



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: February 17, 2016

REPORT NO. HO 16-009

ATTENTION: Hearing Officer

SUBJECT: PHIN CONDOMINIUMS CDP/TM
PTS PROJECT NUMBER: 407710

LOCATION: 2069 and 2071 Froude Street

APPLICANT: Daniel Phin

SUMMARY

Issue: Should the Hearing Officer approve the creation of two residential condominium units within the Peninsula Community Plan area?

Staff Recommendations:

1. APPROVE Tentative Map No. 1430586.
2. APPROVE Coastal Development Permit No. 1430587.

Community Planning Group Recommendation: At the April 16, 2015, meeting of the Peninsula Community Planning Board, the project was approved by a vote of 13-0-0), (Attachment 7).

Environmental Review: The project was determined to be exempt pursuant to State of California Environmental Quality Act (CEQA) Guidelines Section 15301, Existing Facilities. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on January 20, 2016, and the opportunity to appeal that determination ended February 3, 2016.

BACKGROUND

The 0.16-acre site is located at 2069 and 2071 Froude Street (Attachment 1) in the neighborhood of Ocean Beach. It is in the RM-1-1 Zone, the Coastal Height Limitation Overlay Zone City-issued Coastal Development Permit jurisdiction (non-appealable area 2), Parking Impact Overlay

Zone, the Coastal Overlay Zone of the Peninsula Plan (Attachment 2) and the Local Coastal Program Land Use Plan.

The purpose of the RM zone is to provide for multiple dwelling unit development at varying densities. The RM-1-1 zone permits a maximum density of 1 dwelling unit for each 3,000 square feet of lot area. The site is approximately 7,000 square-feet and allows two residential units. The subject property is improved with two, three bedroom, two-story residences. The residence addressed at 2071 Froude Street was originally constructed in 1923, with a second story addition added in 1988. It's a total of 1,577 square feet and has a detached garage. Staff reviewed this residence for historical significance and determined that no potentially significant historical resource exists on site. The residence addressed at 2069 Froude Street was constructed in 2013 and is 2,015 square feet with an attached garage.

The project site is located within the Peninsula Community Plan area and is designated for lower density multiple dwelling units, with a maximum density of one dwelling unit for each 3,000 square feet of lot area. The project is consistent with this land use designation.

DISCUSSION

The project requires a Tentative Map (Process 3, Hearing Officer as the decision maker) per San Diego Municipal Code (SDMC) Section 125.0410, to convert two (2) existing residences into two (2) residential condominiums. A Coastal Development Permit (Process 2, Staff level decision) for development located within the Coastal Overlay Zone per SDMC Section 126.0707(f) is also required. Consistent with Municipal Code Section 112.0103, when an applicant applies for more than one permit, map, or other approval for a single development, the applications will be consolidated for processing and reviewed by a single decision maker at the highest level of authority for that development. Therefore, the project as proposed would require a Process Three, Hearing Officer decision with appeal rights to the Planning Commission.

The Municipal Code and the conditions of the previously approved Coastal Development Permit No. 545085 require three off-street parking spaces, where three are provided. The project has a total of five off street parking spaces on site. The garages are located at the rear of the site and are accessed via the alley, consistent with the parking regulations.

The applicant is requesting that the requirement to underground the existing offsite, overhead utilities be waived. SDMC Section 144.0242 allows the subdivider to apply for a waiver of the requirement to underground such utilities within the boundary of the subdivision or within the abutting public rights-of-way. City staff has determined the underground waiver request qualifies for consideration pursuant to SDMC Section 144.0242(c) in that the conversion involves a short span of overhead utilities less than a full block in length and the conversion would not represent a logical extension to an underground facility. The applicant is required to underground any new service runs to any new or proposed structures and all onsite utilities within the subdivision per the conditions contained in the draft Tentative Map Resolution. There are no existing power poles located on the project site. The closest power pole is located in the alley at the rear of the project site in the right of way. The City's Undergrounding Master Plan for Fiscal Year 2009

designates the site within Block 2R2, which currently has an estimated construction start date of 2038.

This project is not subject to the Affordable Housing Replacement Regulations pursuant to Municipal Code Section (SDMC)143.0810, as the conversion is less than three units. However, prior to the recordation of the parcel map, the project will have to comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations SDMC Code Section 142.1301. In order to satisfy these requirements the applicant has elected to pay the in-lieu fee prior to the recordation of the parcel map.

Conclusion:

Staff has reviewed the request for a Tentative Map and a Coastal Development Permit to create two residential condominium units. Staff has found the project to be in conformance with the applicable sections of the San Diego Municipal Code and believes the required findings can be approved. Therefore, staff recommends the Hearing Officer approve Tentative Map No. 1430586 and Coastal Development Permit No. 1430587, subject to the proposed conditions (Attachments 3 and 4).

ALTERNATIVES

1. Approve Tentative Map No. 1430586 and Coastal Development Permit No. 1430587, with modifications.
2. Deny Tentative Map No. 1430586 and Coastal Development Permit No. 1430587, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Derrick Johnson (DJ)
Development Project Manager

Attachments:

