

Staff Recommendations:

1. **Adopt** Addendum No. 406244 to Mitigated Negative Declaration No. 157724 and the Mitigation Monitoring and Reporting Program (MMRP); and
2. **Approve** Site Development Permit No. 1420454 and Vesting Tentative Map No. 1428149.

Community Planning Group Recommendation: At the June 2, 2015, meeting of the Uptown Community Planning Group, the project was approved by a vote of 12-0-1, with no recommendations. At the time of printing this report, the official minutes for this meeting were not available. Draft minutes are included as Attachment 8.

Environmental Review: Addendum No. 406244 to Mitigated Negative Declaration (MND) No. 157724 has been prepared for the project in accordance with the State of California Environmentally Quality Act (CEQA) Guidelines. Based upon a review of the current project, it has been determined that there are no new significant environmental impacts not considered under the previous MND, no substantial changes have occurred with respect to the circumstances under which the project is under taken, and there is no new information of substantial importance to the project.

Fiscal Impact Statement: None with this action. All costs associated with the processing of this project are paid by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: The 0.73-acre site is zoned NP-1 (Neighborhood Professional) which allows up to 73 dwelling units per acre and RS-1-1 (Residential-Single Family) which allows 1 dwelling unit. The NP-1 zone is approximately 0.66-acres and would allow 48 units. The RS-1-1 zone is approximately 0.07 acres and would allow one dwelling unit. Based on this maximum density allowed by the underlying zones, 49 dwelling units would be allowed on site. The project proposes 49 new, market-rate, for-sale residential condominium units and one commercial condominium unit. The project would also include the demolition of three single-family residences and 16 multi-family residential units, resulting in a net gain of 30 additional housing units within the Uptown Community. The project has been conditioned to comply with the City-wide Affordable Housing Regulations and the applicant has elected to pay the affordable housing fee.

BACKGROUND

The 0.73-acre project site is located at 101-112 Dickinson Street, between Front Street and Bachman Place (Attachment 1). The majority of the site (approximately 0.66-acres) is zoned NP-1 (Neighborhood Professional) and approximately .07-acre is within the RS-1-1 Zone at the southern portion of the site. The site is also in the Mid-City Communities Planned District, the Community Plan Implementation Overlay Zone Area (CPIOZ) 'B', the Lindberg Field Airport Influence Area (Review Area 2) and the Federal Aviation Administration (FAA) Part 77 Notification Area in the Medical Complex neighborhood within the Uptown Community Plan (Attachment 2). The project site is south of Interstate 8, west of State Route 163 with access taken from Washington Street and east to the terminus of Dickinson Street which dead ends at the project site. The surrounding land uses include the University of California San Diego (UCSD) medical center to the west and north, the UCSD parking garage to the east, and several modular buildings and an urban canyon to the south.

The existing project site consists of three single-family units, 16 multi-family units and surface parking. Staff has reviewed these structures and concluded they do not meet local historical designation criteria as an individually significant resource nor are they eligible for designation under any adopted Historical Resources Board Criteria.

The topography of the site ranges from 255 feet above mean sea level to 290 feet above mean sea level. The developed portion of the site is relatively flat; however a small portion of the south eastern corner does contain steep slopes as defined by San Diego Municipal Code (SDMC) Section 143.0110. The northeastern area of the site slopes down into a canyon that connects to the Multi-Habitat Planning Area (MHPA); however the project site is not within the MHPA.

Prior discretionary actions

On January 27, 2010, the Hearing Officer of the City of San Diego approved a Site Development Permit (SDP) and certified a Mitigated Negative Declaration (MND) for the demolition of existing structures and the construction of a 72,000-square-foot, four-story medical office building and five levels of subterranean parking with deviations to height, setbacks and driveways. An Extension of Time for the SDP was approved in 2013 and expires on February 10, 2016, but no construction permits have been obtained for the prior approvals. The proposed permit will supersede the extension of time.

DISCUSSION

Project Description:

The project proposes 49 residential condominium units and one commercial condominium unit within a five-story mixed-use structure (over two levels of subterranean parking), and a two-story multi-family residential structure divided by a courtyard/amenity space (over one level of subterranean parking), for a total of approximately 72,000-square-feet. There are 16 one-bedroom units, 22 two-bedroom units and 11 three-bedroom units with a range of 900-1,800 square feet. The density range of the NP-1 zone would allow 73 dwelling units per acre or a maximum of 48 dwelling units for the NP-1 zone. The RS-1-1 zone would allow 1 dwelling unit. Based on this maximum density allowed by the underlying zones, 49 dwelling units would be allowed on site.

The NP-1 and the RS-1-1 zone have a maximum permitted Floor Area Ratio (FAR) of 0.45. The project would construct the residential/commercial units at a density consistent with the respective zones on the project site and within the permitted FAR. Due to the site's sloping topography and the unusual shape of the lot, the project would require deviations for setbacks, upper story step backs and height as detailed on Page 5 of this report as well as a deviation to encroach into steep hillsides.

A majority of the condominium units would be located in a five-level structure. Access to each unit would be provided from an internal corridor accessible via two stairwells or an elevator providing access to the ground floor and subterranean parking levels. North or south-facing decks would be provided for each unit. Dividing the site is a courtyard/amenity space which incorporates a swimming pool, fire pit, community lounge with kitchen facilities, and a fitness room for residents. A two-story structure, above one level of subterranean parking with five townhouse condominium units would be provided at the south end of the courtyard area. Amenities also include a bicycle storage room, lobby, garbage/recycling room, mailroom and restrooms located on the ground floor in the courtyard area. Storage units for residents would be provided in the subterranean parking garage. The project will include energy efficient equipment and lighting, low flow toilets and water fixtures.

The project proposes a design that is modern in architectural form, simplified with an emphasis on rectangular, horizontal, and vertical lines and a stepped roof. The modern design of the building would utilize glass, painted concrete and metal; offsets are incorporated into the design to break up the building wall mass on all elevations with various superficial elements such as railing and balconies.

The project would remove two existing driveways associated with existing residential development and construct a single driveway (from Dickinson) to access ground-level and subterranean parking. Dickinson Street would be improved with a 25-foot radius turn around to allow fire truck access as well as new curb, gutter and sidewalks. The project would accommodate a total of 108 parking stalls, including 97 in the parking garage and 11 on the ground-level parking lot. Additionally, two motorcycle parking stalls would be provided in the ground-level parking, and five motorcycle parking stalls would be provided in the subterranean parking levels. Ground-level parking would include six commercial parking spaces and five residential guest parking spaces including two handicap-accessible guest spaces. Access to the ground-level parking area would be gated but open during business hours for the commercial space.

The entire area would be graded with an approximate excavation of 14,000 cubic yards at a maximum depth of 23 feet to allow for construction of the subterranean parking. Utility improvements would include sewer and waterline connections to the existing infrastructure located in Dickinson Street. Storm drain improvements include a vegetated swale along the northerly and westerly project boundary, catch basins, and storm water detention devices including an underground storm trap device that will run north to south along the easterly property boundary. The project has been conditioned to underground all new and existing onsite utilities.

A concrete retaining wall would be installed and would wrap around the northeast corner of the project site. The retaining wall would be approximately 44 feet long on the northern side of project and would be approximately 82 feet long on the south end.

Landscaping would conform to the City's Land Development Code. Perimeter landscaping for the project would include 36-inch box specimen trees, 24-inch box accent and street trees, and 15-gallon evergreen accent shrubs. In response to water conservation, the project would include drought-tolerant landscaping as well as automatic, low-volume spray emitters and drip irrigation in order to reduce demand on the City's water supply. Existing eucalyptus vegetation would be removed. Street trees would be provided in the Dickinson Street right-of-way along the project frontage. Brush Management Zone 1 would be provided entirely within the project boundary. The project would implement alternative brush management for Zone 2 pursuant to San Diego Municipal Code Section 142.0412(i) because the required brush management zones cannot be provided entirely on the premises. Alternative brush management compliance would consist of interior/exterior fire sprinklers, a 12-inch water main in Dickinson Street for adequate fire flow, and the installation of a new hydrant and an exterior standpipe.

The project site is located within the Airport Influence Area, Review Area 2, of the San Diego International Airport, Airport Land Use Compatibility Plan (ALUCP) and the Federal Aviation Administration (FAA) Part 77 Notification Area. However, it is located outside any Safety

Compatibility Zones identified on Exhibit 3-1 of the San Diego International Airport ALUCP. Although the project did not require an ALUCP consistency determination, the project would be consistent with the San Diego International Airport ALUCP based on the proposed land use and its location in relation to the airport. The project is required and conditioned in the permit, to self-certify or provide a determination of no hazard from the FAA prior to the issuance of the first construction permits consistent with the San Diego Municipal Code.

Required Approvals

The following discretionary approvals are required: A Process Four, Site Development Permit for a deviation to the Environmentally Sensitive Lands regulations (Steep Hillsides), a Process Three, Site Development Permit for deviations within the Mid-City Communities Planned District per SDMC Section 1512.0203(b)(4), for exceeding the threshold dwelling units as listed in Section 1512.0203, Table 1512-02A and for the project's location within the Community Plan Implementation Overlay Zone (CPIOZ) Area 'B'.

The project requires a Process 4, Vesting Tentative Map per SDMC Section 125.0401 to create 49 residential condominiums units and one commercial condominium unit. According to SDMC Section 125.0440, Findings for Tentative Maps (Attachment 5), the decision maker may approve the proposed subdivision if it complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed subdivision and determined that it complies with both the Subdivision Map Act and the San Diego Municipal Code.

All actions have been consolidated under this application and processed concurrently, pursuant to the Consolidation of Processing regulations contained in Municipal Code Section 112.0103.

Site Development Permit:

Environmentally Sensitive Lands

As described above, the project site contains Environmentally Sensitive Lands (ESL) (Steep Hillsides) and the project proposes a deviation for encroachment into the steep hillside area. A small portion (approximately 1,800 square-feet or six percent of the entire site) located in the southwestern corner of the RS-1-1 Zone is the only area with steep hillsides that meets the Municipal Code definition. This area would contain the five townhouse condominium units above one level of subterranean parking.

The Steep Hillside Guidelines allow encroachment if the area with steep hillsides constitutes a minor portion of the entire site and there are no community plan designated public views or corridors. According to the community plan, there are no designated public view or corridors on the project site. The residential structure will encroach into this area but still fits into the hillside and maintains the topography on either side. The elevation of this structure is lower in profile than the other proposed structure and steps down to follow the natural contours of the site. The adjacent canyon is surrounded by development and this project would not be seen from any public right-of-way. The residential structure to be located in this area provides balconies orientated towards the canyon, vertical offsetting surfaces, slightly varying rooflines and varying building materials and textures that would be compatible with the varied scale of development within the neighborhood.

The portion containing steep hillsides is only six percent of the entire site, does not contain any designated public views or corridors, and is shielded from any public right-of-way; therefore the encroachment is supported by staff as further discussed in the Draft Permit Resolution and Findings (Attachment 4).

Deviations

Deviations are proposed to the development regulations of the underlying zones for setbacks, height and upper story step backs. The deviations are as follows:

Setbacks

<u>Proposed</u>	<u>Required</u>
1. 6 feet interior setback at south property line (PL)	17 feet
2. 10 feet rear setback opposite Dickinson	15 feet
3. 0 feet interior setback eastern PL	6 feet
4. 4 feet interior setback northern PL	6 feet

Upper Story Step Backs

<u>Proposed</u>	<u>Required</u>
5. 6-foot step back (western PL floors 2-5)	9, 12, and 15 feet
6. 10-12 foot step back (north PL floors 2-5)	9, 12, and 15 feet
7. 8-foot step back (eastern PL, floors 2-5)	9, 12, and 15 feet

Height

<u>Proposed</u>	<u>Max. Allowed</u>
8. 109.5 feet overall height (NP-1)	70 feet
9. 83 feet plumb line (NP-1)	60 feet
10. 61 feet plumb line (RM-1-1)	30 feet

The proposed project with these deviations are consistent with the purpose and intent of the regulations as the design provides light and air to the adjacent properties and reduces bulk and scale by substantially articulating the structure with balconies and the use of different building materials. The increase in height is consistent with the purpose and intent of the regulations, would allow for a more functional project and would not adversely affect the surrounding community. All deviations are supported by staff as further discussed in the Draft Permit Resolution and Findings (Attachment 4). Other than the proposed deviations, the project is in compliance with all other applicable sections of the San Diego Municipal Code.

Community Plan Analysis

The Uptown Community Plan designates the 0.73-acre site for Institutional-Hospital. The Institutional-Hospital land use designation is applied in the Medical Center Complex neighborhood of the Uptown Community to allow for professional offices and medical services

near UCSD Medical Center and Scripps-Mercy Hospital. The community plan does not preclude mixed-use development consisting of office/commercial use within the Institutional-Hospital designation.

The proposed project would include 1,395 square feet of non-residential floor space which has the potential for accommodating medical and professional office use which would implement the existing land use designation. Although the community plan does not identify a residential density range for this site, the underlying NP-1 zone (approximately 0.66 acres) would allow 73 dwelling units per acre or 48 units for the NP-1 zone. The RS-1-1 zone (approximately 0.07 acres) would allow one dwelling unit per acre. Based on this maximum density allowed by the underlying zones, 49 dwelling units would be allowed on site. As proposed, the 49 residential units and one commercial unit would not adversely impact the goals and recommendations in the Uptown Community Plan.

The proposed project site is located within the Community Plan Implementation Overlay Zone, (CPIOZ), Area 'B'. The Urban Design Element of the community plan states that office use in areas adjacent to the UCSD Medical Center should only be permitted with a Planned Development permit to provide for review of design compatibility and traffic circulation impacts in addition to the relationship of office structures to residential development and to open space, building height, architectural detailing, setbacks, access, lot configuration, and views. As proposed the project is being processed through a Site Development Permit which allows review of various aspects of development related to design compatibility and traffic circulation. There are no plan designated public views or corridors associated with the project site.

The project would be consistent with the General Plan Noise Element Table NE-3 Land Use – Noise Compatibility Guidelines which indicates mixed-use commercial and residential projects should be conditionally consistent with exterior noise levels up to 70 decibels and would require indoor noise attenuation to achieve a 45-decibel interior noise level. Based on the lack of major noise sources, the project would be compatible with the noise levels at the site and would be able to provide the required indoor noise attenuation using standard construction methods to meet the noise compatibility standards defined in the General Plan Table NE-3.

The General Plan's Conservation Element includes a goal for San Diego to become a city that is an international model of sustainable development and conservation. Policy CE-A.5 recommends that the construction and operation of new development employ sustainable or "green" building techniques. This project provides a variety of sustainable features and meets the General Plan's Conservation Element by utilizing energy efficient equipment and lighting, low flow toilets and water fixtures.

The proposed project site is located in close proximity to a proposed Class II bicycle lane along Bachman Place, which is located east of the project site and provides access to and from Mission Valley. In order to meet the objective in the Transportation Element of the community plan for encouraging bicycling as an alternative mode of transportation, the project would include bike storage at ground level within the enclosed parking area of the project to accommodate 24 bicycles. The Transportation Element of the community plan also recommends that off-street parking should be placed underground and/or screened from the public right-of-way and adjacent residences. The proposed project would implement this recommendation by enclosing all off-

street parking within two levels of subterranean parking with the exception of 11 surface parking spaces which are screened from the right-of-way by the residential structure.

The proposed project would implement the recommendation for minimizing curb-cuts and entrances to off-street parking areas to prevent pedestrian and vehicle conflicts by removing two existing driveways associated with existing residential development, proposing a single driveway for access to parking, and improving the site with new sidewalks along the project's frontage.

The proposed project would meet the guideline within the Urban Design Element of the community plan for encouraging new construction to be compatible with existing architectural detail and overall appearance of quality development in the surrounding neighborhood by incorporating architecture of modern design similar to many of the structures associated with the UCSD Medical Center in the immediate neighborhood. The project proposes deviations to setbacks, upper story step backs and height as previously discussed in this report. The Uptown Community Plan does not provide specific recommendations pertaining to deviations of setbacks, upper story step backs and heights. To offset building bulk and scale, the proposed project would consist of five-story mixed-use structure and a two-story multi-family residential structure divided by a courtyard/amenity space and include balconies, vertical offsetting surfaces, slightly varying rooflines, varying building materials and textures that would be compatible with the varied scale of development within the neighborhood.

The Urban Design Element also recommends as a guideline that new multi-family residential development should incorporate wall texture variations, façade offsets, upper-floor setbacks, and utilization of varied roof forms. The proposed multi-family residential portions of project would meet this guideline by including balconies, vertical offsetting surfaces, varying rooflines, and trellises in the courtyard. Building materials and textures would also include primarily glass, painted concrete, cement paneling, and stucco. The project would also meet the guideline of providing patios, balconies, courtyards, pools, and other recreational amenities within residential projects to maximize useable open space by incorporating a swimming pool, fire pit, community lounge with kitchen facilities, and a fitness room as onsite amenities for residents.

The project proposes several deviations as detailed above. The Uptown Community Plan does not provide specific recommendations regarding these particular development requirements, except for encouraging upper-story step backs to assist in addressing transitions and scale between new and existing development which the proposed project would incorporate. Despite these deviations, as proposed, the project would be consistent with the Uptown Community Plan, as well as with applicable Mobility and Urban Design Element policies contained in the General Plan, therefore the project would not adversely impact the applicable land use plans.

Environmental Analysis:

City Staff has reviewed the project and Addendum No. 406244 to Mitigated Negative Declaration No. 157724 was prepared in accordance with the State of California Environmentally Quality Act (CEQA) Guidelines. The analysis indicates that there are no new significant impacts that would result from the project, and one previously identified significant traffic and transportation impact of the previously approved Shiraz Medical Center project would be avoided. The proposed project includes mitigation measures to offset impacts to the

environment in the areas of Biological Resources (MHPA Land Use Adjacency) and Paleontological Resources. Implementation of the Mitigation, Monitoring and Reporting Program as well as permit conditions would reduce impacts to below a level of significance.

Conclusion:

Staff has reviewed the request for a Site Development Permit and a Vesting Tentative Map for the development of residential and commercial condominiums with deviations, and has found that the project is in conformance with the applicable sections of the San Diego Municipal Code. Staff has determined that the development is consistent with the Uptown Community Plan and believes the required findings can be supported. Therefore, staff recommends the Planning Commission approve the project as presented, subject to the proposed conditions.

ALTERNATIVES

1. **Approve** Site Development Permit No. 1420454 and Vesting Tentative Map No. 1428149 **with modifications.**
2. **Deny** Site Development Permit No. 1420454 and Vesting Tentative Map No. 1428149, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Assistant Deputy Director
Development Services Department



Renee Mezo
Development Project Manager
Development Services Department

Attachments:

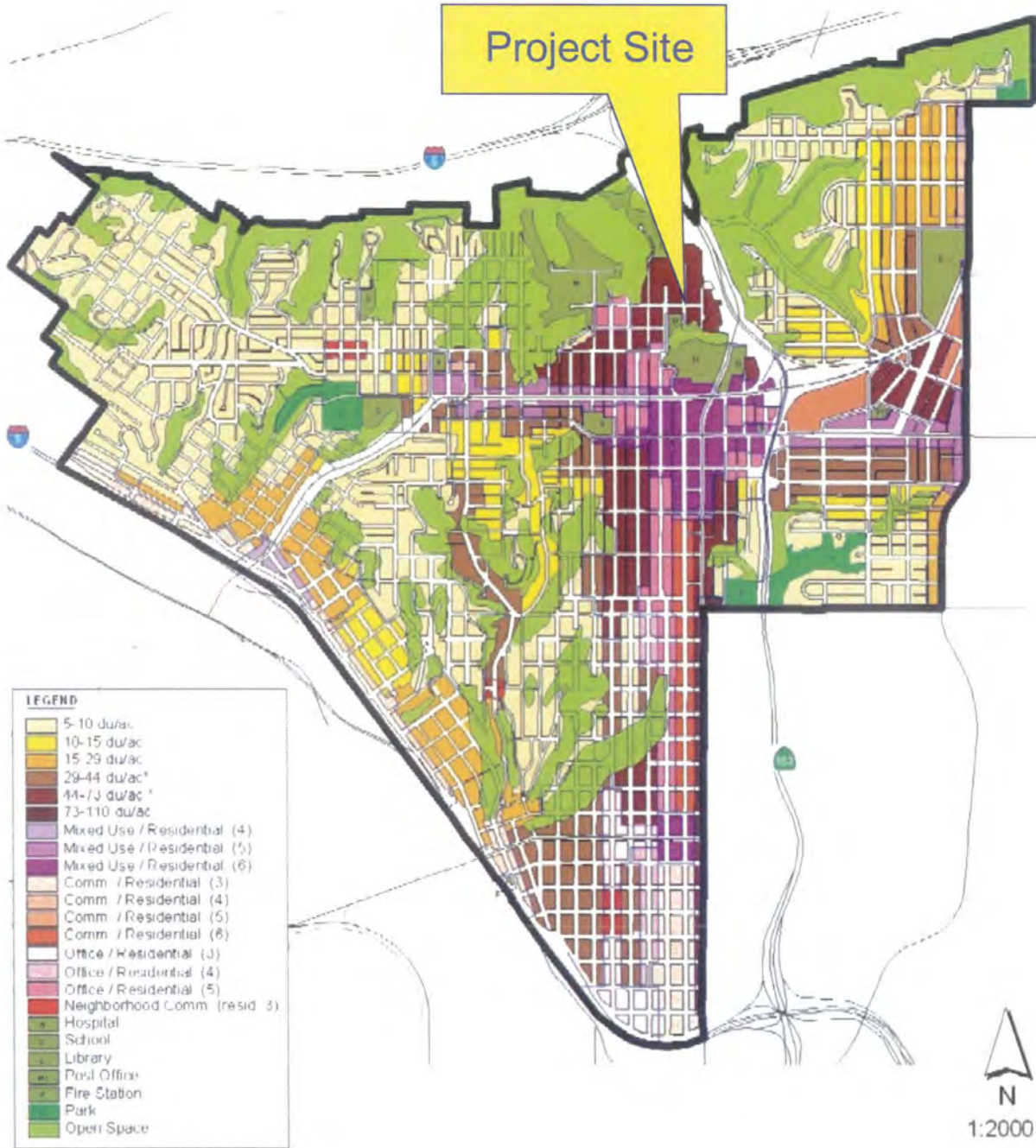
1. Aerial Photograph
2. Community Plan Land Use Map
3. Draft Permit Resolution with Findings
4. Draft Permit with Conditions
5. Draft Tentative Map Resolution with Findings
6. Draft Tentative Map Conditions
7. Project Plans
8. 12.4.15 Email with draft minutes from the 6.2.15, Uptown Community Planning Group Meeting
9. Environmental Resolution
10. Ownership Disclosure Statement



Location Aerial Photo

101 DICKINSON – 101-112 DICKINSON STREET
PROJECT NO. 406244





Land Use Map

101 DICKINSON – 101-112 DICKINSON STREET
PROJECT NO. 406244



PLANNING COMMISSION RESOLUTION NO. XXXX
SITE DEVELOPMENT PERMIT NO. 1420454
101 DICKINSON - PROJECT NO. 406244 (MMRP)
DRAFT

WHEREAS, SHIRAZ PARTNERS, A DELAWARE LIMITED PARTNERSHIP, Owner/Permittee, filed an application with the City of San Diego for the demolition of existing residences and the construction of 49 residential condominium units and one commercial condominium unit (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1420454), on portions of a 0.73-acre site;

WHEREAS, the project site is located at 101-112 Dickinson Avenue in the NP-1 and the RS-1-1 Zones within the Mid-City Communities Planned District, the Community Plan Implementation Overlay Zone Area (CPIOZ) Area 'B', the Lindberg Field Airport Influence Area (Review Area 2) and the Federal Aviation Administration (FAA) Part 77 Notification Area within the Medical Complex neighborhood of the Uptown Community Plan;

WHEREAS, the project site is legally described as Parcel 1 of Map No. 12168 and Lots 9-12, Block 5 of First Street Addition, Map No. 896;

WHEREAS, on December 17, 2015, the Planning Commission of the City of San Diego considered Site Development Permit No. 1420454 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 December 17, 2015.

FINDINGS:

Site Development Permit - Section 126.0504(a)

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

The 0.73-acre project site is located at 101-112 Dickinson Street, between Front Street and Bachman Place within the Uptown Community Plan area. The project proposes 49 residential condominiums units and one commercial condominium unit within a five-story mixed-use structure (over two levels of subterranean parking) and a two-story multi-family residential structure (over one level of subterranean parking) divided by a courtyard/amenity space. The Uptown Community Plan designates the 0.73-acre site for Institutional-Hospital. The Institutional-Hospital land use designation is applied in the Medical Center Complex neighborhood of the Uptown Community to allow for professional offices and medical services near UCSD Medical Center and Scripps-Mercy Hospital. The community plan does not preclude mixed-use development consisting of office/commercial use within the Institutional-Hospital designation.

The proposed project would include 1,395 square-feet of non-residential floor space which has the potential for accommodating medical and professional office use which would implement the existing land use designation. Although the community plan does not identify a residential

density range for this site, the underlying NP-1 zone (approximately 0.66 acres) would allow 73 dwelling units per acre or 48 units. The RS-1-1 zone (approximately 0.07 acres) would allow one dwelling unit regardless of area. Based on this maximum density allowed by the underlying zones, 49 dwelling units would be allowed on site. As proposed, the 49 residential units and one commercial unit would not adversely impact the goals and recommendations in the Uptown Community Plan.

The proposed project site is located within the Community Plan Implementation Overlay Zone, (CPIOZ), Area 'B'. The Urban Design Element of the community plan states that office use in areas adjacent to the UCSD Medical Center should only be permitted with a Planned Development permit to provide for review of design compatibility and traffic circulation impacts in addition to the relationship of office structures to residential development and to open space, building height, architectural detailing, setbacks, access, lot configuration, and views. As proposed the project is processed through a Site Development Permit which allows review of various aspects of development related to design compatibility and traffic circulation. There are no plan designated public views or corridors associated with the project site.

The project would be consistent with the General Plan Noise Element Table NE-3 Land Use – Noise Compatibility Guidelines which indicates mixed-use commercial and residential projects should be conditionally consistent with exterior noise levels up to 70 decibels and would require indoor noise attenuation to achieve a 45-decibel interior noise level. Based on the lack of major noise sources, the project would be compatible with the noise levels at the site and would be able to provide the required indoor noise attenuation using standard construction methods to meet the noise compatibility standards.

The General Plan's Conservation Element includes a goal for San Diego to become a city that is an international model of sustainable development and conservation. Policy CE-A.5 recommends that the construction and operation of new development employ sustainable or "green" building techniques. This project provides a variety of sustainable features and meets the General Plan's Conservation Element by utilizing energy efficient equipment and lighting, low flow toilets and water fixtures.

The proposed project site is located in close proximity to a proposed Class II bicycle lane along Bachman Place, which is located east of the project site and provides access to and from Mission Valley. In order to meet the objective in the Transportation Element of the community plan for encouraging bicycling as an alternative mode of transportation, the project would include bike storage at ground level within the enclosed parking area of the project to accommodate 24 bicycles. The Transportation Element of the community plan also recommends that off-street parking should be placed underground and/or screened from the public right-of-way and adjacent residences. The proposed project would implement this recommendation by enclosing all off-street parking within two levels of subterranean parking with the exception of 11 surface parking spaces which are screened from the right-of-way by the residential structure.

The proposed project would implement the recommendation for minimizing curb-cuts and entrances to off-street parking areas to prevent pedestrian and vehicle conflicts by removing two existing driveways associated with existing residential development, proposing a single driveway for access to parking, and improving the site with new sidewalks along the project's frontage.

The proposed project would meet the guideline within the Urban Design Element of the community plan for encouraging new construction to be compatible with existing architectural detail and overall appearance of quality development in the surrounding neighborhood by incorporating architecture of modern design similar to many of the structures associated with the UCSD Medical Center in the immediate neighborhood. To offset building bulk and scale, the proposed project would consist of a five-story mixed-use structure and a two-story multi-family residential structure divided by a courtyard/amenity space and include balconies, vertical offsetting surfaces, slightly varying rooflines, varying building materials and textures that would be compatible with the varied scale of development within the neighborhood.

The Urban Design Element also recommends as a guideline that new multi-family residential development should incorporate wall texture variations, façade offsets, upper-floor setbacks, and utilization of varied roof forms. The proposed multi-family residential portions of project would meet this guideline by including balconies, vertical offsetting surfaces, varying rooflines, and trellises in the courtyard. Building materials and textures would also include primarily glass, painted concrete, cement paneling, and stucco. The project would also meet the guideline of providing patios, balconies, courtyards, pools, and other recreational amenities within residential projects to maximize useable open space by incorporating a swimming pool, fire pit, community lounge with kitchen facilities, and a fitness room as onsite amenities for residents.

The project site is located within the Airport Influence Area, Review Area 2, of the San Diego International Airport, Airport Land Use Compatibility Plan (ALUCP) and the Federal Aviation Administration (FAA) Part 77 Notification Area. However, it is located outside any Safety Compatibility Zones identified on Exhibit 3-1 of the San Diego International Airport ALUCP. Although the project did not require an ALUCP consistency determination, the project would be consistent with the San Diego International Airport ALUCP based on the proposed land use and its location in relation to the airport. The project is required and conditioned in the permit, to self-certify or provide a determination of no hazard from the FAA prior to the issuance of the first construction permits consistent with the San Diego Municipal Code.

The project proposes several deviations regarding setback, upper-story step backs and height requirements. The Uptown Community Plan does not provide specific recommendations regarding these particular development requirements, except for encouraging upper-story step backs to assist in addressing transitions and scale between new and existing development which the proposed project would incorporate. Despite these deviations, as proposed, the project would be consistent with the Uptown Community Plan, as well as with applicable Mobility and Urban Design Element policies contained in the General Plan, therefore the project would not adversely impact the applicable land use plans.

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

The project proposes 49 residential condominiums units and one commercial condominium unit within a five-story mixed-use structure (over two levels of subterranean parking) and a two-story multi-family residential structure (over one level of subterranean parking) divided by a courtyard/amenity space. Addendum No. 406244 to Mitigated Negative Declaration (MND) No. 157724 has been prepared for the project in accordance with the State of California Environmentally Quality Act (CEQA) Guidelines. It has been determined that there are no new significant environmental impacts not considered by the previous MND, no substantial changes

have occurred with respect to the circumstances under which the project is under taken, and there is no new information of substantial importance to the project. The proposed project includes mitigation measures to offset impacts to the environment in the areas of Biological Resources (MHPA Land Use Adjacency) and Paleontological Resources. Implementation of the Mitigation, Monitoring and Reporting Program as well as permit conditions would reduce impacts to below a level of significance.

The project site is located within the Airport Influence Area, Review Area 2, of the San Diego International Airport, Airport Land Use Compatibility Plan (ALUCP) and the Federal Aviation Administration (FAA) Part 77 Notification Area. However, it is located outside any Safety Compatibility Zones identified on Exhibit 3-1 of the San Diego International Airport ALUCP. Although the project did not require an ALUCP consistency determination, the project would be consistent with the San Diego International Airport ALUCP based on the proposed land use and its location in relation to the airport. The project is required and conditioned in the permit, to self-certify or provide a determination of no hazard from the FAA prior to the issuance of the first construction permits consistent with the San Diego Municipal Code.

Construction of the project authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors. Therefore, as proposed, the project will not be detrimental to the public health, safety, or welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

The project proposes 49 residential condominiums units and one commercial condominium unit within a five-story mixed-use structure (over two levels of subterranean parking) and a two-story multi-family residential structure (over one level of subterranean parking) divided by a courtyard/amenity space within the NP-1, RS-1-1 zone and the Uptown Community Plan. The project includes a deviation to the Environmentally Sensitive Lands (ESL) (Steep Hillsides) regulations as further detailed within the Supplemental Findings below. The project includes deviations to setbacks, height and upper story step backs. The project requires a Mid-City Communities Development Permit (MCCDP) which is processed in the same manner as an application for a Site Development Permit and through the granting of the permit, the proposed deviations comply with the SDMC. The deviations are as follows:

Setbacks

<u>Proposed</u>	<u>Required</u>
1. 6 feet interior setback at south property line (PL)	17 feet
2. 10 feet rear yard setback opposite Dickinson	15 feet
3. 0 feet interior setback eastern PL	6 feet
4. 4 feet interior setback northern PL	6 feet

Upper Story Step Backs

Proposed	Required
5. 6-foot step back (western PL floors 2-5)	9, 12, and 15 feet
6. 10-12 foot step back (north PL floors 2-5)	9, 12, and 15 feet
7. 8-foot step back (eastern PL, floors 2-5)	9, 12, and 15 feet

Setbacks: The NP-1 Zone encourages a mixture of office and residential use at a high density. The purpose and intent of these regulations are to provide light and air to the adjacent properties as well as reduce bulk and scale. The NP-1 Zone also allows a zero foot setback through approval of a Mid-City Communities Development Permit. This site is a unique split-zoned property configured in an “L” shape, and includes a dead end street with separate setback requirements for each zone. Structures located completely underground are exempt from the setback requirements, so the deviations are for the buildings above the subterranean parking structure.

The Transportation Element of the community plan recommends that off-street parking should be placed underground and/or screened from the public right-of-way and adjacent residences. The setback deviations would allow implementation of this recommendation by enclosing all off-street parking within two levels of subterranean parking with the exception of 11 surface parking spaces which are screened from the right-of-way by the residential structure. The setback deviations are also located in areas not visible from any adjacent residential property nor from any public rights-of-way.

Upper Story Step Backs: The NP-1 zone specifies increasing step backs for each floor above the second story. The deviations range from nine to six percent for the west, north, and east side of the structure within the NP-1 Zone only. The purpose and intent of the regulations is to provide articulation in order to reduce the bulk and scale. The proposed multi-family residential portions of project would meet this guideline by including balconies, vertical offsetting surfaces, varying rooflines, and trellises in the courtyard. Building materials and textures would also include glass, painted concrete, cement paneling, and stucco. On most elevations, the encroachments are for open balconies and large retaining walls on the northeast corner that are required due to the topography and the proposed subterranean parking.

The proposed project is uniquely sited on Dickinson with UCSD campus facilities surrounding it. UCSD owns a 1,100 car parking structure to the east and access to the main campus is from the parking structure along the north and west sides of the proposed project in an approximately 20-foot wide paved walkway including an 8-inch water main. The paved walkway also provides vehicular access to an “L” shaped building to the west and north of the project. For the western and northern step back deviations this walkway area creates a de-facto linear open space/setback between the proposed structure and its neighboring UCSD building, which meets the purpose and intent of the requirements by providing light and air to the adjacent properties.

As with both sets of deviations for setbacks and the reduction of the upper story step backs, the project would be compatible with the existing architectural detail and overall appearance of

quality development in the surrounding neighborhood by incorporating architecture of modern design similar to many of the structures associated with the UCSD Medical Center in the immediate neighborhood. The structure still reduces bulk and scale by utilizing balconies, vertical offsetting surfaces, slightly varying rooflines, varying building materials and textures that would be compatible with the varied scale of development within the neighborhood. Building materials and textures would also include primarily glass, painted concrete, cement paneling, and stucco. Even with the proposed deviations, the project still meets the purpose and intent of the regulations as the design provides light and air to the adjacent properties and reduces bulk and scale by substantially articulating the structure with balconies and the use of different building materials.

Height

<u>Proposed</u>	<u>Max Allowed</u>
8. 109.5 feet overall height (NP-1)	70 feet
9. 83 feet plumb line (NP-1)	60 feet
10. 61 feet plumb line (RM-1-1)	30 feet

Height: The NP-1 Zone allows a maximum height of 50 feet with an additional 10 feet for projects with underground parking and an additional 10 feet for the grade differential which puts the maximum allowable overall height at 70 feet. The project proposes a maximum overall height of 109 feet. The project site within the NP-1 Zone is relatively flat except for the north and southeastern corners which are the only areas where the overall height deviation height is proposed. The RS-1-1 allows a height limit of 30 feet. Photographic renderings were prepared during project review to show that the lower portions of the buildings were not visible from adjacent street or properties due to the presence of the UCSD parking structure and the vegetation in the canyon to the south. According to the community plan, there are no designated public view or corridors on the project site. The increase in height is consistent with the purpose and intent of the regulation, would allow for a more functional project and would not adversely affect the surrounding community.

Supplemental Findings-Environmentally Sensitive Lands Section 126.0504(b)

- 1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.**

The 0.73-acre project site is located at 101-112 Dickinson Street, between Front Street and Bachman Place within the Uptown Community Plan area. The project proposes 49 residential condominium units and one commercial condominium unit. A majority of the condominium units would be located in a five-level structure above subterranean parking on the western portion of the site. Dividing the site is a courtyard/amenity space which incorporates a swimming pool, fire pit, community lounge with kitchen facilities, and a fitness room for residents. A two-story structure, above one level of subterranean parking with five townhouse condominium units would be provided at the south end of the courtyard area. The topography of the site ranges from 255 feet above mean sea level to 290 feet above mean sea level. The developed portion of the site is relatively flat; however a small portion (approximately 1,800 square-feet or six percent of the entire site) in the southeastern part of the site does contain steep hillsides as defined by the San Diego Municipal Code (SDMC) Section 143.0110. The northeastern area of the site slopes down

into a canyon that connects to the Multi-Habitat Planning Area (MHPA); however the project site is not within the MHPA. The project proposes a deviation to encroach into this small area of steep hillsides which requires a Process Four, Site Development Permit (SDP). This portion of the site would contain the five townhouse condominium units above one level of subterranean parking.

The Steep Hillside Guidelines allow encroachment if the area with steep hillsides constitutes a minor portion of the entire site and there are no community plan designated public views or corridors. According to the community plan, there are no designated public view or corridors on the project site. The residential structure will encroach into this area but still fits into the hillside and maintains the topography on either side. The elevation of this structure is lower in profile than the other proposed structure and steps down to follow the general contours of the site. The adjacent canyon is surrounded by development and this project would not be seen from any public right-of-way. The residential structure to be located in this area provides balconies orientated towards the canyon, vertical offsetting surfaces, slightly varying rooflines, varying building materials and textures that would be compatible with the varied scale of development within the neighborhood.

The project has been designed with minimal disturbance to the area of the steep hillsides. Alternative designs could further reduce the building footprint but the proposed project allows the majority of the density to remain on the flat portion of the site. This allows the courtyard amenities to act as a communal gathering space between the two structures. Since the portion containing steep hillsides is only six percent of the entire site, does not contain any designated public views or corridors, and is shielded from any public right-of-way, the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

The project proposes 49 residential condominiums units and one commercial condominium unit within a five-story mixed-use structure (over two levels of subterranean parking) and a two-story multi-family residential structure space (over one level of subterranean parking) divided by a courtyard/amenity.

The topography of the site ranges from 255 feet above mean sea level to 290 feet above mean sea level. The developed portion of the site is relatively flat; however a small portion (approximately 1,800 square-feet or six percent of the entire site) in the southeastern part of the site does contain steep hillsides as defined by the San Diego Municipal Code (SDMC) Section 143.0110. The northeastern area of the site slopes down into a canyon that connects to the Multi-Habitat Planning Area (MHPA); however the project site is not within the MHPA. The project is not within any floodplain or flood way.

Brush Management Zone 1 would be provided entirely within the project boundary. The project would implement alternative brush management for Zone 2 pursuant to San Diego Municipal Code Section 142.0412(I) because the required brush management zones cannot be provided entirely on the premises. Alternative brush management compliance would consist of interior/exterior fire sprinklers, a 12-inch water main in Dickinson Street for adequate fire flow, and the installation of a new hydrant and an exterior standpipe.

The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards because the discretionary permit controlling the development and continued use of this site contain specific regulatory conditions ensuring compliance with all local, regional, state and federal codes, rules and policies. These regulations, which are implemented and enforced through the permit, are specifically intended to reduce, mitigate and/or prevent all adverse impacts to the public and community at large. Conditions of approval include a broad spectrum of requirements from a variety of disciplines including planning, engineering, structural, environmental, geologic, fire, traffic, and landscaping to assure the project's compliance with adopted codes and policies. Construction of the project authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors. Therefore, the project will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

The project proposes 49 residential condominiums units and one commercial condominium units. A majority of the dwelling units would be located in a five-level structure located above subterranean parking within the western portion of the site. The townhouse condominium units would be provided at the south end of the project site, south of the courtyard area and above one level of subterranean parking.

The topography of the site ranges from 255 feet above mean sea level to 290 feet above mean sea level. The developed portion of the site is relatively flat; however a small portion (approximately 1,800 square-feet or six percent of the entire site) in the southeastern part of the site does contain steep hillsides as defined by the San Diego Municipal Code (SDMC) Section 143.0110. The northeastern area of the site slopes down into a canyon that connects to the Multi-Habitat Planning Area (MHPA); however the project site is not within the MHPA.

The project will include onsite drainage improvements of new storm drain systems, detention basins and a bioretention area to avoid impacts to adjacent development with regards to water quality. Conditions of approval include a broad spectrum of requirements from a variety of disciplines including planning, engineering, structural, environmental, geologic, fire, traffic, and landscaping to assure the project's compliance with adopted codes and policies. Construction of the project authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors. Therefore, the proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

The 0.73-acre project site is located at 101-112 Dickinson Street, between Front Street and Bachman Place. The northeastern area of the site slopes down into a canyon that connects to the

Multi-Habitat Planning Area (MHPA); however the project site is not within the MHPA. The project would be required to implement the mitigation measures outlined in Addendum No. 406244 to Mitigated Negative Declaration No. 157724. The proposed project includes mitigation measures to offset impacts to the environment in the areas of Biological Resources (MHPA Land Use Adjacency) and Paleontological Resources. Implementation of the Mitigation, Monitoring and Reporting Program as well as permit conditions would therefore be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

The 0.73-acre project site is located at 101-112 Dickinson Street, between Front Street and Bachman Place and is over six miles from the Pacific Ocean. Conditions of approval include a broad spectrum of requirements from a variety of disciplines including planning, engineering, structural, environmental, geologic, fire, traffic, and landscaping to assure the project's compliance with adopted codes and policies and therefore would not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

The project proposes 49 residential condominiums units and one commercial condominium within a five-story mixed-use structure (over two levels of subterranean parking) and a two-story multi-family residential structure space (over one level of subterranean parking) divided by a courtyard/amenity space. Addendum No. 406244 to previously certified Mitigated Negative Declaration NO. 157724 was prepared for this project in accordance with the State of California Environmentally Quality Act (CEQA) Guidelines which indicates that there are no new significant impacts that would result from the project, and one previously identified significant traffic and transportation impact of the Shiraz Medical Center would be avoided. The proposed project includes mitigation measures to offset impacts to the environment in the areas of Biological Resources (MHPA Land Use Adjacency) and Paleontological Resources. Implementation of the Mitigation, Monitoring and Reporting Program as well as permit conditions are reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

Supplemental Findings-Environmentally Sensitive Lands Deviations Section 126.0504(c)

1. There are no feasible measures that can further minimize the potential adverse effects on environmentally sensitive lands.

The topography of the site ranges from 255 feet above mean sea level to 290 feet above mean sea level. The developed portion of the site is relatively flat; however a small portion (approximately 1,800 square-feet or six percent of the entire site) in the southeastern part of the site does contain steep hillsides as defined by the San Diego Municipal Code (SDMC) Section 143.0110.

The Municipal Code allows for deviations to the Environmentally Sensitive Lands regulations via a Site Development Permit and through the granting of the permit, the proposed deviation

complies with the SDMC. The Steep Hillside Guidelines allow encroachment if the area with steep hillsides constitutes a minor portion of the entire site and there are no community plan designated public views or corridors. According to the community plan, there are no designated public view or corridors on the project site. The residential structure will encroach into this area but still fits into the hillside and maintains the topography on either side. The elevation of this structure is lower in profile than the other proposed structure and steps down to follow the natural contours of the site. The adjacent canyon is surrounded by development and this project would not be seen from any public right-of-way. The residential structure to be located in this area provides balconies orientated towards the canyon, vertical offsetting surfaces, slightly varying rooflines and varying building materials and textures that would be compatible with the varied scale of development within the neighborhood. The elevation of this structure is lower in profile than the other structure and steps down to follow the general contours of the site. According to page 23 the Steep Hillside Guidelines for multiple dwelling unit development, "Development may encroach into these steep hillsides if there are no other areas that are feasible for development or the area with these steep hillsides constitutes a minor portion of the site." Alternative designs could further reduce the building footprint but the proposed project allows the majority of the density to remain on the flat portion of the site. This allows the courtyard amenities to act as a communal gathering space between the two structures and the portion containing steep hillsides is only six percent of the entire site. The site does not contain any designated public views or corridors and is shielded from any public right-of-way.

2. The proposed deviation is the minimum necessary to afford relief from special circumstances or conditions of the land, not of the applicant's making.

The topography of the site ranges from 255 feet above mean sea level to 290 feet above mean sea level. The developed portion of the site is relatively flat; however a small portion (approximately 1,800 square-feet or six percent of the entire site) in the southeastern part of the site does contain steep hillsides as defined by the San Diego Municipal Code (SDMC) Section 143.0110. The Steep Hillside Guidelines allow encroachment if the area with steep hillsides constitutes a minor portion of the entire site and if there are no plan designated public views or corridors. According to the community plan, the site contains no designated public views or corridors.

The surrounding Uptown Community Planning area is dominated by medical office buildings and the University of California at San Diego (UCSD) Medical Center. The project site is located less than 0.10 mile east of the UCSD Medical Center. Several medical office buildings are located adjacent to the project site to the north and west. Immediately adjacent to the project site on the north side, a pedestrian bridge provides access to the existing off-site Bachman Canyon Parking Structure which provides parking for the medical facilities to the west. The parking structure is located east of the project site, at a lower elevation than the project site due to its location in the adjacent canyon. The development of the UCSD parking structure, which was not subject to any City-wide Municipal Code regulations, further carved around the proposed site and further constrained the development possibilities. This site is a unique split-zoned property configured in an "L" shape, and includes a dead end street. The site is uniquely sited on Dickinson with UCSD campus facilities surrounding it. UCSD owns a 1,100-car parking structure to the east and access to the main campus is from the parking structure. Along the north and west sides of the proposed project in an approximately 20-foot wide paved walkway including an 8-inch water main which further constrains the site.

Alternative designs could further reduce the building footprint but the proposed project allows the majority of the density to remain on the flat portion of the site. This allows the courtyard amenities to act as a communal gathering space between the two structures and the portion containing steep hillsides is only six percent of the entire site. Due to the site's sloping topography, the surrounding development and keeping most of the density away from the steep hillsides, the proposed minor deviation is the minimum necessary to afford relief from special circumstances or conditions of the land, not of the applicant's making.

Supplemental Findings-Steep Hillsides Development Area Regulations Alternative Compliance Section 126.0504(e)

1. The proposed development is in conformance with the Steep Hillside Guidelines.

The project proposes 49 residential condominiums units and one commercial condominium within a five-story mixed-use structure (over two levels of subterranean parking) and a two-story multi-family residential structure (over one level of subterranean parking) divided by a courtyard/amenity space. The site is outside of the Multi-Habitat Planning Area (MHPA) and contains Environmentally Sensitive Lands (Steep Hillsides).

The project proposes a deviation for encroachment into the steep hillside area. A small portion (approximately 1,800 square-feet or six percent of the entire site) located in the southwestern corner of the RS-1-1 Zone is the only area with steep hillsides that meets the Municipal Code definition. The Steep Hillside Guidelines allow encroachment if the area with steep hillsides constitutes a minor portion of the entire site and there are no community plan designated public views or corridors. According to page 23 the Steep Hillside Guidelines for multiple dwelling unit development, "Development may encroach into these steep hillsides if there are no other areas that are feasible for development or the area with these steep hillsides constitutes a minor portion of the site." The portion containing steep hillsides is only six percent of the entire site. According to the community plan, there are no designated public view or corridors on the project site.

The residential structure will encroach into this area but still fits into the hillside and maintains the topography on either side. The Steep Hillside Guidelines discuss following the natural contours of the site and utilizing color and texture to blend into the natural terrain. The elevation of this structure is lower in profile than the other proposed structure and steps down to follow the natural contours of the site. The adjacent canyon is surrounded by development and this project would not be seen from any public right-of-way. The residential structure to be located in this area provides balconies orientated towards the canyon, vertical offsetting surfaces, slightly varying rooflines and varying building materials and textures that would be compatible with the natural terrain as well as the scale of the surrounding development.

2. The proposed development conforms to the applicable land use plan.

The 0.73-acre project site is located at 101-112 Dickinson Street, between Front Street and Bachman Place within the Uptown Community Plan area. The project proposes 49 residential condominiums units and one commercial condominium unit within a five-story mixed-use structure (over two levels of subterranean parking) and a two-story multi-family residential structure divided by a courtyard/amenity space (over one level of subterranean parking). The Uptown Community Plan designates the 0.73-acre site for Institutional-Hospital. The

Institutional-Hospital land use designation is applied in the Medical Center Complex neighborhood of the Uptown Community to allow for professional offices and medical services near UCSD Medical Center and Scripps-Mercy Hospital. The community plan does not preclude mixed-use development consisting of office/commercial use within the Institutional-Hospital designation.

The proposed project would include 1,395 square-feet of non-residential floor space which has the potential for accommodating medical and professional office use which would implement the existing land use designation. Although the community plan does not identify a residential density range for this site, the underlying NP-1 zone (approximately 0.66 acres) would allow 73 dwelling units per acre or 48 units. The RS-1-1 zone (approximately 0.07 acres) would allow one dwelling unit regardless of area. Based on this maximum density allowed by the underlying zones, 49 dwelling units would be allowed on site. As proposed, the 49 residential units and one commercial unit would not adversely impact the goals and recommendations in the Uptown Community Plan.

The proposed project site is located within the Community Plan Implementation Overlay Zone, (CPIOZ), Area 'B'. The Urban Design Element of the community plan states that office use in areas adjacent to the UCSD Medical Center should only be permitted with a Planned Development permit to provide for review of design compatibility and traffic circulation impacts in addition to the relationship of office structures to residential development and to open space, building height, architectural detailing, setbacks, access, lot configuration, and views. As proposed the project is processed through a Site Development Permit which allows review of various aspects of development related to design compatibility and traffic circulation. There are no plan designated public views or corridors associated with the project site.

The project would be consistent with the General Plan Noise Element Table NE-3 Land Use – Noise Compatibility Guidelines which indicates mixed-use commercial and residential projects should be conditionally consistent with exterior noise levels up to 70 decibels and would require indoor noise attenuation to achieve a 45-decibel interior noise level. Based on the lack of major noise sources, the project would be compatible with the noise levels at the site and would be able to provide the required indoor noise attenuation using standard construction methods to meet the noise compatibility standards.

The General Plan's Conservation Element includes a goal for San Diego to become a city that is an international model of sustainable development and conservation. Policy CE-A.5 recommends that the construction and operation of new development employ sustainable or "green" building techniques. This project provides a variety of sustainable features and meets the General Plan's Conservation Element by utilizing energy efficient equipment and lighting, low flow toilets and water fixtures.

The proposed project site is located in close proximity to a proposed Class II bicycle lane along Bachman Place, which is located east of the project site and provides access to and from Mission Valley. In order to meet the objective in the Transportation Element of the community plan for encouraging bicycling as an alternative mode of transportation, the project would include bike storage at ground level within the enclosed parking area of the project to accommodate 24 bicycles. The Transportation Element of the community plan also recommends that off-street parking should be placed underground and/or screened from the public right-of-way and adjacent

residences. The proposed project would implement this recommendation by enclosing all off-street parking within two levels of subterranean parking with the exception of 11 surface parking spaces which are screened from the right-of-way by the residential structure.

The proposed project would implement the recommendation for minimizing curb-cuts and entrances to off-street parking areas to prevent pedestrian and vehicle conflicts by removing two existing driveways associated with existing residential development, proposing a single driveway for access to parking, and improving the site with new sidewalks along the project's frontage.

The proposed project would meet the guideline within the Urban Design Element of the community plan for encouraging new construction to be compatible with existing architectural detail and overall appearance of quality development in the surrounding neighborhood by incorporating architecture of modern design similar to many of the structures associated with the UCSD Medical Center in the immediate neighborhood. To offset building bulk and scale, the proposed project would consist of a five-story mixed-use structure and a two-story multi-family residential structure divided by a courtyard/amenity space and include balconies, vertical offsetting surfaces, slightly varying rooflines, varying building materials and textures that would be compatible with the varied scale of development within the neighborhood.

The Urban Design Element also recommends as a guideline that new multi-family residential development should incorporate wall texture variations, façade offsets, upper-floor setbacks, and utilization of varied roof forms. The proposed multi-family residential portions of project would meet this guideline by including balconies, vertical offsetting surfaces, varying rooflines, and trellises in the courtyard. Building materials and textures would also include primarily glass, painted concrete, cement paneling, and stucco. The project would also meet the guideline of providing patios, balconies, courtyards, pools, and other recreational amenities within residential projects to maximize useable open space by incorporating a swimming pool, fire pit, community lounge with kitchen facilities, and a fitness room as onsite amenities for residents.

The project site is located within the Airport Influence Area, Review Area 2, of the San Diego International Airport, Airport Land Use Compatibility Plan (ALUCP) and the Federal Aviation Administration (FAA) Part 77 Notification Area. However, it is located outside any Safety Compatibility Zones identified on Exhibit 3-1 of the San Diego International Airport ALUCP. Although the project did not require an ALUCP consistency determination, the project would be consistent with the San Diego International Airport ALUCP based on the proposed land use and its location in relation to the airport. The project is required and conditioned in the permit, to self-certify or provide a determination of no hazard from the FAA prior to the issuance of the first construction permits consistent with the San Diego Municipal Code.

The project proposes several deviations regarding setback, upper-story step backs and height requirements. The Uptown Community Plan does not provide specific recommendations regarding these particular development requirements, except for encouraging upper-story step backs to assist in addressing transitions and scale between new and existing development which the proposed project would incorporate. Despite these deviations, as proposed, the project would be consistent with the Uptown Community Plan, as well as with applicable Mobility and Urban Design Element policies contained in the General Plan, therefore the project would not adversely impact the applicable land use plans.

3. Strict application of the steep hillside development area regulations would result in conflicts with other City regulations, policies, or plans.

The strict application of the steep hillside regulations would preclude the full development of this site as recommended in the General/Community Plan and allowed by the underlying zone. The NP-1 zone is approximately 0.66-acres and would allow 48 units. The RS-1-1 zone is approximately 0.07 acres and would allow 1 dwelling unit. The maximum density allowed by the underlying zones is 49 dwelling units. The project proposes 49 new, market-rate, for-sale residential condominium units and one commercial condominium unit. The project would also include the demolition of three single-family residences and 16 multi-family residential units, resulting in a net gain of 30 additional housing units within the Uptown Community. The steep hillside regulations would preclude the site reaching its maximum density of 49 dwelling units per the underlying zone and the Uptown Community Plan. The Housing Element of the General Plan (section HE a.5) encourages efficient use of the remaining land available for residential development and redevelopment by requiring that new development meet the density minimums, as well as maximums, of applicable zone and plan designations. Therefore, the strict application of the steep hillside development area regulations would result in conflicts with other City regulations and policies including the San Diego General Plan, the Uptown Community Plan, and the underlying zoning regulations.

Findings for Mid-City Communities Development Permit- Section 1512.0204(a)

1. The proposed use and project design meet the purpose and intent of the Mid-City Communities Planned District (Section 1512.0101), and will not adversely affect the Uptown Community Plan or the General Plan of the City of San Diego.

The project proposes 49 residential condominiums units and one commercial condominium unit within a five-story mixed-use structure (over two levels of subterranean parking) and a two-story multi-family residential structure (over one level of subterranean parking) divided by a courtyard/amenity space. One of the purposes of the Mid-City Communities Planned District to encourage the development of quality multiple residential structures within the Uptown communities, which relate in scale and design to the surrounding neighborhood, and provide an attractive street environment.

The Uptown Community Plan designates the 0.73-acre site for Institutional-Hospital. The Institutional-Hospital land use designation is applied in the Medical Center Complex neighborhood of the Uptown Community to allow for professional offices and medical services near UCSD Medical Center and Scripps-Mercy Hospital. The community plan does not preclude mixed-use development consisting of office/commercial use within the Institutional-Hospital designation.

The proposed project would include 1,395 square-feet of non-residential floor space which has the potential for accommodating medical and professional office use which would implement the existing land use designation. Although the community plan does not identify a residential density range for this site, the underlying NP-1 zone (approximately 0.66 acres) would allow 73 dwelling units per acre or 48 units for the NP-1 zone. The RS-1-1 zone (approximately 0.07 acres) would allow 1 dwelling unit per acre. Based on this maximum density allowed by the underlying zones, 49 dwelling units would be allowed on site. As proposed, the 49 residential

units and one commercial unit would not adversely impact the goals and recommendations in the Uptown Community Plan.

The proposed project site is located within the Community Plan Implementation Overlay Zone, (CPIOZ), Area 'B'. The Urban Design Element of the community plan states that office use in areas adjacent to the UCSD Medical Center should only be permitted with a Planned Development permit to provide for review of design compatibility and traffic circulation impacts in addition to the relationship of office structures to residential development and to open space, building height, architectural detailing, setbacks, access, lot configuration, and views. As proposed the project is being processed through a Site Development Permit which allows review of various aspects of development related to design compatibility and traffic circulation. There are no plan designated public views or corridors associated with the project site.

The project would be consistent with the General Plan Noise Element Table NE-3 Land Use – Noise Compatibility Guidelines which indicates mixed-use commercial and residential projects should be conditionally consistent with exterior noise levels up to 70 decibels and would require indoor noise attenuation to achieve a 45-decibel interior noise level. Based on the lack of major noise sources, the project would be compatible with the noise levels at the site and would be able to provide the required indoor noise attenuation using standard construction methods to meet the noise compatibility standards defined in the General Plan Table NE-3.

The General Plan's Conservation Element includes a goal for San Diego to become a city that is an international model of sustainable development and conservation. Policy CE-A.5 recommends that the construction and operation of new development employ sustainable or "green" building techniques. This project provides a variety of sustainable features and meets the General Plan's Conservation Element by utilizing energy efficient equipment and lighting, low flow toilets and water fixtures.

The proposed project site is located in close proximity to a proposed Class II bicycle lane along Bachman Place, which is located east of the project site and provides access to and from Mission Valley. In order to meet the objective in the Transportation Element of the community plan for encouraging bicycling as an alternative mode of transportation, the project would include bike storage at ground level within the enclosed parking area of the project to accommodate 24 bicycles. The Transportation Element of the community plan also recommends that off-street parking should be placed underground and/or screened from the public right-of-way and adjacent residences. The proposed project would implement this recommendation by enclosing all off-street parking within two levels of subterranean parking with the exception of 11 surface parking spaces which are screened from the right-of-way by the residential structure.

The proposed project would implement the recommendation for minimizing curb-cuts and entrances to off-street parking areas to prevent pedestrian and vehicle conflicts by removing two existing driveways associated with existing residential development, proposing a single driveway to access parking, and improving the site with new sidewalks along the project's frontage.

The proposed project would meet the guideline within the Urban Design Element of the community plan for encouraging new construction to be compatible with existing architectural detail and overall appearance of quality development in the surrounding neighborhood by incorporating architecture of modern design similar to many of the structures associated with the

UCSD Medical Center in the immediate neighborhood. To offset building bulk and scale, the proposed project would consist of five-story mixed-use structure and a two-story multi-family residential structure divided by a courtyard/amenity space and include balconies, vertical offsetting surfaces, slightly varying rooflines, varying building materials and textures that would be compatible with the varied scale of development within the neighborhood.

The Urban Design Element also recommends as a guideline that new multi-family residential development should incorporate wall texture variations, façade offsets, upper-floor setbacks, and utilization of varied roof forms. The proposed multi-family residential portions of project would meet this guideline by including balconies, vertical offsetting surfaces, varying rooflines, and trellises in the courtyard. Building materials and textures would also include primarily glass, painted concrete, cement paneling, and stucco. The project would also meet the guideline of providing patios, balconies, courtyards, pools, and other recreational amenities within residential projects to maximize useable open space by incorporating a swimming pool, fire pit, community lounge with kitchen facilities, and a fitness room as onsite amenities for residents.

The project proposes several deviations regarding setback, upper-story step backs and height requirements but through the granting of a Site Development Permit the proposed project complies with the Mid-City Communities Planned District. The Uptown Community Plan does not provide specific recommendations regarding these particular development requirements, except for encouraging upper-story step backs to assist in addressing transitions and scale between new and existing development which the proposed project would incorporate. Despite these deviations, as proposed, the project would be consistent with the Uptown Community Plan, as well as with applicable Mobility and Urban Design Element policies contained in the General Plan, therefore the project would not adversely impact the applicable land use plans.

2. The proposed development will be compatible with existing and planned land use on adjoining properties and will not constitute a disruptive element to the neighborhood and community. In addition, the proposed development will achieve architectural harmony with the surrounding neighborhood and community to the extent possible.

The 0.73-acre project site is located at 101-112 Dickinson Street, between Front Street and Bachman Place. The project proposes 49 residential condominiums units and one commercial condominium unit within a five-story mixed-use structure (over two levels of subterranean parking) and a two-story multi-family residential (over one level of subterranean parking) structure divided by a courtyard/amenity space.

The surrounding Uptown Community Planning area is dominated by medical office buildings and the University of California at San Diego (UCSD) Medical Center. The project site is located less than 0.10 mile east of the UCSD Medical Center. Several medical office buildings are located adjacent to the project site to the north and west. Immediately adjacent to the project site on the north side, a pedestrian bridge provides access to the existing off-site Bachman Canyon Parking Structure which provides parking for the medical facilities to the west. The parking structure is located east of the project site, at a lower elevation than the project site due to its location in the adjacent canyon.

The project proposes various architectural design features including varied structure height, balconies, street and accent trees, with the main multi-family residential structure at the north end

of the site and a smaller multi-family residential structure proposed at the southern end that would be only approximately 25 feet above ground level. Architectural and landscape elements would enhance the visual appearance and character of the project compared to the existing condition. The project would be consistent with the surrounding community character as well as the bulk, height, and scale of surrounding development. To the west of the project site is a large parking garage for medical office/hospital employees. While structures immediately adjacent to the west and south are single-story structures, one block to the west is occupied by large multi-story medical office buildings and the larger UCSD Medical Center. The project would comply with the City's Municipal Code lighting, landscaping, and zoning regulations.

The proposed project would meet the guideline within the Urban Design Element of the community plan for encouraging new construction to be compatible with existing architectural detail and overall appearance of quality development in the surrounding neighborhood by incorporating architecture of modern design similar to many of the structures associated with the UCSD Medical Center in the immediate neighborhood. The project proposes deviations to setbacks, upper story step backs and height as further discussed in Finding No. 6 below. To offset building bulk and scale, the proposed project would consist of five-story mixed-use structure and a two-story multi-family residential structure divided by a courtyard/amenity space and include balconies, vertical offsetting surfaces, slightly varying rooflines, varying building materials and textures that would be compatible with the varied scale of development within the neighborhood.

The Urban Design Element also recommends as a guideline that new multi-family residential development should incorporate wall texture variations, façade offsets, upper-floor setbacks, and utilization of varied roof forms. The proposed multi-family residential portions of project would meet this guideline by including balconies, vertical offsetting surfaces, varying rooflines, and trellises in the courtyard. Building materials and textures would also include primarily glass, painted concrete, cement paneling, and stucco. The project would also meet the guideline of providing patios, balconies, courtyards, pools, and other recreational amenities within residential projects to maximize useable open space by incorporating a swimming pool, fire pit, community lounge with kitchen facilities, and a fitness room as onsite amenities for residents.

Even with the proposed deviations, the project still meets the purpose and intent of the architectural regulations as the design provides light and air to the adjacent properties, reduces bulk and scale by substantially articulating the structure with balconies and the use of different building materials. As described above, the proposed development will achieve architectural harmony with the surrounding neighborhood and community to the extent possible.

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 0.73-acre project site is located at 101-112 Dickinson Street, between Front Street and Bachman Place within the Uptown Community Plan area. The project proposes 49 residential condominiums units and one commercial condominium unit within a five-story mixed-use structure (over two levels of subterranean parking) and a two-story multi-family residential structure (over one level of subterranean parking) divided by a courtyard/amenity space. The proposed project would also include deviations for setbacks, upper story step backs and height. Addendum No. 406244 to Mitigated Negative Declaration (MND) No. 406244 has been prepared

for the project in accordance with the State of California Environmentally Quality Act (CEQA) Guidelines. It has been determined that there are no new significant environmental impacts not considered by the previous MND, no substantial changes have occurred with respect to the circumstances under which the project is under taken, and there is no new information of substantial importance to the project. The proposed project includes mitigation measures to offset impacts to the environment in the areas of Biological Resources (MHPA Land Use Adjacency) and Paleontological Resources. Implementation of the Mitigation, Monitoring and Reporting Program as well as permit conditions would reduce impacts to below a level of significance.

The project site is located within the Airport Influence Area, Review Area 2, of the San Diego International Airport, Airport Land Use Compatibility Plan (ALUCP) and the Federal Aviation Administration (FAA) Part 77 Notification Area. However, it is located outside any Safety Compatibility Zones identified on Exhibit 3-1 of the San Diego International Airport ALUCP. Although the project did not require an ALUCP consistency determination, the project would be consistent with the San Diego International Airport ALUCP based on the proposed land use and its location in relation to the airport. The project is required and conditioned in the permit, to self-certify or provide a determination of no hazard from the FAA prior to the issuance of the first construction permits consistent with the San Diego Municipal Code.

Construction of the project authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors. 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. **For residential and mixed residential/commercial projects within the park-deficient neighborhoods shown on Map Number B-4104 that are not exempted by Section 1512.0203(b)(1)(A) or (B), the proposed development provides a minimum of 750 square feet of on-site usable recreational open space area per dwelling unit. The on-site usable recreational open space area shall not be located within any area of the site used for vehicle parking, or ingress and egress, and shall be configured to have a minimum of 10 feet in each dimension. The area will be landscaped and may also include hardscape and recreational facilities.**

The Mid- City Communities Planned District identifies facility deficient neighborhoods as those shown on Map. No B-4104. The Central Urbanized Planned District now incorporates all neighborhoods that are shown on Map No. B-4101 and those neighborhoods are no longer within the Mid-City Communities Planned District.

5. **In the absence of a street light within 150 feet of the property, adequate neighborhood-serving security lighting consistent with the Municipal Code is provided on-site.**

The project has been conditioned to conform to all current street lighting standards. Adequate street lighting is located within 150 feet of the property. In addition, on site lighting will be provided consistent with the City's Municipal Code.

6. The proposed use will comply with the relevant regulations in the San Diego Municipal Code.

The project proposes 49 residential condominiums units and one commercial condominium within a five-story mixed-use structure (over two levels of subterranean parking) and a two-story multi-family residential structure (over one level of subterranean parking) divided by a courtyard/amenity space within the NP-1, RS-1-1 zone and the Uptown Community Plan. The project includes a deviation to the Environmentally Sensitive Lands (ESL) (Steep Hillside) regulations as further detailed within Supplemental Findings above. The project includes deviations to setbacks, height and upper story step backs. The project requires a Mid-City Communities Development Permit (MCCDP) which is processed in the same manner as an application for a Site Development Permit for deviations to the development regulations of the Mid-City Communities Planned District and through the granting of the permit, the proposed deviations comply with the SDMC. The deviations are as follows:

Setbacks

<u>Proposed</u>	<u>Required</u>
1. 6 feet interior setback at south property line (PL)	17 feet
2. 10 feet rear yard setback opposite Dickinson	15 feet
3. 0 feet interior setback eastern PL	6 feet
4. 4 feet interior setback northern PL	6 feet

Upper Story Step Backs

<u>Proposed</u>	<u>Required</u>
5. 6-foot step back (western PL floors 2-5)	9, 12, and 15 feet
6. 10-12 foot step back (north PL floors 2-5)	9, 12, and 15 feet
7. 8-foot step back (eastern PL, floors 2-5)	9, 12, and 15 feet

Setbacks: The NP-1 Zone encourages a mixture of office and residential use at a high density. The purpose and intent of these regulations are to provide light and air to the adjacent properties as well as reduce bulk and scale. The NP-1 Zone also allows a zero foot setback through approval of a Mid-City Communities Development Permit. This site is a unique split-zoned property configured in an "L" shape, and includes a dead end street with separate setback requirements for each zone. Structures located completely underground are exempt from the setback requirements, so the deviations are for the buildings above the subterranean parking structure.

The Transportation Element of the community plan recommends that off-street parking should be placed underground and/or screened from the public right-of-way and adjacent residences. The setback deviations would allow implementation of this recommendation by enclosing all off-street parking within two levels of subterranean parking with the exception of 11 surface parking spaces which are screened from the right-of-way by the residential structure. The setback deviations are also located in areas not visible from any adjacent residential property nor from any public rights-of-way.

Upper Story Step Backs: The NP-1 zone specifies increasing step backs for each floor above the second story. The deviations range from nine to six percent for the west, north, and east side of the structure within the NP-1 Zone only. The purpose and intent of the regulations is to provide articulation in order to reduce the bulk and scale. The proposed multi-family residential portions of project would meet this guideline by including balconies, vertical offsetting surfaces, varying rooflines, and trellises in the courtyard. Building materials and textures would also include glass, painted concrete, cement paneling, and stucco. On most elevations, the encroachments are for open balconies and large retaining walls on the northeast corner that are required due to the topography and the proposed subterranean parking.

The proposed project is uniquely sited on Dickinson with UCSD campus facilities surrounding it. UCSD owns a 1,100 car parking structure to the east and access to the main campus is from the parking structure along the north and west sides of the proposed project in an approximately 20-foot wide paved walkway including an 8-inch water main. The paved walkway also provides vehicular access to an “L” shaped building to the west and north of the project. For the western and northern step back deviations this walkway area creates a de-facto linear open space/setback between the proposed structure and its neighboring UCSD building, which meets the purpose and intent of the requirements by providing light and air to the adjacent properties.

As with both sets of deviations for setbacks and the reduction of the upper story step backs, the project would be compatible with the existing architectural detail and overall appearance of quality development in the surrounding neighborhood by incorporating architecture of modern design similar to many of the structures associated with the UCSD Medical Center in the immediate neighborhood. The structure still reduces bulk and scale by utilizing balconies, vertical offsetting surfaces, slightly varying rooflines, varying building materials and textures that would be compatible with the varied scale of development within the neighborhood. Building materials and textures would also include primarily glass, painted concrete, cement paneling, and stucco. Even with the proposed deviations, the project still meets the purpose and intent of the architectural regulations as the design provides light and air to the adjacent properties and reduces bulk and scale by substantially articulating the structure with balconies and the use of different building materials.

Height

<u>Proposed</u>	<u>Max Allowed</u>
8. 109.5 feet overall height (NP-1)	70 feet
9. 83 feet plumb line (NP-1)	60 feet
10. 61 feet plumb line (RM-1-1)	30 feet

Height: The NP-1 Zone allows a maximum height of 50 feet with an additional 10 feet for projects with underground parking and an additional 10 feet for the grade differential which puts the maximum allowable overall height at 70 feet. The project proposes a maximum overall height of 109 feet. The project site within the NP-1 Zone is relatively flat except for the north and southeastern corners which are the only areas where the overall height deviation height is proposed. The RS-1-1 allows a height limit of 30 feet. Photographic renderings were prepared during project review to show that the lower portions of the buildings were not visible from adjacent street or properties due to the presence of the UCSD parking structure and the vegetation

in the canyon to the south. According to the community plan, there are no designated public view or corridors on the project site. The increase in height is consistent with the purpose and intent of the regulation, would allow for a more functional project and would not adversely affect the surrounding community.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Site Development Permit No. 1420454 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. 1420454, a copy of which is attached hereto and made a part hereof.

Renee Mezo
Development Project Manager
Development Services

Adopted on: December 17, 2015

SAP or WBS Number: 24005534

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

PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24005534

SITE DEVELOPMENT PERMIT NO. 1420454
101 DICKINSON, PROJECT NO. 406244: MMRP
PLANNING COMMISSION
DRAFT

This SITE DEVELOPMENT PERMIT NO. 1420454 is granted by the Planning Commission of the City of San Diego to SHIRAZ PARTNERS, A DELAWARE LIMITED PARTNERSHIP, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 143.0110 and 1512.0203. The 0.73-acre project site is located at 101-112 Dickinson Street, between Front Street and Bachman Place. The majority of the site is zoned NP-1 (approximately 0.66-acres) with a small portion in the RS-1-1 Zone (approximately .07-acres) at the southern portion of the site. The site is also in the Mid-City Communities Planned District, the Community Plan Implementation Overlay Zone Area "B" (CPIOZ B), the Lindberg Field Airport Influence Area (Review Area 2) and the Federal Aviation Administration (FAA) Part 77 Notification Area within the Medical Complex neighborhood of the Uptown Community Plan. The project site is legally described as: Parcel 1 of Map No. 12168 and Lots 9-12, Block 5 of First Street Addition, Map No. 896.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish existing residences and construct 49 residential condominium units and one commercial condominium unit described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated December 17, 2015, on file in the Development Services Department.

The project shall include:

- a. The demolition of three single-family units and 16 multi-family units addressed as 112-118 Dickinson Street, 110 Dickinson Street, 104-108 Dickinson, A-H Dickinson Street, 101 and 102 Dickinson Street;

- b. The construction of 49 (approximately 72,000 square feet) residential condominium units, two levels of underground parking, and one commercial condominium unit (approximately 1,400 square feet);
- c. Deviations to the development regulations of the underlying zones for setbacks, upper story step backs, and height.
- d. Landscaping (planting, irrigation and landscape related improvements);
- e. Off-street parking;
- f. Retaining walls; and
- g. 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 XXXX, 2018.
2. This permit supersedes the previous Extension of Time No. 611808 (PTS#306663).
3. 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.
4. 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.

5. 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.

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

7. 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.).

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

9. 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.

10. 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.

11. 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.

12. 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:

13. 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.

14. The mitigation measures specified in the MMRP and outlined in the Addendum No. 406244 to Mitigated Negative Declaration No. 157724, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the MMRP as specified in Addendum No. 406244 to Mitigated Negative Declaration No. 157724 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:

Paleontological, Biological Resources

AFFORDABLE HOUSING REQUIREMENTS:

16. Prior to the issuance of any building permits, 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:

17. Prior to the issuance of any building permits, the Owner/Permittee shall provide a copy of the signed agreement [DS-503] and show certification on the building plans verifying that the structures do not require Federal Aviation Administration [FAA] notice for Determination of No Hazard to Air Navigation, or provide an FAA Determination of No Hazard to Air Navigation as specified in Information Bulletin 520

ENGINEERING REQUIREMENTS:

18. The Site Development Permit shall comply with all conditions of the Final Map for the Tentative Map No. 1428149.

19. The project proposes to export 14,000 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"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

20. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

21. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a current City Standard concrete driveway per approved Exhibit 'A', adjacent to the site on the north side of Dickinson Street, satisfactory to the City Engineer.

22. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a current City Standard commercial concrete driveway per approved Exhibit 'A', adjacent to the site on the south side of Dickinson Street, satisfactory to the City Engineer.

23. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to construct curb, gutter and sidewalk per approved Exhibit 'A', adjacent to the site on Dickinson Street, satisfactory to the City Engineer, satisfactory to the City Engineer.

24. Prior to the issuance of any construction permit, the Subdivider shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices maintenance, satisfactory to the City Engineer.

25. Prior to the issuance of any construction permit, the Subdivider shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2,

Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

26. Prior to the issuance of any construction permit the Subdivider 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.

27. Prior to the issuance of any construction permit, the Water Quality Technical Report will be subject to final review and approval by the City Engineer based on the Storm Water Standards in effect at the time of the construction permit issuance.

LANDSCAPE REQUIREMENTS:

28. Pursuant to SDMC 142.0412(i), the proposed scope of work includes a modified Brush Management Program. This modification includes a Brush Management Zone One varying from 9 to 12 feet, a Brush Management Zone Two of zero feet, and enhanced structural resistivity measures as approved by the Fire Marshal. The Brush Management Zone and related structural requirements shall be shown on subsequent engineering and building plans.

29. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' on file in the Office of the Development Services Department.

30. Prior to issuance of any engineering permits for right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

31. In the event that a foundation only permit is requested, the Owner/Permittee shall submit a site plan or staking layout plan identifying all landscape areas consistent with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'

32. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the 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 Development Services Department.

33. The Owner/Permittee shall submit a water budget in accordance with the Water Conservation Requirements per SDMC 142.0413, Table 142-04I, to be included with the construction documents. An irrigation audit shall be submitted consistent with Section 2.7 of the Landscape Standards of the Land Development Manual at final inspection. The irrigation audit shall certify that all irrigation systems have been installed and operate as approved by the Development Services Department.

34. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

35. 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 Owner/Permittee shall repair and/or replace it in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

PLANNING/DESIGN REQUIREMENTS:

36. 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.

37. Any part of a fence located within the front yard area that is more than 3 feet above grade will either be transparent or have at least 35 percent of the vertical surface area of each 6-foot horizontal section open to light and air.

38. All signs associated with this development shall be consistent with sign criteria established by the City-wide sign regulations.

39. The Owner/Permittee shall post a copy of each approved Discretionary Permit or Tentative Map in its sales office for consideration by each prospective buyer.

40. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

TRANSPORTATION REQUIREMENTS

41. No fewer than 99 parking spaces (108 provided) including 3 accessible spaces, 7 motorcycle spaces, 26 short-term bicycle spaces, and 1 long-term bicycle space shall be maintained on the property at all times in the approximate locations shown on Exhibit "A". 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 by the Development Services Department.

42. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond construction of a 25-foot curb radius cul-de-sac with curb, gutter, and a 5-foot minimum width sidewalk at east end of Dickinson Street per approved Exhibit 'A', satisfactory to the City Engineer.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS

43. 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 Director and the City Engineer. Back Flow Prevention Devices (BFPD) shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way. The Public Utilities Department will not permit the required BFPDs to be located below grade or within the structure.

44. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of the required 10-inch public dual water main in Dickinson Street, is to be in accordance with established criteria in the most current City of San Diego Water and Sewer Design Guides.

45. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of all public water and sewer facilities are to be in accordance with established criteria in the most current City of San Diego Water and Sewer Design Guides.

46. All proposed private water and sewer facilities located within a single lot are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

47. 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.

48. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to cap (abandon) at the property line any existing unused sewer lateral and install new sewer lateral(s) which must be located outside of any driveway or vehicular use area.

49. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to remove (kill) at the main any existing unused water service.

50. All public water and sewer facilities are to be in accordance with the approved Water and Sewer Studies.

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 XXXX and Approved Resolution Number XXXX.

PLANNING COMMISSION RESOLUTION NUMBER R-XXXX

VESTING TENTATIVE MAP NO. 1428149
101 DICKINSON - PROJECT NO. 406244
DRAFT

WHEREAS, SHIRAZ PARTNERS, A DELA LIMITED PARTNERSHIP, Subdivider, and JIM KILGORE, Engineer, submitted an application to the City of San Diego for Vesting Tentative Map No. 1428149 for the 101 Dickinson project described as the demolition of existing residences and the construction of 49 residential condominium units with one (1) commercial condominium unit. The 0.73-acre project site is located at 101-112 Dickinson Avenue in the NP-1 and the RS-1-1 Zones, the Community Plan Implementation Overlay Zone (CPIOZ) Area 'B', the Lindberg Field Airport Influence Area (Review Area 2) and the Federal Aviation Administration (FAA) Part 77 Notification Area in the Medical Complex neighborhood of the Mid-City Communities Planned District within the Uptown Community Plan area. The property is legally described as Parcel 1 of Map No. 12168 and Lots 9-12, Block 5 of First Street Addition, Map No. 896; and

WHEREAS, the map proposes the subdivision of a 0.73-acre site into one (1) lot for 49 residential condominium units and one (1) commercial condominium unit; 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 residential condominium dwelling units is 49 with one (1) commercial condominium unit; and

WHEREAS, on December 17, 2015, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 1428149 and pursuant to San Diego Municipal Code section 125.0440 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 Vesting Tentative Map No. 1428149:

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

The 0.73-acre project site is located at 101-112 Dickinson Street, between Front Street and Bachman Place within the Uptown Community Plan area. The project proposes 49 residential condominiums units and one commercial condominium within a five-story mixed-use structure (over two levels of subterranean parking) and a two-story multi-family residential structure (over one level of subterranean parking) divided by a courtyard/amenity space. The Uptown Community Plan designates the 0.73-acre site for Institutional-Hospital. The Institutional-Hospital land use designation is applied in the Medical Center Complex neighborhood of the Uptown Community to allow for professional offices and medical services near UCSD Medical Center and Scripps-Mercy Hospital. The community plan does not preclude mixed-use development consisting of office/commercial use within the Institutional-Hospital designation.

The proposed project would include 1,395 square-feet of non-residential floor space which has the potential for accommodating medical and professional office use which would implement the existing land use designation. Although the community plan does not identify a residential density range for this site, the underlying NP-1 zone (approximately 0.66 acres) would allow 73 dwelling units per acre or 48 units. The RS-1-1 zone (approximately 0.07 acres) would allow one dwelling unit regardless of area. Based on this maximum density allowed by the underlying zones, 49 dwelling units would be allowed on site. As proposed, the 49 residential units and one commercial unit would not adversely impact the goals and recommendations in the Uptown Community Plan.

The proposed project site is located within the Community Plan Implementation Overlay Zone, (CPIOZ), Area 'B'. The Urban Design Element of the community plan states that office use in areas adjacent to the UCSD Medical Center should only be permitted with a Planned Development permit to provide for review of design compatibility and traffic

circulation impacts in addition to the relationship of office structures to residential development and to open space, building height, architectural detailing, setbacks, access, lot configuration, and views. As proposed the project is processed through a Site Development Permit which allows review of various aspects of development related to design compatibility and traffic circulation. There are no plan designated public views or corridors associated with the project site.

The project would be consistent with the General Plan Noise Element Table NE-3 Land Use – Noise Compatibility Guidelines which indicates mixed-use commercial and residential projects should be conditionally consistent with exterior noise levels up to 70 decibels and would require indoor noise attenuation to achieve a 45-decibel interior noise level. Based on the lack of major noise sources, the project would be compatible with the noise levels at the site and would be able to provide the required indoor noise attenuation using standard construction methods to meet the noise compatibility standards.

The General Plan's Conservation Element includes a goal for San Diego to become a city that is an international model of sustainable development and conservation. Policy CE-A.5 recommends that the construction and operation of new development employ sustainable or "green" building techniques. This project provides a variety of sustainable features and meets the General Plan's Conservation Element by utilizing energy efficient equipment and lighting, low flow toilets and water fixtures.

The proposed project site is located in close proximity to a proposed Class II bicycle lane along Bachman Place, which is located east of the project site and provides access to and from Mission Valley. In order to meet the objective in the Transportation Element of the community plan for encouraging bicycling as an alternative mode of transportation, the project would include bike storage at ground level within the enclosed parking area of the project to accommodate 24 bicycles. The Transportation Element of the community plan also recommends that off-street parking should be placed underground and/or screened from the public right-of-way and adjacent residences. The proposed project would implement this recommendation by enclosing all off-street parking within two levels of subterranean parking with the exception of 11 surface parking spaces which are screened from the right-of-way by the residential structure.

The proposed project would implement the recommendation for minimizing curb-cuts and entrances to off-street parking areas to prevent pedestrian and vehicle conflicts by removing two existing driveways associated with existing residential development, proposing a single driveway for access to parking, and improving the site with new sidewalks along the project's frontage.

The proposed project would meet the guideline within the Urban Design Element of the community plan for encouraging new construction to be compatible with existing architectural detail and overall appearance of quality development in the surrounding neighborhood by incorporating architecture of modern design similar to many of the structures associated with the UCSD Medical Center in the immediate neighborhood. To offset building bulk and scale, the proposed project would consist of a five-story mixed-

use structure and a two-story multi-family residential structure divided by a courtyard/amenity space and include balconies, vertical offsetting surfaces, slightly varying rooflines, varying building materials and textures that would be compatible with the varied scale of development within the neighborhood.

The Urban Design Element also recommends as a guideline that new multi-family residential development should incorporate wall texture variations, façade offsets, upper-floor setbacks, and utilization of varied roof forms. The proposed multi-family residential portions of project would meet this guideline by including balconies, vertical offsetting surfaces, varying rooflines, and trellises in the courtyard. Building materials and textures would also include primarily glass, painted concrete, cement paneling, and stucco. The project would also meet the guideline of providing patios, balconies, courtyards, pools, and other recreational amenities within residential projects to maximize useable open space by incorporating a swimming pool, fire pit, community lounge with kitchen facilities, and a fitness room as onsite amenities for residents.

The project site is located within the Airport Influence Area, Review Area 2, of the San Diego International Airport, Airport Land Use Compatibility Plan (ALUCP). However, it is located outside any Safety Compatibility Zones identified on Exhibit 3-1 of the San Diego International Airport ALUCP. Although the project did not require an ALUCP consistency determination, the project would be consistent with the San Diego International Airport ALUCP based on the proposed land use and its location in relation to the airport. The project has been conditioned to self-certify or provide a determination of no hazard from the FAA prior to the issuance of the first construction permits consistent with the San Diego Municipal Code.

The project proposes several deviations regarding setback, upper-story step backs and height requirements. The Uptown Community Plan does not provide specific recommendations regarding these particular development requirements, except for encouraging upper-story step backs to assist in addressing transitions and scale between new and existing development which the proposed project would incorporate. Despite these deviations, as proposed, the project would be consistent with the Uptown Community Plan, as well as with applicable Mobility and Urban Design Element policies contained in the General Plan, therefore the project would not adversely impact the applicable land use plans.

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 49 residential condominiums units and one commercial condominium within a five-story mixed-use structure (over two levels of subterranean parking) and a two-story multi-family residential structure (over one level of subterranean parking) divided by a courtyard/amenity space within the NP-1, RS-1-1 zone and the Uptown Community Plan. The project includes a deviation to the Environmentally Sensitive Lands (ESL) (Steep Hillsides) regulations as further detailed within the Supplemental Findings below. The project includes deviations to setbacks,

height and upper story step backs. The project requires a Mid-City Communities Development Permit (MCCDP) which is processed in the same manner as an application for a Site Development Permit and through the granting of the permit, the proposed deviations comply with the SDMC. The deviations are as follows:

Setbacks

<u>Proposed</u>	<u>Required</u>
1. 6 feet interior setback at south property line (PL)	17 feet
2. 10 feet rear yard setback opposite Dickinson	15 feet
3. 0 feet interior setback eastern PL	6 feet
4. 4 feet interior setback northern PL	6 feet

Upper Story Step Backs

<u>Proposed</u>	<u>Required</u>
5. 6-foot step back (western PL floors 2-5)	9, 12, and 15 feet
6. 10-12 foot step back (north PL floors 2-5)	9, 12, and 15 feet
7. 8-foot step back (eastern PL, floors 2-5)	9, 12, and 15 feet

Setbacks: The NP-1 Zone encourages a mixture of office and residential use at a high density. The purpose and intent of these regulations are to provide light and air to the adjacent properties as well as reduce bulk and scale. The NP-1 Zone also allows a zero foot setback through approval of a Mid-City Communities Development Permit. This site is a unique split-zoned property configured in an “L” shape, and includes a dead end street with separate setback requirements for each zone. Structures located completely underground are exempt from the setback requirements, so the deviations are for the buildings above the subterranean parking structure.

The Transportation Element of the community plan recommends that off-street parking should be placed underground and/or screened from the public right-of-way and adjacent residences. The setback deviations would allow implementation of this recommendation by enclosing all off-street parking within two levels of subterranean parking with the exception of 11 surface parking spaces which are screened from the right-of-way by the residential structure. The setback deviations are also located in areas not visible from any adjacent residential property nor from any public rights-of-way.

Upper Story Step Backs: The NP-1 zone specifies increasing step backs for each floor above the second story. The deviations range from nine to six percent for the west, north, and east side of the structure within the NP-1 Zone only. The purpose and intent of the regulations is to provide articulation in order to reduce the bulk and scale. The proposed multi-family residential portions of project would meet this guideline by including balconies, vertical offsetting surfaces, varying rooflines, and trellises in the courtyard.

Building materials and textures would also include glass, painted concrete, cement paneling, and stucco. On most elevations, the encroachments are for open balconies and large retaining walls on the northeast corner that are required due to the topography and the proposed subterranean parking.

The proposed project is uniquely sited on Dickinson with UCSD campus facilities surrounding it. UCSD owns a 1,100 car parking structure to the east and access to the main campus is from the parking structure along the north and west sides of the proposed project in an approximately 20-foot wide paved walkway including an 8-inch water main. The paved walkway also provides vehicular access to an “L” shaped building to the west and north of the project. For the western and northern step back deviations this walkway area creates a de-facto linear open space/setback between the proposed structure and its neighboring UCSD building, which meets the purpose and intent of the requirements by providing light and air to the adjacent properties.

As with both sets of deviations for setbacks and the reduction of the upper story step backs, the project would be compatible with the existing architectural detail and overall appearance of quality development in the surrounding neighborhood by incorporating architecture of modern design similar to many of the structures associated with the UCSD Medical Center in the immediate neighborhood. The structure still reduces bulk and scale by utilizing balconies, vertical offsetting surfaces, slightly varying rooflines, varying building materials and textures that would be compatible with the varied scale of development within the neighborhood. Building materials and textures would also include primarily glass, painted concrete, cement paneling, and stucco. Even with the proposed deviations, the project still meets the purpose and intent of the architectural regulations as the design provides light and air to the adjacent properties and reduces bulk and scale by substantially articulating the structure with balconies and the use of different building materials.

Height

<u>Proposed</u>	<u>Required</u>
8. 109.5 feet overall height (NP-1)	70 feet
9. 83 feet plumb line (NP-1)	60 feet
10. 61 feet plumb line (RM-1-1)	30 feet

Height: The NP-1 Zone allows a maximum height of 50 feet with an additional 10 feet for projects with underground parking and an additional 10 feet for the grade differential which puts the maximum allowable overall height at 70 feet. The project proposes a maximum overall height of 109 feet. The project site within the NP-1 Zone is relatively flat except for the north and southeastern corners which are the only areas where the overall height deviation height is proposed. The RS-1-1 allows a height limit of 30 feet. Photographic renderings were prepared during project review to show that the lower portions of the buildings were not visible from adjacent street or properties due to the presence of the UCSD parking structure and the vegetation in the canyon to the south. According to the community plan, there are no designated public views or corridors on

the project site. The increase in height is consistent with the purpose and intent of the regulation, would allow for a more functional project and would not adversely affect the surrounding community.

The project proposes a deviation to encroach into this small area of steep hillsides. The developed portion of the site is relatively flat; however a small portion (approximately 1,800 square-feet or six percent of the entire site) in the southeastern part of the site does contain steep hillsides as defined by the San Diego Municipal Code (SDMC) Section 143.0110. This portion of the site would contain the five townhouse condominium units above one level of subterranean parking.

The Steep Hillside Guidelines allow encroachment if the area with steep hillsides constitutes a minor portion of the entire site and there are no community plan designated public views or corridors. According to the community plan, there are no designated public views or corridors on the project site. The residential structure will encroach into this area but still fits into the hillside and maintains the topography on either side. The elevation of this structure is lower in profile than the other proposed structure and steps down to follow the general contours of the site. The adjacent canyon is surrounded by development and this project would not be seen from any public right-of-way. The residential structure located in this area provides balconies orientated towards the canyon, vertical offsetting surfaces, slightly varying rooflines, varying building materials and textures that would be compatible with the varied scale of development within the neighborhood.

The project has been designed to disturb the minimum area of the steep hillsides. Alternative designs could further reduce the building footprint but the proposed project allows the majority of the density to remain on the flat portion of the site. This allows the courtyard amenities to act as a communal gathering space between the two structures. Since the portion containing steep hillsides is only six percent of the entire site, does not contain any designated public views or corridors, and is shielded from any public right-of-way, the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

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

The 0.73-acre project site is located at 101-112 Dickinson Street, between Front Street and Bachman Place within the Uptown Community Plan area. The project proposes 49 residential condominiums units and one commercial condominium unit within a five-story mixed-use structure (over two levels of subterranean parking) and a two-story multi-family residential structure divided by a courtyard/amenity space (over one level of subterranean parking).

The project site is south of Interstate 8, west of State Route 163 with access taken from Washington Street and east to the terminus of Dickinson Street which dead ends at the project site. The surrounding land uses include the University of California San Diego (UCSD) medical center to the west and north, the UCSD parking garage to the east, and

several modular buildings and an urban canyon to the south. The existing project site consists of three single-family, 16 multi-family units and surface parking.

The project would remove two existing driveways associated with existing residential development and construct a single driveway (from Dickinson) to access ground-level and subterranean parking. Dickinson Street would be improved with a 25-foot radius turn around to allow fire truck access as well as new curb, gutter and sidewalks.

Utility improvements would include sewer and waterline connections to the existing infrastructure located in Dickinson Street. Storm drain improvements include a vegetated swale along the northerly and westerly project boundary, catch basins, and storm water detention devices including an underground storm trap device that will run north to south along the easterly property boundary. The project has been conditioned to underground all new and existing onsite utilities.

The density range of the NP-1 zone would allow 73 dwelling units per acre or a maximum of 48 dwelling units. The RS-1-1 zone would allow 1 dwelling unit. Based on this maximum density allowed by the underlying zones, 49 dwelling units would be allowed on site.

The topography of the site ranges from 255 feet above mean sea level to 290 feet above mean sea level. The developed portion of the site is relatively flat; however a small portion (approximately 1,800 square-feet or six percent of the entire site) in the southeastern part of the site does contain steep hillsides as defined by the San Diego Municipal Code (SDMC) Section 143.0110. The northeastern area of the site slopes down into a canyon that connects to the Multi-Habitat Planning Area (MHPA); however the project site is not within the MHPA.

The Steep Hillside Guidelines allow encroachment if the area with steep hillsides constitutes a minor portion of the entire site and there are no community plan designated public views or corridors. According to the community plan, there are no designated public view or corridors on the project site. The residential structure will encroach into this area but still fits into the hillside and maintains the topography on either side. The elevation of this structure is lower in profile than the other proposed structure and steps down to follow the general contours of the site. The adjacent canyon is surrounded by development and this project would not be seen from any public right-of-way. The residential structure to be located in this area provides balconies orientated towards the canyon, vertical offsetting surfaces, slightly varying rooflines, varying building materials and textures that would be compatible with the varied scale of development within the neighborhood.

The project has been designed to disturb the minimum area of the steep hillsides. Alternative designs could further reduce the building footprint but the proposed project allows the majority of the density to remain on the flat portion of the site. This allows the courtyard amenities to act as a communal gathering space between the two structures. Since the portion containing steep hillsides is only six percent of the entire site, does not

contain any designated public views or corridors, and is shielded from any public right-of-way, the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands. Since the portion containing steep hillsides is only six percent of the entire site, does not contain any designated public views or corridors and is shielded from any public right-of-way, the site is physically suitable for the design and density of the proposed 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 0.73-acre project site is located at 101-112 Dickinson Street, between Front Street and Bachman Place within the Uptown Community Plan area. The project proposes 49 residential condominiums units and one commercial condominium unit within a five-story mixed-use structure (over two levels of subterranean parking) and a two-story multi-family residential structure divided by a courtyard/amenity space (over one level of subterranean parking). The surrounding land uses include the University of California San Diego (UCSD) medical center to the west and north, the UCSD parking garage to the east, and several modular buildings and an urban canyon to the south. The northeastern area of the site slopes down into a canyon that connects to the Multi Habitat Planning Area (MHPA); however the project site is not within the MHPA. The existing project site consists of three single-family, 16 multi-family units and surface parking.

Addendum No. 406244 to Mitigated Negative Declaration (MND) No. 157724 has been prepared for the project in accordance with the State of California Environmentally Quality Act (CEQA) Guidelines. It has been determined that there are no new significant environmental impacts not considered by the previous MND, no substantial changes have occurred with respect to the circumstances under which the project is under taken, and there is no new information of substantial importance to the project. The proposed project includes mitigation measures to offset impacts to the environment in the areas of Biological Resources (MHPA Land Use Adjacency) and Paleontological Resources and did not include any impacts to fish or wildlife or their habitat. Implementation of the Mitigation, Monitoring and Reporting Program as well as permit conditions would ensure that substantial environmental damage would not affect fish or wildlife or their habitat.

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 49 residential condominiums units and one commercial condominium unit. The proposed project would also include deviations for setbacks, upper story step backs and height. Addendum No. 406244 to Mitigated Negative Declaration (MND) No. 157724 has been prepared for the project in accordance with the State of California Environmentally Quality Act (CEQA) Guidelines. It has been determined that there are no new significant environmental impacts not considered by the previous MND, no substantial changes have occurred with respect to the circumstances under which the project is under taken, and there is no new information of

substantial importance to the project. The proposed project includes mitigation measures to offset impacts to the environment in the areas of Biological Resources (MHPA Land Use Adjacency) and Paleontological Resources. Implementation of the Mitigation, Monitoring and Reporting Program as well as permit conditions would reduce impacts to below a level of significance.

The project site is located within the Airport Influence Area, Review Area 2, of the San Diego International Airport, Airport Land Use Compatibility Plan (ALUCP). However, it is located outside any Safety Compatibility Zones identified on Exhibit 3-1 of the San Diego International Airport ALUCP. Although the project did not require an ALUCP consistency determination, the project would be consistent with the San Diego International Airport ALUCP based on the proposed land use and its location in relation to the airport. The project has been conditioned to self-certify or provide a determination of no hazard from the FAA prior to the issuance of the first construction permits consistent with the San Diego Municipal Code.

Construction of the project authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors. Therefore, as proposed, the project will not be detrimental to the public health, safety, or 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 49 residential condominiums units and one commercial condominium unit. The Vesting Tentative Map is for the subdivision to allow condominium ownership. There are no existing easements acquired by the public at large for access through or use of property within the proposed subdivision, therefore, no conflicts exist.

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

The proposed subdivision will not impede or inhibit any future passive or natural heating and cooling opportunities. The proposed design and conditions of the Vesting Tentative Map as well as the associated Site Development Permit have been adopted for the future construction of the residential and commercial units and provide 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.

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 will be required to pay all applicable Developer Impact Fees (DIF), school fees, water/sewer connection fees and other impact fees at building permit issuance in accordance with the City's Public Facilities Financing Plan and Impact Fee Schedule. The project site is served by existing public infrastructure, located within Dickinson Street. There is an encroachment in environmentally sensitive lands (steep hillsides) but with through the granting of the permit, the proposed deviations comply with the San Diego Municipal Code and the Steep Hillside Guidelines. The guidelines allow encroachment if the area with steep hillsides constitutes a minor portion of the entire site and there are no community plan designated public views or corridors. Additionally, Addendum No. 406244 to Mitigated Negative Declaration (MND) No. 157724 has been prepared for the project in accordance with the State of California Environmentally Quality Act (CEQA) Guidelines. It has been determined that there are no new significant environmental impacts not considered by the previous MND, no substantial changes have occurred with respect to the circumstances under which the project is under taken, and there is no new information of substantial importance to the project. The proposed project includes mitigation measures to offset impacts to the environment in the areas of Biological Resources (MHPA Land Use Adjacency) and Paleontological Resources. Implementation of the Mitigation, Monitoring and Reporting Program as well as permit conditions would reduce impacts to below a level of significance.

The 0.73-acre site is zoned NP-1 (Neighborhood Professional) which allows up to 73 dwelling units per acre and RS-1-1 (Residential-Single Family) which allows 1 dwelling unit. The NP-1 zone is approximately 0.66-acres and would allow 48 units. The RS-1-1 zone is approximately 0.07 acres and would allow one dwelling unit regardless of acreage. Based on this maximum density allowed by the underlying zones, 49 dwelling units would be allowed on site. The project proposes 49 new, market-rate, for-sale residential condominium units and one commercial condominium unit. The project would also include the demolition of three single-family residences and 16 multi-family residential units, resulting in a net gain of 30 additional housing units within the Uptown Community. The subdivision has been conditioned to comply with the City-wide Affordable Housing Regulations. The decision maker has reviewed the administrative record including the project plans, environmental documentation and public testimony to determine the effects of the proposed subdivision on the housing needs of the region. Those needs were balanced against the needs for public services and the available fiscal and environmental resources and found that the proposed subdivision will not adversely impact the housing needs of the region.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Planning Commission, Vesting Tentative Map No. 1428149 is hereby granted to SHIRAZ

PARTNERS, A DELAWARE LIMITED PARTNERSHIP subject to the attached conditions which are made a part of this resolution by this reference.

By

Renee Mezo
Development Project Manager
Development Services Department

ATTACHMENT: Vesting Tentative Map Conditions

Internal Order No. 24005534

PLANNING COMMISSION
CONDITIONS FOR VESTING TENTATIVE MAP NO. 1428149

101 DICKINSON - PROJECT NO. 406244

ADOPTED BY RESOLUTION NO. R-_____ ON _____
DRAFT

GENERAL

1. This Vesting Tentative No. 1428149 will expire on January 4, 2019.
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 Final Map, unless otherwise noted.
3. A Final Map is required to consolidate the existing lots into one lot and to subdivide the ownership interest.
4. Prior to the recordation of the Final 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. This Tentative Map shall conform to the provisions of Site Development Permit No. 1420454.
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. 406244
TM No. 1428149

ENGINEERING

7. Prior to the recordation of the Final Map, the Owner/Permittee shall dedicate additional right-of-way on Dickinson Street per approved Exhibit 'A' to provide a 5-foot minimum to 10-foot maximum curb-to-property-line distance, satisfactory to the City Engineer.
8. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the Owner/Permittee to provide the right-of-way free and clear of all encumbrances and prior easements. The Applicant must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.
9. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
10. 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.
11. The Subdivider 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 Director and the City Engineer. Back Flow Preventative Devices shall be located above ground on private property, in line with the service and immediately adjacent to the Right-of-Way.
12. The Subdivider shall provide a letter, agreeing to prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.

MAPPING

13. "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].
14. "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.”

15. The final map 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.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

PUBLIC UTILITIES

16. All proposed private water and sewer facilities located within a single lot are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.
17. 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.
18. All public water and sewer facilities are to be in accordance with the approved Water and Sewer Studies.

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 Vesting 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 Vesting Tentative Map, may protest the imposition within ninety days of the approval of this Vesting 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. 24005534

Project No. 406244
TM No.1428149

CONSULTANT:

PROJECT NAME:



DRAWING INDEX

ARCHITECTURAL

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A1.01	SITE PLAN
A1.10	PARKING LEVEL P2
A1.11	PARKING LEVEL P1
A1.12	GROUND FLOOR PLAN
A1.13	TYPICAL FLOOR LEVEL - TOWNHOUSE LEVEL 3
A1.14	ROOF LEVEL
A2.00	WEST ELEVATION
A2.01	NORTH ELEVATION
A2.02	EAST ELEVATION
A2.03	SOUTH ELEVATION - MAIN BUILDING
A2.04	SOUTH ELEVATION - TOWNHOUSES
A3.00	SECTIONS
A3.01	SECTIONS
A4.00	PERSPECTIVES

LANDSCAPE

L.1	LANDSCAPE DEVELOPMENT PLAN / BRUSH MANAGEMENT PLAN
L.2	LANDSCAPE WATER CONSERVATION PLAN
L.3	LANDSCAPE PLANTING PLAN
L.4	LANDSCAPE BRUSH MANAGEMENT NOTES

CIVIL

C2.0	EXISTING CONDITIONS
C3.0	DEMO PLAN
C4.0	UTILITY PLAN
C5.0	GRADING AND VTM
C6.0	FIRE ACCESS PLAN

AREA SUMMARY:

TOTAL RESIDENTIAL AREA: (EXCLUDING BALCONIES)	61,733.06 SF
TOTAL COMMERCIAL:	1,392.55 SF
TOTAL COMMON AREA: (INCLUDES ELEVATORS, STAIRS & CORRIDORS AND MECH. RM.)	9,225.41 SF
TOTAL AREA	72,351.02 SF
TOTAL AREA PERMITTED	72,353.00 SF

PARKING REQUIRED:

USE	RATIO	# UNITS	REQD. STALLS
1 BEDROOM	1.5 / UNIT	18 UNITS	24 STALLS
2 BEDROOM	2 / UNIT	22 UNITS	44 STALLS
3 BEDROOM	2.75 / UNIT	11 UNITS	25 STALLS
		49 UNITS	93 STALLS

HANDICAPPED PARKING REQUIRED PER CBC 1109A.3:

[49 RESIDENTIAL UNITS x .02 = 1 STALL]

GUEST PARKING: NOT REQUIRED

COMMERCIAL PARKING:

SDMC TABLE 142-050

1395 SF X 4 STALLS / 1000 SF = 6 STALLS

ACCESSIBLE RETAIL PARKING REQUIRED PER CBC 1109A.5:

[6 STALLS x .05% = 3 OR 1 STALL REQD]

TOTAL # OF PARKING SPACES REQUIRED:	99 STALLS
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PARKING PROVIDED:

GRD FLOOR - RESIDENT PARKING STALLS:	5 STALLS (INCLUDES 2 HC VAN STALLS)
GRD FLOOR - GUEST PARKING STALLS:	4 STALLS
GRD FLOOR - COMM. PARKING STALLS:	6 STALLS (INCLUDES 1 HC VAN STALL)
TOTAL	11 STALLS (INCLUDES 2 HC VAN STALLS)

PARKING LEVEL 1:	40 STALLS
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PARKING LEVEL 2:	57 STALLS
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TOTAL # OF PARKING PROVIDED:	108 STALLS
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MOTORCYCLE PARKING REQUIRED:

LAND DEVELOPMENT CODE (LDC) TABLE 142-060

[.1 X STUDIOS OVER 400 SQ. FT.]; 1 BEDROOMS, 2 BEDROOMS, 3 BEDROOMS

49 UNITS X .1 SPACE / UNIT = 5 STALLS MEDICAL OFFICE = 2 STALLS

MOTORCYCLE PARKING PROVIDED:

GROUND LEVEL:	2 STALLS
PARKING LEVEL P1:	3 STALLS
PARKING LEVEL P2:	2 STALLS
TOTAL # OF PARKING PROVIDED	7 STALLS

BICYCLE PARKING REQUIRED:

SDMC TABLE 142-060

USE	RATIO	# UNITS	REQD. STALLS
MEDICAL OFFICE	2 BIKES PER 1,000 SQ. FT.	3 STALLS	3 STALLS
1 BEDROOM	1 / UNIT	18 UNITS	18 STALLS
2 BEDROOM	1.5 / UNIT	22 UNITS	33 STALLS
3 BEDROOM	2 / UNIT	11 UNITS	22 STALLS
		49 UNITS	77 STALLS

TOTAL # OF BIKE PARKING SPACES REQUIRED:	77 STALLS
---	------------------

BICYCLE PARKING PROVIDED:

GROUND LEVEL / LEVEL 1:	27 STALLS
-------------------------	-----------

TOTAL # OF PARKING PROVIDED	27 STALLS
------------------------------------	------------------

PROJECT TEAM

OWNER/DEVELOPER

 SHIRAZ PARTNERSHIP LP
 P.O. BOX 3111
 LA JOLLA, CA 92038
 BEN BADEE
 MOBILE 858-337-7323
ben@badieedevelopment.com

OWNER/DEVELOPER PM/CM

 MERACON CORPORATION
 7580 CALOMA CIRCLE
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 604-734-6822

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 LANCE UNVEJOYT
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CIVIL ENGINEER

 LATITUDE 33 PLANNING & ENGINEERING
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CITY/ENTITLEMENT CONSULTANT

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 877 ISLAND AVENUE #508
 SAN DIEGO, CA 92101
 LAURIE MADIGAN
 OFFICE/MOBILE 619-990-6727
laurie@madiganinc.com

SCOPE OF WORK

THE PROPOSED PROJECT IS LOCATED ON A 0.73-ACRE SITE AT 101 DICKINSON STREET BETWEEN FRONT STREET AND BACHMAN PLACE. THE 31,745-SQUARE-FOOT SITE IS LOCATED WITHIN THE UPTOWN COMMUNITY PLAN AREA AND FALLS WITHIN THE REGULATIONS OF THE MID-CITY COMMUNITIES PLANNED DISTRICT. IT IS LOCATED IN BOTH THE NP-1 ZONE (28,555 SQUARE FEET) AND RS-1-1 ZONE (3,190 SQUARE FEET). THE PROPOSED PROJECT WILL DEMOLISH 3 SINGLE-FAMILY AND 16 MULTI-FAMILY UNITS AND CONSTRUCT A FOUR-STORY RESIDENTIAL MIXED-USE BUILDING OVER SUBTERRANEAN PARKING.

REQUIRED PERMITS: A PROCESS FOUR SITE DEVELOPMENT PERMIT FOR DEVIATIONS TO THE ENVIRONMENTALLY SENSITIVE LANDS REGULATIONS (STEEP HILLSIDES), A PROCESS THREE SITE DEVELOPMENT PERMIT FOR DEVELOPMENT WITHIN THE MID-CITY COMMUNITIES PLANNED DISTRICT IN COMPLIANCE WITH SAN DIEGO MUNICIPAL CODE (SDMC) SECTION 1512.0203(B)(4) DUE TO THE REQUESTED DEVELOPMENT REGULATION DEVIATIONS, FOR EXCEEDING THE THRESHOLD DWELLING UNITS AS LISTED IN SECTION 1512.0203, TABLE 1512-02A AND FOR BEING WITHIN THE COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE (CPIOZ) AREA 'B' AND A PROCESS 4 VESTING TENTATIVE MAP PER SAN DIEGO MUNICIPAL CODE (SDMC) SECTION 125.0401 TO CREATE 49 RESIDENTIAL CONDOMINIUMS UNITS AND ONE COMMERCIAL CONDOMINIUM.

DEVELOPMENT DATA

GROSS SITE AREA:

THE PROPOSED PROJECT IS LOCATED ON A 0.73-ACRE SITE AT 101 DICKINSON STREET BETWEEN FRONT STREET AND BACHMAN PLACE. THE 31,745-SQUARE-FOOT SITE IS LOCATED WITHIN THE UPTOWN COMMUNITY PLAN AREA AND FALLS WITHIN THE REGULATIONS OF THE MID-CITY COMMUNITIES PLANNED DISTRICT.

FLOOR AREA:

- 1,393 SQUARE FEET OF MEDICAL/PROFESSIONAL OFFICE/RESTAURANT SPACE.
- 61,733 SQUARE FEET OF RESIDENTIAL (FOR-SALE) 49 CONDO UNITS AND 9,225 SQUARE FEET OF CIRCULATION/AMENITY SPACE COMPRISING A TOTAL OF 72,351 SQUARE FEET OF FLOOR AREA.
- THE PERMITTED FAR IS 72,353 SQUARE FEET.
- THE UNDERGROUND PARKING STRUCTURE TOTALS APPROXIMATELY 51,537 SQUARE FEET.

EXISTING AND PROPOSED USES:

THE PROPOSED PROJECT WILL DEMOLISH 3 SINGLE-FAMILY AND 16 MULTI-FAMILY UNITS AND CONSTRUCT A FOUR-STORY RESIDENTIAL MIXED-USE BUILDING OVER SUBTERRANEAN PARKING.

YEAR CONSTRUCTED FOR ALL EXISTING STRUCTURES ON THE LOT: 1924 AND 1940

GEOLOGIC HAZARD CATEGORY: S2

ZONING DESIGNATION:

NP-1 ZONE (28,555 SQUARE FEET) AND RS-1-1 ZONE (3,190 SQUARE FEET)

TYPE OF CONSTRUCTION:

TYPE VA ON TYPE IA,

PROPOSED OCCUPANCY:

R-2, M AND S-2

LEGAL DESCRIPTION:

PARCEL 1: PARCEL 1 OF PARCEL MAP 12168, IN THE CITY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AS DOCUMENTED NO. 82-170919, RECORDED ON JUNE 4, 1982 OF OFFICIAL RECORDS.

PARCEL 2: LOTS 9, 10, 11, 12 IN BLOCK 5 OF FIRST STREET ADDITION, IN THE CITY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 896, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MAY 14, 1903

ASSESSOR PARCEL NUMBER: APN: 444-311-10-00 AND 444-301-02-00

OWNER'S NAME AND ADDRESS: BADEE DEVELOPMENT, INC., P.O. BOX 3111, LA JOLLA, CA 92038

BEN BADEE, MOBILE 858-337-7323, ben@badieedevelopment.com

REQUIRED DISCRETIONARY PERMITS/APPROVALS: SITE DEVELOPMENT PERMIT

TENTATIVE MAP

DEVIATIONS:

SETBACKS:

PROPOSED

- 6 FEET INTERIOR SIDE AT SOUTH PROPERTY LINE (PL)
- 10 FEET REAR YARD SETBACK OPPOSITE DICKINSON
- 0 FEET INTERIOR SIDE AT EASTERN PL
- 4 FEET INTERIOR SIDE AT NORTHERN PL

UPPER STORY STEP BACKS:

PROPOSED

- 6 FEET STEP BACK (WESTERN PL UPPER FLOORS)
- 10-12 STEP BACK (NORTH PL UPPER FLOORS)
- 8 FEET STEP BACK (EASTERN PL, UPPER FLOORS)

REQUIRED

17 FEET
15 FEET
6 FEET
6 FEET

REQUIRED

9, 12, AND 15 FEET
12, AND 15 FEET
9, 12, AND 15 FEET

HEIGHT:

PROPOSED

8, 100.5 FEET OVERALL HEIGHT (NP-1)
9, 83 FEET PLUMB LINE (NP-1)
10, 61 FEET PLUMB LINE (RM-1-1)

REQUIRED

70 FEET
60 FEET
30 FEET

CONSTRUCTION NOTES

- BUILDING WILL BE CONSTRUCTED TO MEET REQUIREMENTS OF ALL APPLICABLE CURRENT CODES.
- THE CURRENT CALIFORNIA CONSTRUCTION CODES ARE THE 2013 CALIFORNIA BUILDING CODE (BASED ON 2012 IBC PUBLISHED BY ICC), THE 2013 CALIFORNIA ELECTRICAL CODE (BASED ON THE 2011 NEC PUBLISHED BY NFPA), THE 2013 CALIFORNIA PLUMBING CODE (BASED ON THE 2012 UPC PUBLISHED BY IAPMO), THE 2013 CALIFORNIA MECHANICAL CODE (BASED ON THE 2012 UMC PUBLISHED BY IAPMO), AND THE 2013 CALIFORNIA FIRE CODE (BASED ON THE 2012 IFC PUBLISHED BY ICC), THE 2013 CALIFORNIA GREEN BUILDING CODE AND THE 2013 CALIFORNIA RESIDENTIAL CODE (BASED ON 2012 IRC PUBLISHED BY ICC).
- DRIP EDGE FLASHING USED AT THE FREE EDGES OF ROOFING MATERIALS SHALL BE NON-COMBUSTIBLE." [CBC 705A.4.1]
- CHIMNEYS, FLUES OR STOVEPIPES ATTACHED TO ANY FIREPLACE, STOVE, BARBECUE OR OTHER SOLID OR LIQUID FUEL BURNING EQUIPMENT OR DEVICE SHALL BE EQUIPPED WITH AN APPROVED SPARK ARRESTOR." [CBC 711A.1]
- GLAZING FRAMES MADE OF VINYL MATERIALS SHALL HAVE WELDED CORNERS, METAL REINFORCEMENT IN THE INTERLOCK AREA, AND BE CERTIFIED TO THE MOST CURRENT EDITION OF ANSIA/AMA/NWQCA 1011.5.2 STRUCTURAL REQUIREMENTS." [CBC 70A.2.2.1]
- NESTING BIRDS MAY BE PRESENT DURING CONSTRUCTION, AND ARE PROTECTED UNDER US AND STATE LAW INCLUDING THE FEDERAL MIGRATORY BIRD TREATY ACT AND IN PARTICULAR, CA LAW - FISH AND GAME CODE - SECTION 3503. CDGF CODE 3503 STATES: "IT IS UNLAWFUL TO TAKE, POSSESS, OR NEEDLESSLY DESTROY THE NEST OR EGGS OF ANY BIRD, EXCEPT AS OTHERWISE PROVIDED BY THIS CODE OR ANY REGULATION MADE PUJANT THERETO."

VICINITY MAP


 NOT FOR CONSTRUCTION
HILLCREST MIXED USE
DICKINSON STREET
SAN DIEGO, CA

 ISSUE DATE: 07.20.2015
 DESCRIPTION: DEVELOPMENT PERMIT
 DATE: 07.20.2015
 DEVELOPMENT PERMIT
 RE-SUBMITTAL FOR SITE
 DEVELOPMENT PERMIT
 RE-SUBMITTAL FOR SITE
 DEVELOPMENT PERMIT
 (CYCLE 5)

 PROJECT NO. 14042.00
 AVRPSTUDIOS:
 DRAWN BY: RM
 CHECKED BY: TA
 SHEET TITLE: COVER SHEET
 PROJECT DATA

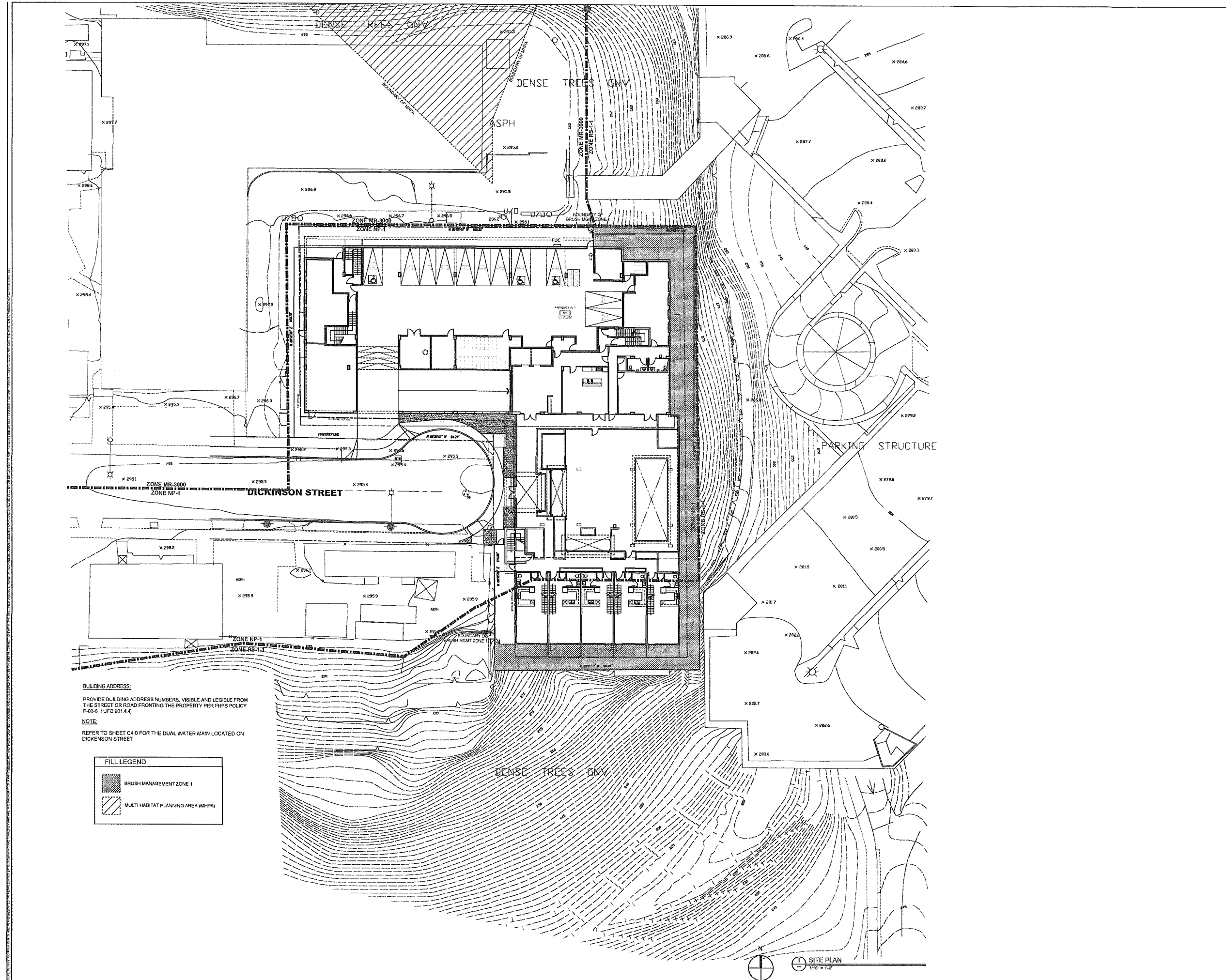
SHEET NUMBER:

A1.00
 SHEET 1 OF 24

NOT FOR CONSTRUCTION
HILLCREST MIXED USE
DICKINSON STREET
SAN DIEGO, CA

ISSUE DATE:	DESCRIPTION:	DATE:
01.20.2015	DEVELOPMENT PERMIT	01.20.2015
02.12.2015	DEVELOPMENT PERMIT	02.12.2015
06.12.2015	RE-SUBMITTAL FOR SITE	06.12.2015
07.31.2015	DEVELOPMENT PERMIT	07.31.2015
07.31.2015	RE-SUBMITTAL FOR SITE	07.31.2015
07.31.2015	DEVELOPMENT PERMIT	07.31.2015

PROJECT NO.	14942.00
AVRP STUDIOS	
DRAWN BY:	RM
CHECKED BY:	TA
SHEET TITLE:	SITE PLAN



NOT FOR CONSTRUCTION
HILLCREST MIXED USE
DICKINSON STREET
SAN DIEGO, CA

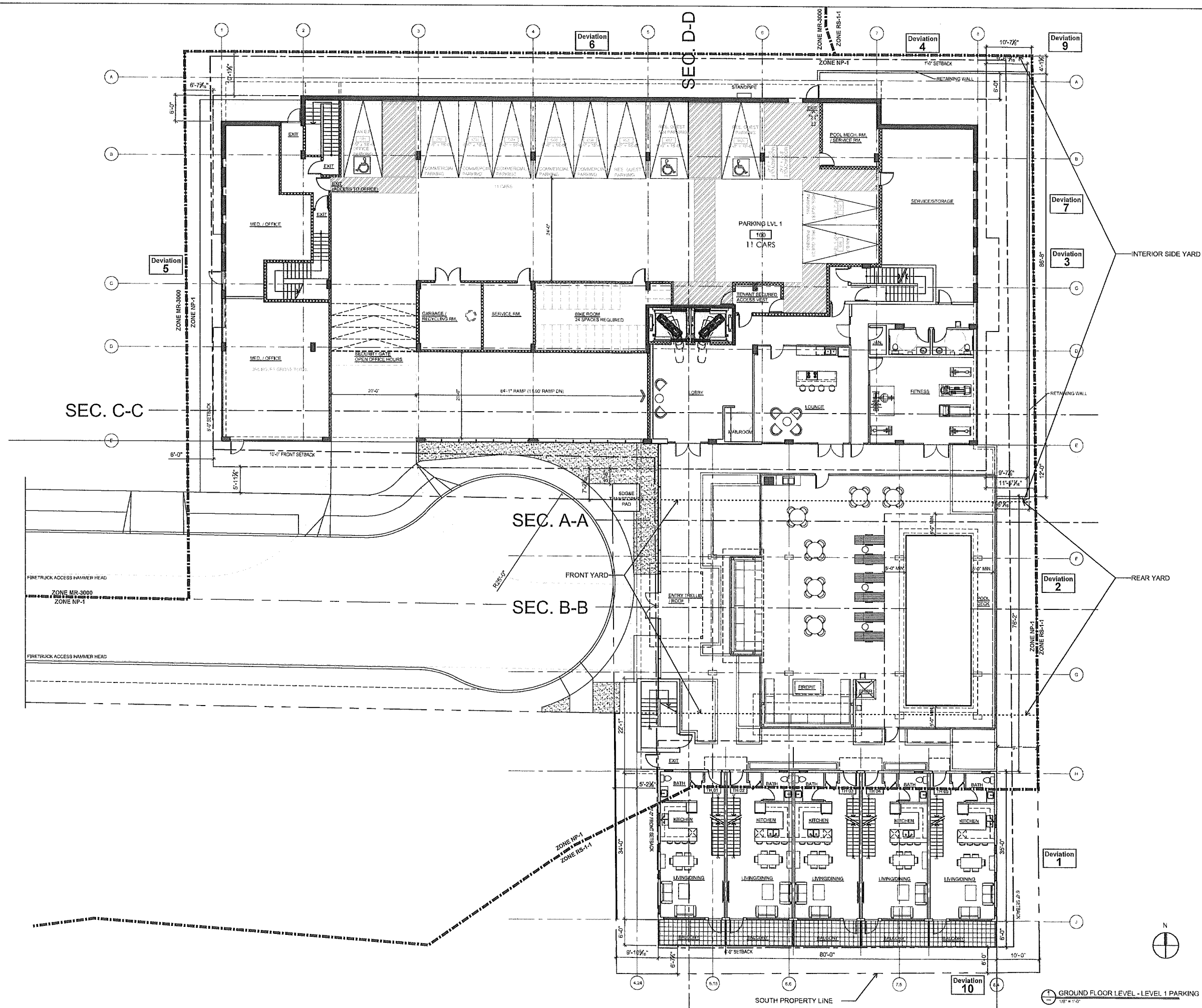
ISSUE DATES:	DESCRIPTION:	DATE:
DEVELOPMENT PERMIT	20.07.2019	12.02.2019
RE-SUBMITTAL FOR SITE	08.12.2019	07.31.2019
DEVELOPMENT PERMIT	07.31.2019	
RE-SUBMITTAL FOR SITE		
DEVELOPMENT PERMIT		
(CYCLE 5)		

PROJECT NO.	14042.00
ASSIGNED BY:	RS
DRAWN BY:	TA
CHECKED BY:	
SHEET TITLE:	GROUND FLOOR LEVEL

SHEET NUMBER:

A1.12

SHEET 5 OF 24



GROUND FLOOR LEVEL - LEVEL 1 PARKING
1/8" = 1'-0"

NOT FOR CONSTRUCTION
HILLCREST MIXED USE
DICKINSON STREET
SAN DIEGO, CA

ISSUE DATES: DATE:
DESCRIPTION: 01.22.2015
DEVELOPMENT PERMIT 02.12.2015
RE-SUBMITTAL FOR SITE 06.12.2015
DEVELOPMENT PERMIT
RE-SUBMITTAL FOR SITE 07.31.2015
DEVELOPMENT PERMIT
(CYCLE 5)

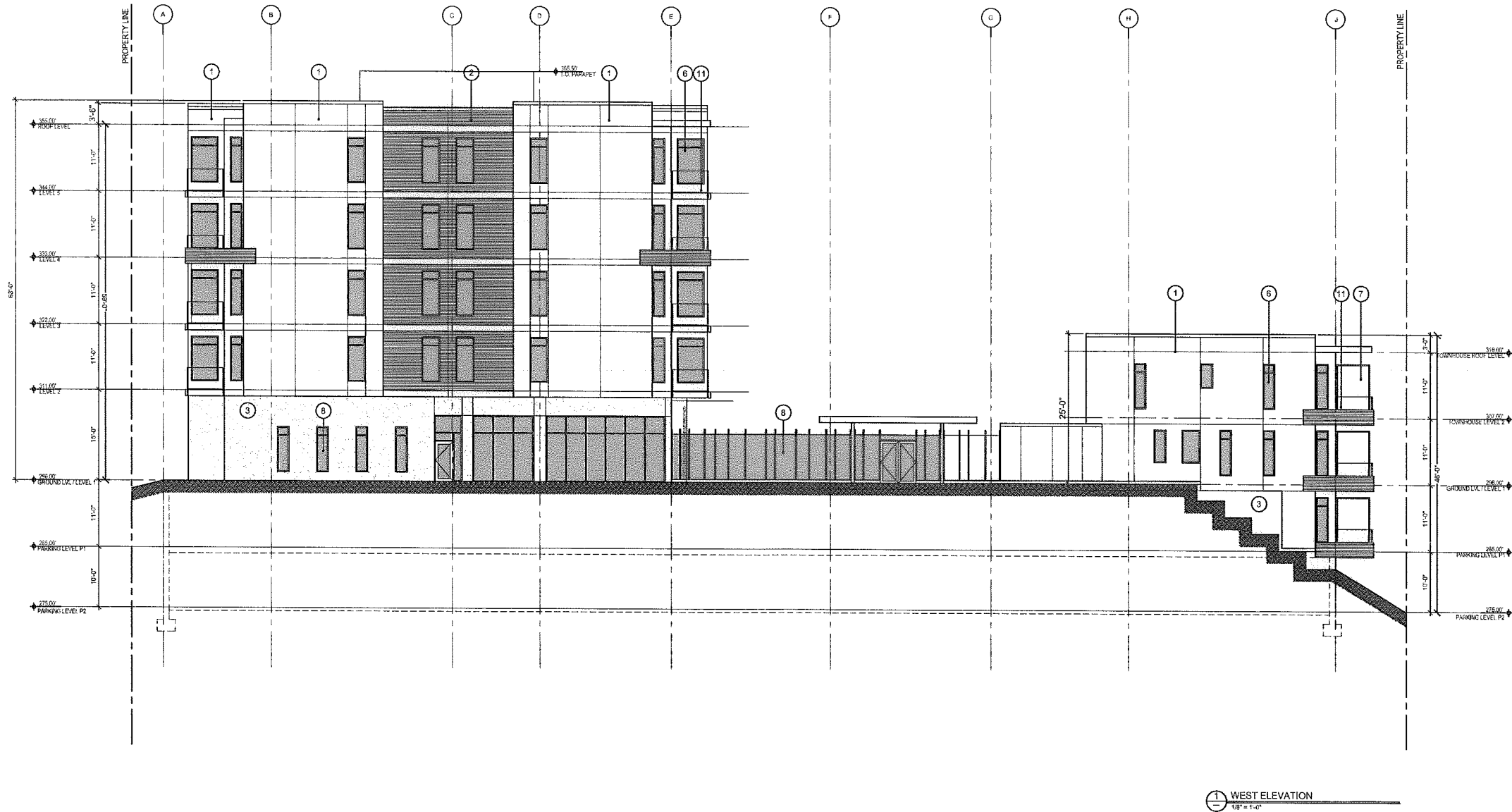
PROJECT NO. 14042.00
AVRP STUDIOS
AGENCY: BSA
DRAWN BY: 7A
CHECKED BY:
SHEET TITLE:
WEST ELEVATION

SHEET NUMBER:

A2.00

SHEET 8 OF 24

- FINISH SCHEDULE**
1. CEMENTITIOUS STUCCO - PAINTED
 2. PAINTED CEMENTITIOUS PANELS
 3. PAINTED CONCRETE
 4. PRE-FINISHED ALUM. GUARDS
 5. PRE-FINISHED ALUM. FLASHING
 6. PRE-FINISHED VINYL WINDOW / DOOR
 7. PRE-FIN. ALUM. & SAFETY GLASS PRIVACY SCREEN
 8. PRE-FINISHED ALUM. STOREFRONT GLAZING
 9. PAINTED METAL DOOR
 10. PAINTED STEEL CANOPY WITH SAFETY GLAZING
 11. PRE-FINISHED ALUM. AND SAFETY GLASS GUARD
 12. SEALED CONCRETE RETAINING WALL



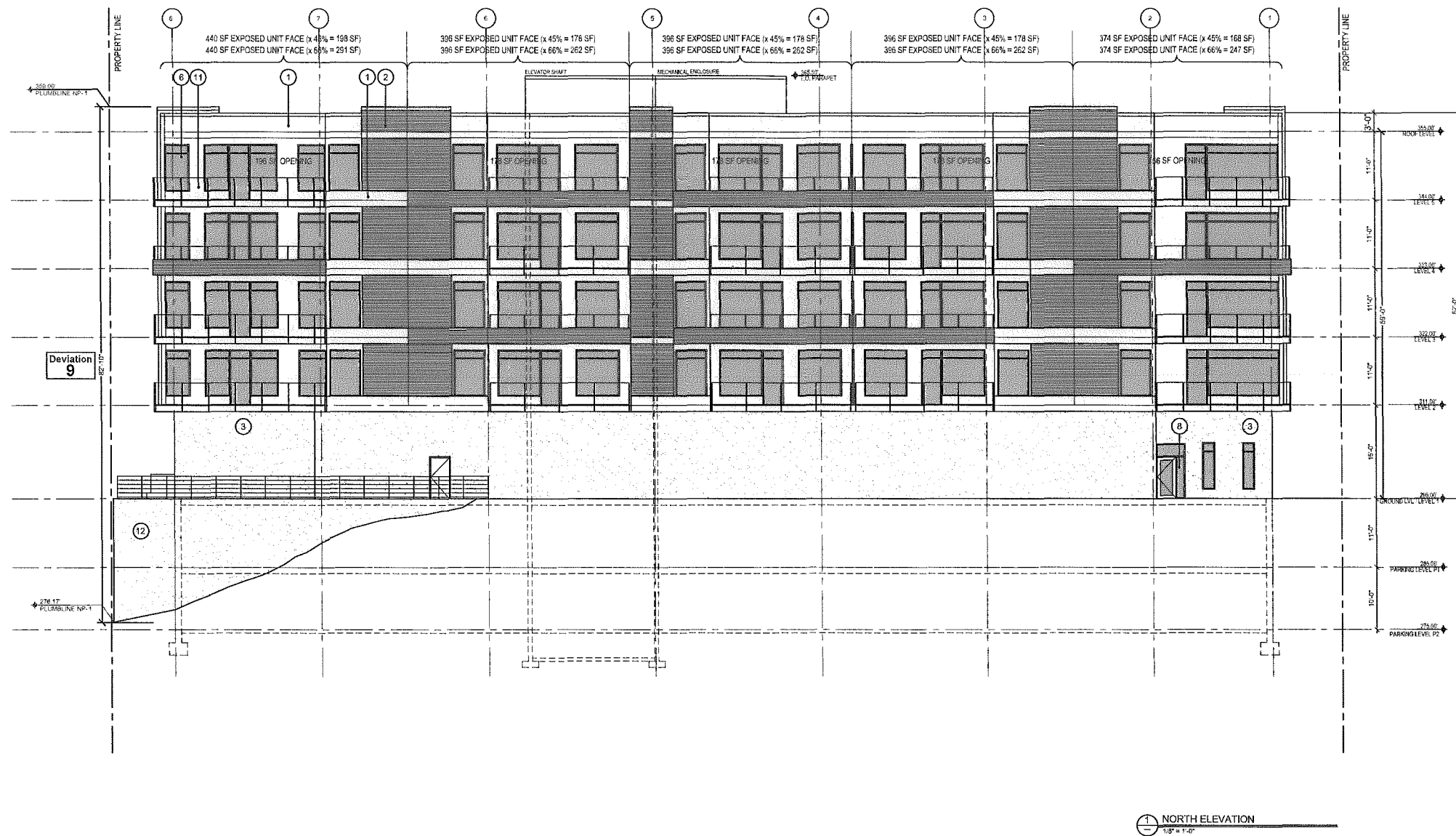
ISSUE DATES:	
DESCRIPTION:	DATE:
DEVELOPMENT PERMIT	01.20.2015
DEVELOPMENT PERMIT	02.12.2015
RE-SUBMITTAL FOR SITE	06.12.2015
DEVELOPMENT PERMIT	
RE-SUBMITTAL FOR SITE	07.31.2015
DEVELOPMENT PERMIT	
(CYCLE 5)	

PROJECT NO.	
AVR/STUDIOS:	14042.00
AGENCY #:	
DRAWN BY:	RM
CHECKED BY:	TA
SHEET TITLE:	
NORTH ELEVATION	

SHEET NUMBER.:

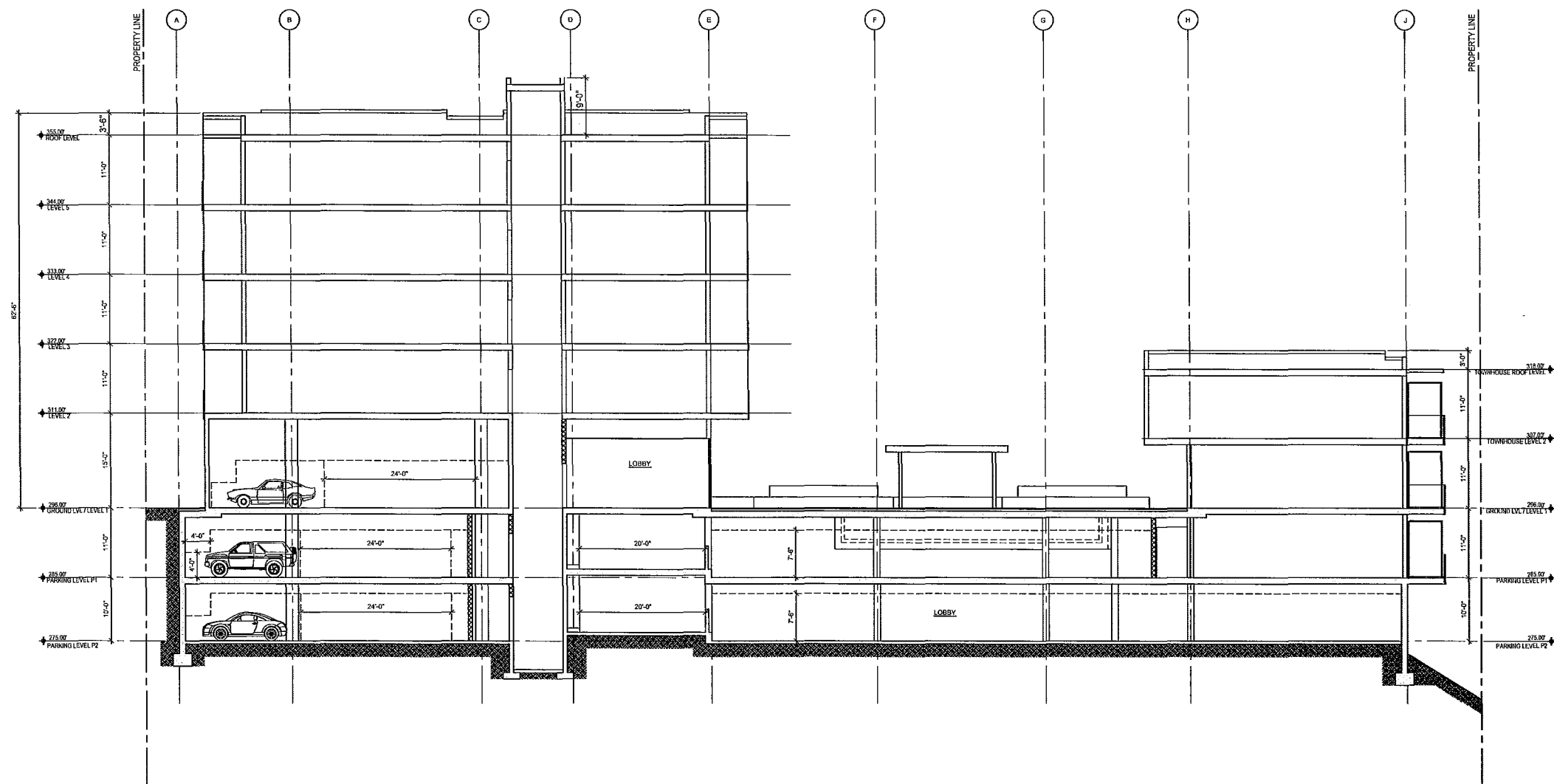
A2.01

SHEET 9 OF 24



CONSULTANT:

PROJECT NAME:



SECTION D-D

NOT FOR CONSTRUCTION
HILLCREST MIXED USE
DICKINSON STREET
SAN DIEGO, CA

ISSUE DATES:
DESCRIPTION: DATE:
DEVELOPMENT PERMIT 01.20.2015
DEVELOPMENT PERMIT 02.12.2015
RE-SUBMITTAL FOR SITE 06.12.2015
DEVELOPMENT PERMIT 07.31.2015
RE-SUBMITTAL FOR SITE
DEVELOPMENT PERMIT
(CYCLE 5)

PROJECT NO. 14042.00
AVRP STUDIOS:
DRAWN BY: RJA
CHECKED BY: TA
SHEET TITLE:
SECTIONS

SHEET NUMBER:

A3.01

NOT FOR CONSTRUCTION
HILLCREST MIXED USE
DICKINSON STREET
SAN DIEGO, CA



1 VIEW OF THE SOUTH WEST CORNER



2 VIEW OF THE SOUTH EAST CORNER



3 VIEW OF THE NORTH EAST CORNER



4 VIEW OF THE NORTH WEST CORNER

CONSULTANT:

PROJECT NAME:

NOT FOR CONSTRUCTION
HILLCREST MIXED USE
DICKINSON STREET
SAN DIEGO, CA

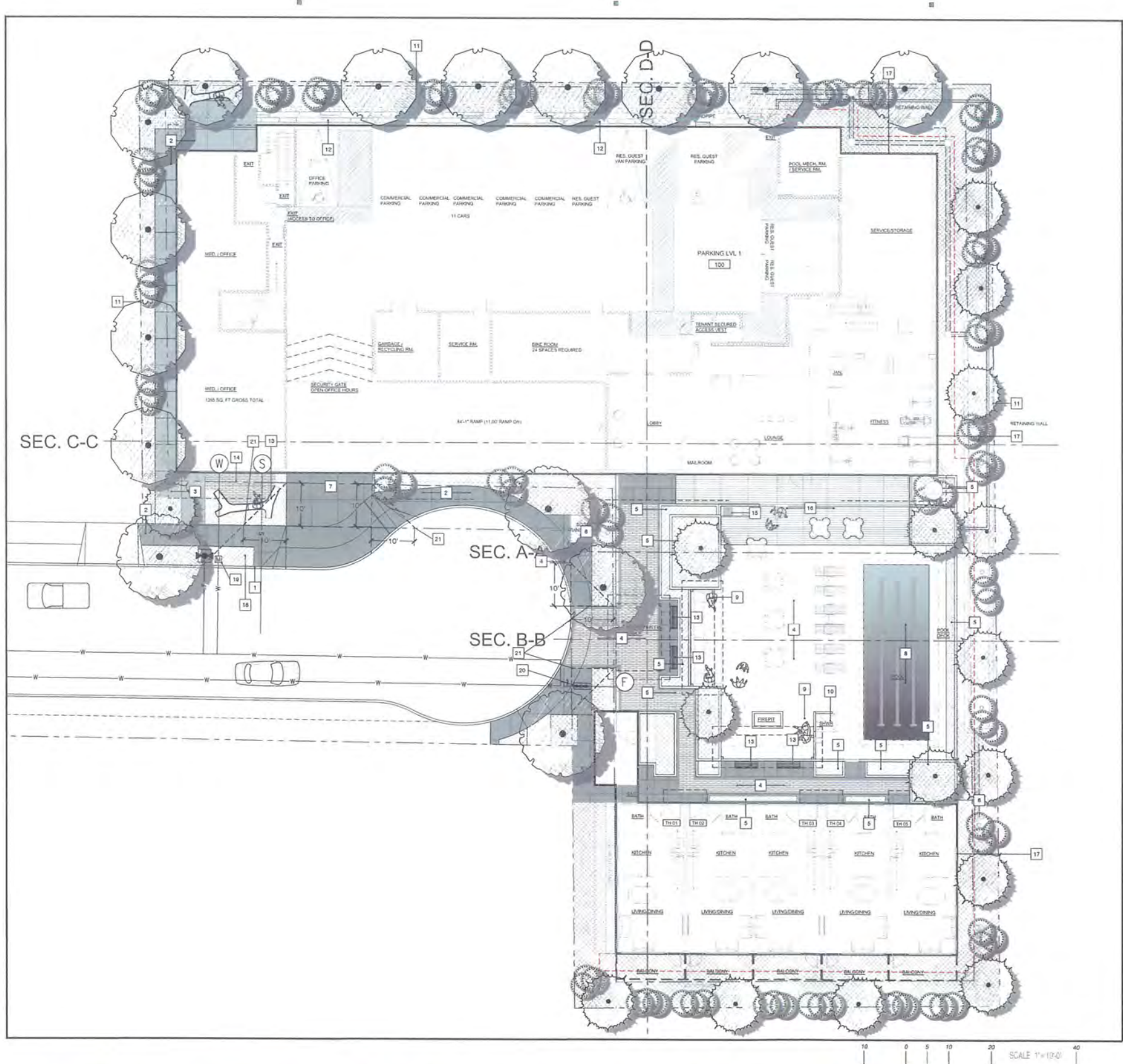
ISSUE DATES: DATE:
DESCRIPTION: 01.20.2015
DEVELOPMENT PERMIT 02.12.2015
RE-SUBMITTAL FOR SITE 06.12.2015
DEVELOPMENT PERMIT 07.31.2015
RE-SUBMITTAL FOR SITE
DEVELOPMENT PERMIT
(CYCLE 5)

PROJECT NO. 14042.00
AVRPSTUDIOS:
ARCHITECT: RD
DRAWN BY: TA
CHECKED BY:
SHEET TITLE:
PERSPECTIVES

SHEET NUMBER:

A4.00

SHEET 15 OF 24



LANDSCAPE SITE PLAN LEGEND

TAG	DESCRIPTION	TAG	DESCRIPTION
1	(P) CURB PER CIVIL PLANS	12	(P) FLAGSTONE PAVING
2	(P) SIDEWALK WITH SCORE PATTERN AS SHOWN	13	(P) OUTDOOR SEATING
3	(P) ENHANCED PAVING SIDEWALK	14	(P) DECOMPOSED GRANITE
4	(P) ENHANCED ENTRY/COURTYARD PAVING	15	(P) BBQ COUNTER
5	(P) PLANTING AREA	16	(P) ENHANCED PAVING TO MATCH INTERIORS
6	EDGE CONCRETE PAD PER CIVIL PLANS	17	(P) #4 EMERGENCY FIRE ACCESS
7	(P) SUBGRADE PARKING STRUCTURE ENTRANCE	18	(P) PATHWAY
8	(P) POOL ON PODIUM	19	(P) WATER METER
9	(P) OUTDOOR LOUNGE	20	(P) BACKFLOW PREVENTER
10	(P) OUTDOOR SHOWER	21	VISIBILITY TRIANGLE
11	PROPERTY LINE		

CONCEPT PLANT SCHEDULE

	SPECIMEN TREES (36" BOX) Acacia stenophylla / Showsting Acacia Cercidium x 'Desert Museum' / Thornless Palo Verde Malvaceae nesophila / Pink Malvaceae Malvaceae quinqueveneria / Cajeput Tree Pistacia chinensis / Chinese Pistache Multi-Trunk Quercus agrifolia / Coast Live Oak Quercus Rex / Holly Oak Tabebuia impatiens / Pink Trumpet Tree	11
	ACCENT TREES (24" BOX) Arbutus unedo / Strawberry Tree Multi-Trunk Arbutus x 'Marina' / Arbutus Multi-Trunk Archontophoenix cunninghamiana / Poincane Palm Cercis canadensis / Eastern Redbud Cercis occidentalis / Western Redbud Multi-Trunk Citrus kumquat 'Nagami' / Nagami Kumquat Citrus x limon / Lemon Ginkgo biloba / Maidenhair Tree Lophosiphon confertus / Briarbane Box Lythodium barbatum aspidifolium / Fiddleleaf Catalpa Ironwood Malvaceae similis / Drooping Malvaceae Olea europaea / Olive Multi-Trunk	16
	STREET TREES (24" BOX) Baobab variagata / Mountain Ebony Gyneria parviflora / Australian Willow Jacaranda mimosifolia / Jacaranda Koeleria bipinnata / Chinese Flame Tree Platanus racemosa / California Sycamore Rhus kneri / African Sumac Tabebuia impatiens / Pink Trumpet Tree Ulmus parvifolia / Chinese Elm	4
	EVERGREEN VERTICAL ACCENT SHRUB (15 GAL.) Aloe bainesii / Aloe Arbutus unedo / Strawberry Tree Multi-Trunk Arbutus x 'Marina' / Arbutus Multi-Trunk Arctostaphylos manzanita / Manzanita Bambusa glaucescens 'Alphonse Karr' / Hedge Bamboo Ceanothus x 'Concha' / California Lilac Cyathea cooperi / Australian Tree Fern Dracaena marginata / Red Edged Dracaena Heterostemma erubescens / Toyon Lagotis indica / Cape Myrtle Leptospermum laevigatum / Tea Tree Multi-Trunk Leucodendron x 'Wilson's Wonder' / Conebush Leucophyllum frutescens / Texas Sage Monarda villosa subglabra / Coyote Mint Rhus integrifolia / Lemonade Berry	99
	EVERGREEN BORDER/ACCENT SHRUB 2' x 3' O.C. 50%-1 GAL./50%-5 GAL. Agave attenuata / Agave Agave desmetiana / Dwarf Century Plant Angelica x 'Big Red' / Big Red Kangaroo Paw Angelica x 'Yellow Gem' / Yellow Gem Kangaroo Paw Buxus microphylla japonica / Japanese Boxwood Carex pensilis / Sandstone Sedge Dianella revoluta / Little Red / Little Red Flax Lily Dianella tasmanica 'Silver Streak' / Flax Lily Diplazium aurantiacum australe / Narrow Leaf Southern Monkeyflower Echinocactus grusonii / Golden Barrel Cactus Eriogonum erborescens / Santa Cruz Island Buckwheat Eriogonum parvifolium / Cliff Buckwheat Eumyrtus japonica 'Silver Princess' TM / Silver Princess Eumyrtus Euphorbia marginata / Snow on the Mountain Euphorbia pulcherrima / Poinsettia Euphorbia brunoii / Sticks on Fire / Pencil Tree Hesperaloe parviflora / Red Yucca Hesperaloe parviflora 'Yellow' / Yellow Yucca Ilex frutescens / Marsh Elder Juniperus squamata 'Blue Star' / Blue Star Juniper Lacina sinensis / Japanese Silver Grass Myrtus communis 'Compacta' / Dwarf Myrtle Nandina domestica / Heavenly Bamboo Pennisetum setaceum / Purple Fountain Grass Phormium tenax 'Firebird' / Fire Bird Flax Pittosporum crassifolium 'Compactum' / Dwarf Kero Ribes alpinum / Alpine Currant Rosa californica / California Wild Rose Rosmarinus officinalis 'Tuscan Blue' / Tuscan Blue Rosemary Salvia canariensis / Canary Island Sage Salvia clevelandii 'Weir's Golden' / Cleveland Sage Salvia elegans / Pineapple Sage Salvia greggii / Autumn Sage Salvia leucophylla / Purple Leaf Sage Salvia mexicana / Sage Salvia officinalis 'Purpurea' / Common Sage Salvia splendens / Scarlet Sage Salvia x sylvestris 'Amethyst' / Meadow Sage Zauschneria californica / California Fuchsia	716 sf
	EVERGREEN SCREENING SHRUB 5' x 8' O.C. 50%-1 GAL./50%-5 GAL. Celastrus macrocarpa / Natal Plum Ficus sellowiana / Pineapple Guava Ficus nitida 'Green Gem' / Green Gem Ficus Grewia occidentalis / Lavender Starflower Espalier Ligustrum japonicum 'Texanum' / Wax Leaf Privet Phoenix roebelenii / Pigmy Date Palm Multi-Trunk Rhamnus Scottii / Hollyleaf redberry	2,176 sf
	EVERGREEN GROUND COVER (50%-1 GAL./50%-FLATS) 9' x 18' O.C. 50%-1 GAL./50%-FLATS Aloe variegata / Aloe Baccharis pilularis 'Pigeon Point' / Coyote Brush Echeveria elegans / Mexican Snowball Echeveria x 'Afterglow' / Afterglow Echeveria Echeveria x 'Black Knight' / Black Knight Echeveria Echeveria x 'Black Prince' / Black Prince and Chicks Echeveria x 'Ruffles' / Afterglow Echeveria Festuca glauca 'Elijah Blue' / Blue Fescue Heuchera x 'Amber Waves' / Coral Bells Liriodendron 'Lilac Beauty' / Lilac Beauty Lorop Myoporum parvifolium / Trading Myoporum Senecio mandralcay 'Blue Chalk Sticks' / Senecio	557 sf
	BRUSH MANAGEMENT ZONE ONE PLANTING See Plant Material Legend on Sheet L-4 and L-5.	4,004 sf



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STAMP:

CONSULTANT:

PROJECT NAME:
**NOT FOR CONSTRUCTION
HILLCREST MIXED USE
DICKINSON STREET
SAN DIEGO, CA**

ISSUE DATE: 01/20/2015
DESCRIPTION: DEVELOPMENT PERMIT
DATE: 01/20/2015
REVISION: 02/12/2015
DATE: 02/12/2015
REVISION: 07/29/2015
DATE: 07/29/2015

PROJECT NO: 14042.00
AVRP STUDIO: 008
AGENCY: 008
CHECKED BY: 008
SHEET TITLE: LANDSCAPE PLANTING PLAN
SHEET NUMBER: L-3
SHEET 18 OF 24

1. EXISTING CONTOUR INTERVAL: 1 FEET
SOURCE: ANALYTICAL PHOTOGRAMMETRIC SURVEYS, INC.
647 N. MAIN STREET, SUITE 1-A, RIVERSIDE, CA 92501
DATE: APRIL 18, 2007
DATUM: CITY OF SAN DIEGO BENCHMARK - BRASS PLUG AT NW CORNER OF
THE INTERSECTION OF ARBOR DR. AND 5TH AVE.
ELEVATION: 296.65 (NGVD93) MSL NAD83

ISSUE DATES:	
DESCRIPTION:	DATE:
ORIGINAL DRAWING	01.19.2015
PREPARATION	

PROJECT NO.	
AVRSTUDIOS:	00000 00
AGENCY #:	00000 00
DRAWN BY:	XX
CHECKED BY:	XX
SHEET TITLE:	

EXISTING CONDITIONS

SHEET NUMBER.

C2.0

SHEET 20 OF 24

latitude **33**
PLANNING & ENGINEERING
9008 Hilbert Street 2nd Floor, San Diego, CA 92131
Tel 656.751.0833



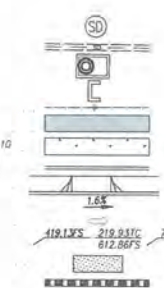
JIM KILGORE	R.C.E. 46692	DATE
REG. EXPIRES 6-30-2015		

LEGEND

IMPROVEMENT
PROPERTY LINE/TM BOUNDARY
RIGHT-OF-WAY
EXISTING CURB
EXISTING WATER (PUBLIC)
EXISTING SEWER (PUBLIC)
EXISTING GAS
EXISTING ELECTRIC
PROPOSED STORM DRAIN POC
PROPOSED STORM DRAIN (FVT)
PROPOSED STORM DRAIN CLEANOUT
PROPOSED STORM DRAIN HEADWALL
DAYLIGHT LINE
PROPOSED A.C. PAVING
PROPOSED CONCRETE HARDSCAPE
PROPOSED 6" CURB & GUTTER
COMMERCIAL DRIVEWAY
PROPOSED SLOPE
EXISTING CONCRETE BROW DITCH
PROPOSED ELEVATION
AREA OF PROPOSED RIGHT OF WAY DEDICATION
PROPOSED RETAINING WALL

STANDARD DWGS

SYMBOL



GENERAL NOTES

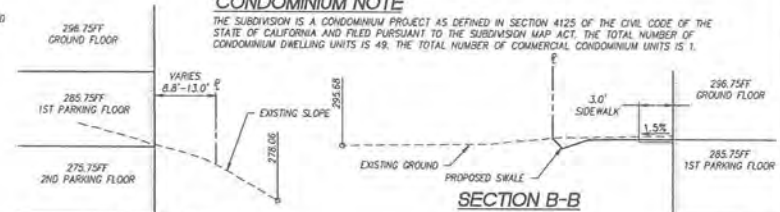
- EXISTING LOTS: 5
- PROPOSED LOTS: 1
- PROPOSED UNITS: 20 CONDO ON BLOCK 5 & 29 CONDO WITH 1,393SF OF COMMERCIAL ON PARCEL 1
- ALL PROPOSED SLOPES ARE 2:1 UNLESS OTHERWISE NOTED
- GRADING SHOWN HEREON IS PRELIMINARY AND IS SUBJECT TO MODIFICATION IN FINAL DESIGN
- PRIOR TO ISSUANCE OF ANY BUILDING PERMIT, THE SUBDIVIDER SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ONGOING PERMANENT BMP MAINTENANCE
- PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMIT, THE SUBDIVIDER SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION 1 (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS
- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE SUBDIVIDER SHALL INCORPORATE AND SHOW THE TYPE AND LOCATION OF ALL POST-CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP'S) ON THE FINAL CONSTRUCTION DRAWINGS, CONSISTENT WITH THE APPROVED WATER QUALITY TECHNICAL REPORT
- DEVELOPMENT OF THIS PROJECT SHALL COMPLY WITH ALL REQUIREMENTS OF STATE WATER RESOURCES CONTROL BOARD (SWRCB) ORDER NO. 2009-0009 DWO AND THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD (SRWQCB) ORDER NO. 2007-007, WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES OF STORM WATER RUNOFF ASSOCIATED WITH CONSTRUCTION ACTIVITY. IN ACCORDANCE WITH SAID PERMIT, A STORM WATER POLLUTION CONTROL PLAN (SWPPP) AND MONITORING PROGRAM PLAN SHALL BE IMPLEMENTED CONCURRENTLY WITH THE COMMENCEMENT OF GRADING ACTIVITIES, AND A NOTICE OF INTENT (NOI) SHALL BE FILED FROM THE SWRCB
- AT THE STORM WATER DISCHARGE LOCATIONS, SUITABLE ENERGY DISSIPATORS ARE TO BE INSTALLED TO REDUCE THE DISCHARGE TO NON-ERODIBLE VELOCITIES
- MULTIPLE STORM WATER DISCHARGE LOCATIONS WILL BE USED TO MIMIC THE EXISTING DRAINAGE PATTERN
- NO ADDITIONAL RUNOFF IS PROPOSED FOR THE DISCHARGE LOCATIONS
- THIS PROJECT WILL NOT DISCHARGE ANY INCREASE IN STORM WATER RUN-OFF ONTO THE EXISTING HILLSIDE AREAS
- REFER TO ARCHITECTURAL PLANS FOR BUILDING AND GARAGE FLOOR PLANS
- REFER TO ARCHITECTURAL PLANS FOR PARKING STALLS AND STRIPING
- REFER TO ARCHITECTURAL PLANS FOR SETBACK LINES
- AMOUNT OF SITE TO BE GRADED: 0.62
- PERCENT OF TOTAL SITE GRADED: 100%
- AMOUNT OF GEOMETRIC (RAW) CUT: 14,300
- MAXIMUM DEPTH OF CUT: 23'
- AMOUNT OF GEOMETRIC (RAW) FILL: 300
- MAXIMUM DEPTH OF FILL: 1'
- MAXIMUM HEIGHT OF FILL SLOPE(S): N/A
- MAXIMUM HEIGHT OF CUT SLOPE(S): N/A
- AMOUNT OF EXPORT SOIL: 14,000

MAPPING AND MONUMENTATION NOTE

A FINAL MAP WILL BE FILED AT THE COUNTY RECORDER'S OFFICE PRIOR TO EXPIRATION OF THE TENTATIVE MAP. A DETAILED PROCEDURE OF SURVEY WILL BE SHOWN ON THE FINAL MAP AND ALL PROPERTY CORNERS WILL BE SET ON THE FINAL MAP.

CONDOMINIUM NOTE

THE SUBDIVISION IS A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4125 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND FILED PURSUANT TO THE SUBDIVISION MAP ACT. THE TOTAL NUMBER OF CONDOMINIUM DWELLING UNITS IS 49. THE TOTAL NUMBER OF COMMERCIAL CONDOMINIUM UNITS IS 1.



SECTION A-A

R/W DEDICATION VARIES
PROP. R/W 0'-10"
EX. R/W
LANDSCAPE SIDEWALK VARIES
VARIES 2.3'-11"
VARIES 4.5'-10.5"
VARIES 0'-5.0"
VARIES 0'-5.0"

SECTION B-B

EX. R/W
PROP. R/W
R/W DEDICATION VARIES
VARIES 0'-5"
VARIES 5.5'-8.5"

SECTION C-C

2 COURSE - 8" CONC. BLOCK
3" BAR @ 32" O.C.
MORTAR GROUT
EXISTING BROW DITCH
3" 470-C-2000 CONCRETE OR 3" 2500 PSI AIR-PLACED CONCRETE WITH 1 1/2" X 1 1/2" 17-GAGE STUCCO NETTING

SECTION D-D

EXISTING BROW DITCH
3" 470-C-2000 CONCRETE OR 3" 2500 PSI AIR-PLACED CONCRETE WITH 1 1/2" X 1 1/2" 17-GAGE STUCCO NETTING

SPLASH WALL DETAIL

NO SCALE

OWNERS SIGNATURE

BEN BADIE
BADIE DEVELOPMENT, INC.
3555 MODEL DRIVE, STE. 120
SAN DIEGO, CA 92122

DATE: JM KILGORE
REG. EXPIRES 6-30-2015

R.C.E. 46692

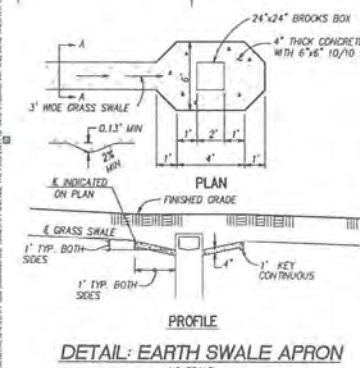
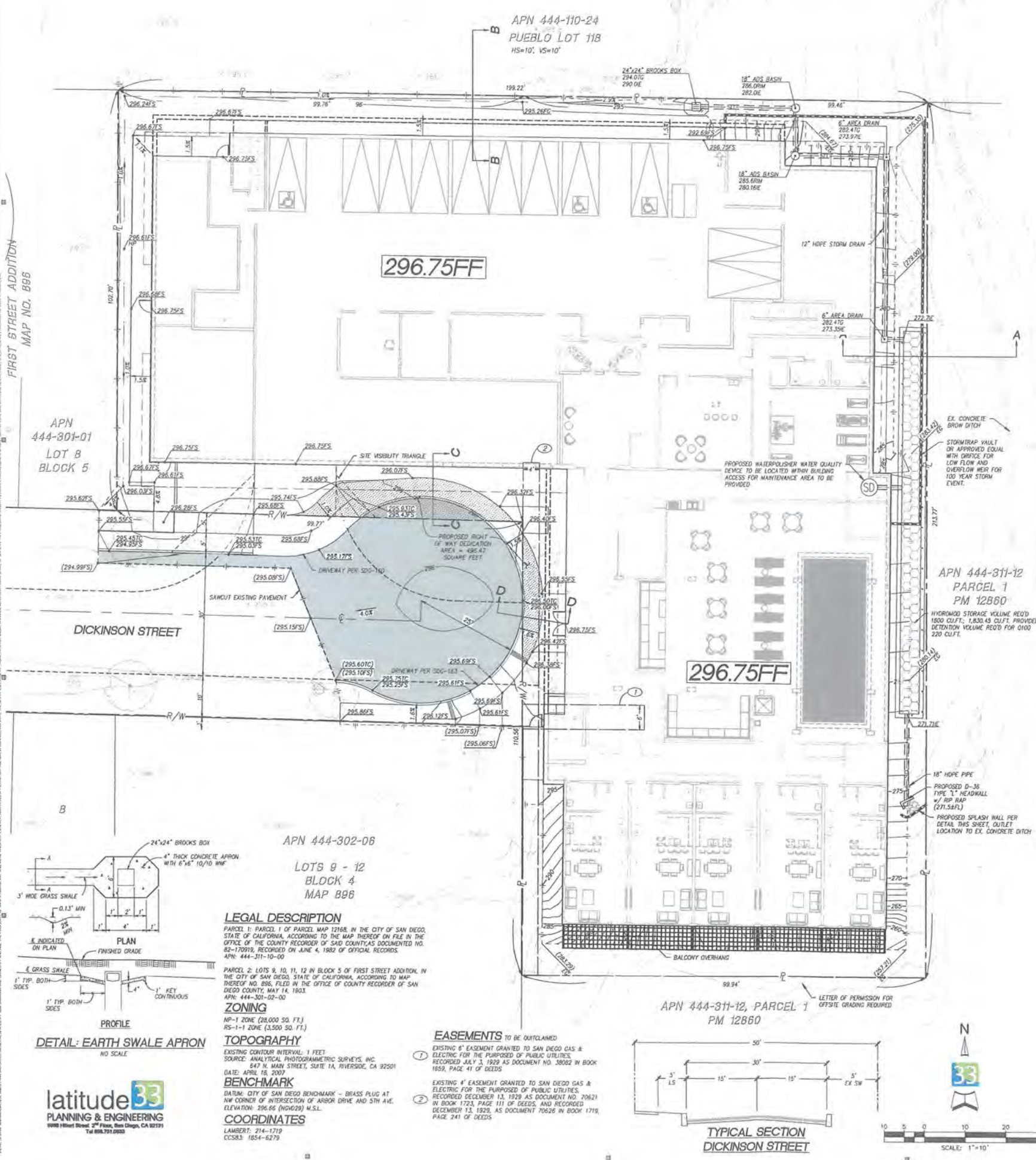
DATE

DATE: 01.15.2015
DESCRIPTION: PRELIMINARY
PREPARATION

PROJECT NO: 000001
AGENCY: 000001
CITY: 000001
SHEET TITLE: GRADING AND VTM

C5.0

SHEET 25 OF 24



latitude 33
PLANNING & ENGINEERING
10000 Wilshire Blvd., Suite 200, San Diego, CA 92131
Tel 619.704.2700

LEGAL DESCRIPTION

PARCEL 1: PARCEL 1 OF PARCEL MAP 12168, IN THE CITY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AS DOCUMENTED NO. 82-170919, RECORDED ON JUNE 4, 1982 OF OFFICIAL RECORDS. APN: 444-311-10-00

PARCEL 2: LOTS 9, 10, 11, 12 IN BLOCK 5 OF FIRST STREET ADDITION, IN THE CITY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 886, FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, MAY 14, 1903. APN: 444-301-02-00

ZONING

NP-1 ZONE (28,000 SQ. FT.)
RS-1-1 ZONE (3,500 SQ. FT.)

TOPOGRAPHY

EXISTING CONTOUR INTERVAL: 1 FEET
SOURCE: ANALYTICAL PHOTOGRAMMETRIC SURVEYS, INC.
647 N. MAIN STREET, SUITE 1A, RIVERSIDE, CA 92501
DATE: APRIL 16, 2007

BENCHMARK

DATA: CITY OF SAN DIEGO BENCHMARK - BRASS PLUG AT NW CORNER OF INTERSECTION OF ARBOR DRIVE AND 5TH AVE.
RECORDED DECEMBER 13, 1920 AS DOCUMENT NO. 70621
IN BOOK 1723, PAGE 111 OF DEEDS, AND RECORDED DECEMBER 13, 1925, AS DOCUMENT 70626 IN BOOK 1719, PAGE 241 OF DEEDS

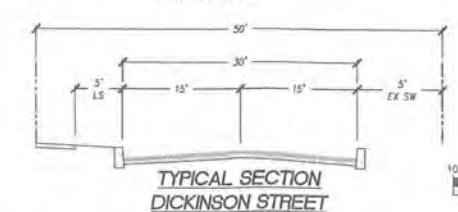
COORDINATES

LABERT: 214-1719
CCSR3: 1854-6279

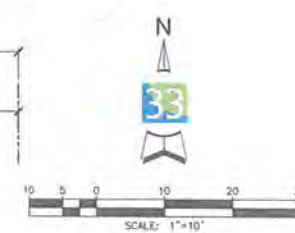
EASEMENTS TO BE OBTAINED

EXISTING 6' EASEMENT GRANTED TO SAN DIEGO GAS & ELECTRIC FOR THE PURPOSES OF PUBLIC UTILITIES RECORDED JULY 3, 1929 AS DOCUMENT NO. 38082 IN BOOK 1659, PAGE 41 OF DEEDS

EXISTING 4' EASEMENT GRANTED TO SAN DIEGO GAS & ELECTRIC FOR THE PURPOSES OF PUBLIC UTILITIES RECORDED DECEMBER 13, 1920 AS DOCUMENT NO. 70621 IN BOOK 1723, PAGE 111 OF DEEDS, AND RECORDED DECEMBER 13, 1925, AS DOCUMENT 70626 IN BOOK 1719, PAGE 241 OF DEEDS



TYPICAL SECTION
DICKINSON STREET



FIRST STREET ADDITION
MAP NO. 886

APN 444-301-01 LOT 8 BLOCK 5
APN 444-311-12 PARCEL 1 PM 12860
APN 444-302-06 LOTS 9 - 12 BLOCK 4 MAP 886
APN 444-311-12, PARCEL 1 PM 12860

Mezo, Renee

From: Michael Brennan [michaelbrennan.community@gmail.com]
Sent: Friday, December 04, 2015 8:34 AM
To: Mezo, Renee
Cc: James Mellos; Pangilinan, Marlon
Subject: Re: June 2, 2015 Meeting minutes

Hi Renee,

Those minutes have not been approved yet. We are slowly getting through the backlog and am hoping to have them ready for January or February meeting at the latest.

-Michael

On Dec 4, 2015, at 7:53 AM, Mezo, Renee <RMezo@sandiego.gov> wrote:

Hi Michael,
 Have the minutes been approved for this one?

Renee Mezo
 City of San Diego
 Development Services
 Development Project Manager
 1222 First Ave. MS501
 San Diego, CA 92101-4155
 619-446-5001
 FAX 619-446-5499
rmezo@SanDiego.gov
<http://www.sandiego.gov/development-services/>

<image001.png> Now: [Pay Invoices and Deposits Online](#)

Correspondents should assume that all communication to or from this address is recorded and may be reviewed by third parties.

From: Michael Brennan [<mailto:michaelbrennan.community@gmail.com>]
Sent: Monday, October 12, 2015 10:59 AM
To: Mezo, Renee
Cc: James Mellos; Pangilinan, Marlon
Subject: Re: June 2, 2015 Meeting minutes

Renee,

Below is an excerpt from the draft minutes on the project you requested:

101 Dickson St

Scott Meary: Property is at the parking, mixed use. 348 ADTs. Ask for our support.

Zane AVR Studio: Egyptian and Expanding cul-de-sac, working with City about those details.

19 existing units are not historical ??(to be removed)??

Unknown speaker: Will you be digging in to the canyon? A: no, only down

Ian Epley: How many stories are you going below grade? A: Essentially 1 story

How green do you want this— solar, white roof, etc. A: we have not discussed the details of LEED. Deviations? No. 60's infill architecture.

Sharon Gehl – We need more infill development and am supportive.

Keerin Smiley – Rezone? Parking spaces? We don't have to go through a rezone. We have met the parking requirements with 2 extra.

Unknown speaker: Are there two ways in? Front street

Bob: Cycle issue, city could not support Rezone? Met w/ Corey, RRS Zone incorrectly stated. They meet 49 criteria.

Matt: project is improved since live here and work there.

Chair: Negative impact, met with week. They believe these outstanding issues will be resolved.

Roy: Parking: has to be satisfied within the building, it is all permit parking. Consider guest spaces.

Ernie B: in lieu instead of affordable

Kyle: LEED components, reduce water use

Jason Silver: We are building to CALGREEN standards

Motion: Roy D motions to approve, Bob D, seconds. Motion passes 12-0-1 chair abstains

Let me know if you have any further questions on this, the minutes should be ready for approval at our next regular meeting in November.

-Michael

On Oct 12, 2015, at 6:19 AM, Mezo, Renee <RMezo@sanidiego.gov> wrote:

Michael,
I am looking for the 101 Dickinson Street project.
Thanks,

Renee Mezo

City of San Diego
Development Services
Development Project Manager
1222 First Ave. MS501
San Diego, CA 92101-4155
619-446-5001
FAX 619-446-5499
rmezo@SanDiego.gov
<http://www.sandiego.gov/development-services/>

<image001.png> Now: [Pay Invoices](#) and [Deposits Online](#)

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From: Michael Brennan [<mailto:michaelbrennan.community@gmail.com>]
Sent: Friday, October 09, 2015 5:13 PM
To: James Mellos
Cc: Mezo, Renee; Pangilinan, Marlon
Subject: Re: June 2, 2015 Meeting minutes

Renee, if there is a particular segment of the minutes you need let me know and I can get you the draft of that item.

-Michael

On Oct 9, 2015, at 4:52 PM, James Mellos
<uptownplannerschair2015@gmail.com> wrote:

Mr Mezo,

The minutes are being prepared by our secretary Michael Brennan. Once they have been prepared and approved by the full board, they will be posted on our website. I have cc'd Michael with this request so he can be fully aware of it.

Thank you,

J. Demetrios Mellos III
Chair
Uptown Planners

1901 1st Ave, Suite 300
San Diego, CA 92101

Tel: 619-696-3600 x1
e-mail: UptownPlannersChair2015@gmail.com
Webpage: www.uptownplanners.org

PLEASE NOTE THAT AGENDAS ARE POSTED FRIDAY
BEFORE SCHEDULED MEETING ON WEBSITE LISTED
ABOVE

On Oct 9, 2015, at 4:22 PM, Mezo, Renee
<RMezo@sanidiego.gov> wrote:

Mr. Mellos,
Can I please get the minutes to the meeting
referenced above?
Thanks so much.

Renee Mezo
City of San Diego
Development Services
Development Project Manager
1222 First Ave. MS501
San Diego, CA 92101-4155
619-446-5001
FAX 619-446-5499
rmezo@SanDiego.gov
<http://www.sandiego.gov/development-services/>

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Correspondents should assume that all
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and may be reviewed by third parties.

RESOLUTION NUMBER R-XXXX

ADOPTED ON JANUARY 21, 2016
DRAFT

WHEREAS, on February 17, 2015, Shiraz Partners, a California Limited Partnership submitted an application to Development Services Department for a Site Development Permit and a Vesting Tentative Map for the 101 Dickinson Project (Project); and

WHEREAS, on January 27, 2010, the Hearing Officer adopted Resolution No. HO-6273 (B), adopting Mitigated Negative Declaration No. 157724 (MND), a copy of which is on file in the Office of the City Clerk in accordance with the California Environmental Quality Act of 1970 (CEQA) (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.); and

WHEREAS, State CEQA Guidelines section 15164(a) allows a lead agency to prepare an Addendum to a final Mitigated Negative Declaration if such Addendum meets the requirements of CEQA; NOW, THEREFORE,

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

1. That the information contained in the final Mitigated Negative Declaration No. 157724 along with the Addendum No. 406244, including any comments received during the public review process, has been reviewed and considered by this Planning Commission prior to making a decision on the Project.
2. That there are no substantial changes proposed to the Project and no substantial changes with respect to the circumstances under which the Project is to be undertaken that would require major revisions in the Mitigated Negative Declaration for the Project due to new significant environmental effects or a substantial increase in the severity of previously identified environmental effects.
3. That no new information of substantial importance has become available showing that the Project would have any significant effects not discussed previously in the Mitigated Negative Declaration or that any significant effects previously examined will be substantially more severe than shown in the Mitigated Negative Declaration.

4. That no new information of substantial importance has become available showing that mitigation measures or alternatives previously found not to be feasible are in fact feasible which would substantially reduce any significant effects, but that the Project proponents decline to adopt, or that there are any considerably different mitigation measures or alternatives not previously considered which would substantially reduce any significant effects, but that the Project proponents decline to adopt.
5. That pursuant to State CEQA Guidelines Section 15164, only minor technical changes or additions are necessary, and therefore, the Planning Commission adopts Addendum to Mitigated Negative Declaration No. 157724 with respect to the Project, a copy of which is on file in the office of the Development Services Department.
6. That pursuant to CEQA Section 21081.6, the Planning Commission 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.
7. 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: _____
Renee Mezo
Development Project Manager

EXHIBIT A**MITIGATION MONITORING AND REPORTING PROGRAM**

Site Development Permit for Environmentally Sensitive Lands and Tentative Map
PROJECT NO. 406244

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department 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 Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Addendum to Mitigated Negative Declaration No. 157724 shall be made conditions of Site Development Permit for Environmentally Sensitive Lands and Tentative Map as may be further described below.

V. MITIGATION MONITORING AND REPORTING PROGRAM (MMRP):

The 101 Dickinson Street project shall be required to comply with the following mitigation measures specifically applicable to this project. The listed measures are consistent with those identified in the MMRP for the previously adopted Shiraz Medical Center MND.

GENERAL

1. Prior to issuance of any construction permit the Assistant Deputy Director (ADD) Environmental Designee of the Entitlements Division shall verify that Mitigation Measures for Biological Resources/Land Use (MSCP) and Paleontology have been included in entirety on the submitted construction documents and contract specifications, and included under the heading, "ENVIRONMENTAL MITIGATION REQUIREMENTS: 101 Dickinson (Project No. 406244)." In addition, the requirements for a Preconstruction Meeting shall be noted on all construction documents.
2. Prior to the commencement of work, a Preconstruction Meeting (Pre-con) shall be conducted and include the City of San Diego's Mitigation Monitoring Coordination (MMC) Section, Resident Engineer, Building Inspector, Paleontologist, Project Consultant Biologist, Applicant and other parties of interest.
3. Evidence of compliance with other permitting authorities is required, if applicable. Evidence shall include either copies of permits issues, letters of resolution issued by the Responsible Agency documenting compliance, or other evidence documenting compliance and deemed acceptable by the ADD Environmental Designee.

LAND USE (MULTIPLE SPECIES CONSERVATION PROGRAM)

1. Prior to the issuance of any demolition/construction permits, the ADD Environmental Designee shall verify that all Multi-Habitat Planning Area (MHPA) boundaries and limits of work have been delineated on all construction documents.
 - a. Prior to the first pre-construction meeting, the Owner/Permittee shall provide a letter of verification to the Mitigation Monitoring Coordination Section stating that a

qualified Biologist, as defined in the City of San Diego Biological Review References, has been retained to implement the projects MSCP monitoring Program. The letter shall include the names and contact information of all persons involved in the Biological Monitoring of the project.

- b. At least thirty days prior to the pre-construction meeting, the qualified Biologist shall submit all required documentation to MMC, verifying that any special reports, maps, plans and time lines, such as but not limited to, revegetation plans, plant relocation requirements and timing, MSCP requirements, avian or other wildlife protocol surveys, impact avoidance areas or other such information has been completed and updated.
- c. The qualified biologist (project biologist) shall attend the first preconstruction meeting and discuss the projects biological monitoring program.
- d. In addition the following mitigation measures related to the MHPA Land Use Adjacency Guidelines shall be implemented:
 1. Prior to initiation of any demolition and/or construction-related grading, the construction foreman and/or project biologist shall discuss the sensitive nature of the adjacent habitat with the crew and subcontractor.
 2. The limits of work shall be clearly delineated by a survey crew prior to brushing, clearing or grading. The limits of work, as shown on the approved Exhibit A, shall be defined with silt fencing or orange construction fencing and checked by the biological monitor before initiation of construction grading. All native plants or species of special concern, as identified in the biological technical report, shall be staked, flagged and avoided within Brush Management Zone 2, if applicable.
 3. Invasive non-native plant species shall not be introduced into areas adjacent to the MHPA. Landscape plans shall contain non-invasive native species adjacent to sensitive biological areas as shown on approved the Exhibit A.
 4. All lighting adjacent to the MHPA shall be shielded, unidirectional, low pressure sodium illumination (or similar) and directed away from preserve areas using appropriate placement and shields. If lighting adjacent to the MHPA is required for nighttime construction, it shall be directed away from the preserve and the tops of adjacent trees with potentially nesting raptors, using appropriate placement and shielding.
 5. All construction activities (including staging areas and/or storage areas) shall be restricted to the development area as shown on the approved Exhibit A. No equipment maintenance shall be conducted within or near the adjacent open space and/or sensitive areas and shall be restricted to the development area, as shown on the approved Exhibit A. All construction activities shall not encroach into sensitive biological areas within either the open-space and/or MHPA areas. The project biologist shall monitor construction activities, as needed, to ensure that

construction activities do not encroach into biologically sensitive areas beyond the limits of work as shown on the approved Exhibit A.

6. Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or the installation of sediment traps, shall be used to control erosion and deter drainage during construction activities into the adjacent open space. Drainage from all development areas adjacent to the MHPA shall be directed away from the MHPA, or if not possible, must not drain directly into the MHPA, but instead into sedimentation basins, grassy swales, and/or mechanical trapping devices as specified by the City Engineer.
7. No trash, oil, parking or other construction related activities shall be allowed outside the established limits of grading, as shown on the approved Exhibit A. All construction related debris shall be removed off-site to an approved disposal facility.

BIOLOGY BIRD MITIGATION

1. If project grading is proposed during the typical bird breeding season (i.e. Feb. 1-Sept. 15), the project biologist shall conduct a pre-grading survey for active nests in the development area and within 300 to 500 feet of it, and submit a letter report to MMC prior to the preconstruction meeting.
 - A. If active nests are detected, or considered likely, the report shall include mitigation in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, buffers, etc.) to the satisfaction of the Assistant Deputy Director (ADD) of the Entitlements Division. Mitigation requirements determined by the project biologist and the ADD of Entitlements Division shall be incorporated into the project's Biological Construction Monitoring Exhibit (BCME) and monitoring results incorporated in to the final biological construction monitoring report.
 - B. If no nesting birds are detected per "A" above, mitigation under "A" is not required.

PALEONTOLOGICAL RESOURCES

- I. Prior to Permit Issuance
 - A. Entitlements Plan Check
 1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
 - B. Letters of Qualification have been submitted to ADD
 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 paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.

2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain 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 has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution 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.

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, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological 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
Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME 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
 - 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 conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
2. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR'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.
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 trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery 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.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - 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. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) 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.
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
 - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. 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 CSV and submit to MMC via fax by 8AM. on the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections IV - During Construction.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section IV - During Construction shall be followed.
 - d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section IV-B, unless other specific arrangements have been made.
- B. If night 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.

V. 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 Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum 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 Fossil Remains

1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 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.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report 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 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.

DSSH 406 244



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

Ownership Disclosure Statement

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

Project Title

101 DICKINSON STREET MIXED USE

Project No. For City Use Only

406244

Project Address:

101 DICKINSON STREET, SAN DIEGO, CA 92103

Part I - To be completed when property is held by Individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached ☒ Yes ☐ No

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Project Title:

Project No. (For City Use Only)

406244

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):

SHIRAZ PARTNERS, LP

☒ Owner ☐ Tenant/Lessee

Street Address:

3655 NOBEL DRIVE STE 120

City/State/Zip:

SAN DIEGO, CA 92122

Phone No:

858-888-9168

Fax No:

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

BEN BADIEE

Title (type or print):

PRESIDENT

Signature:

Date:

1/20/15

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: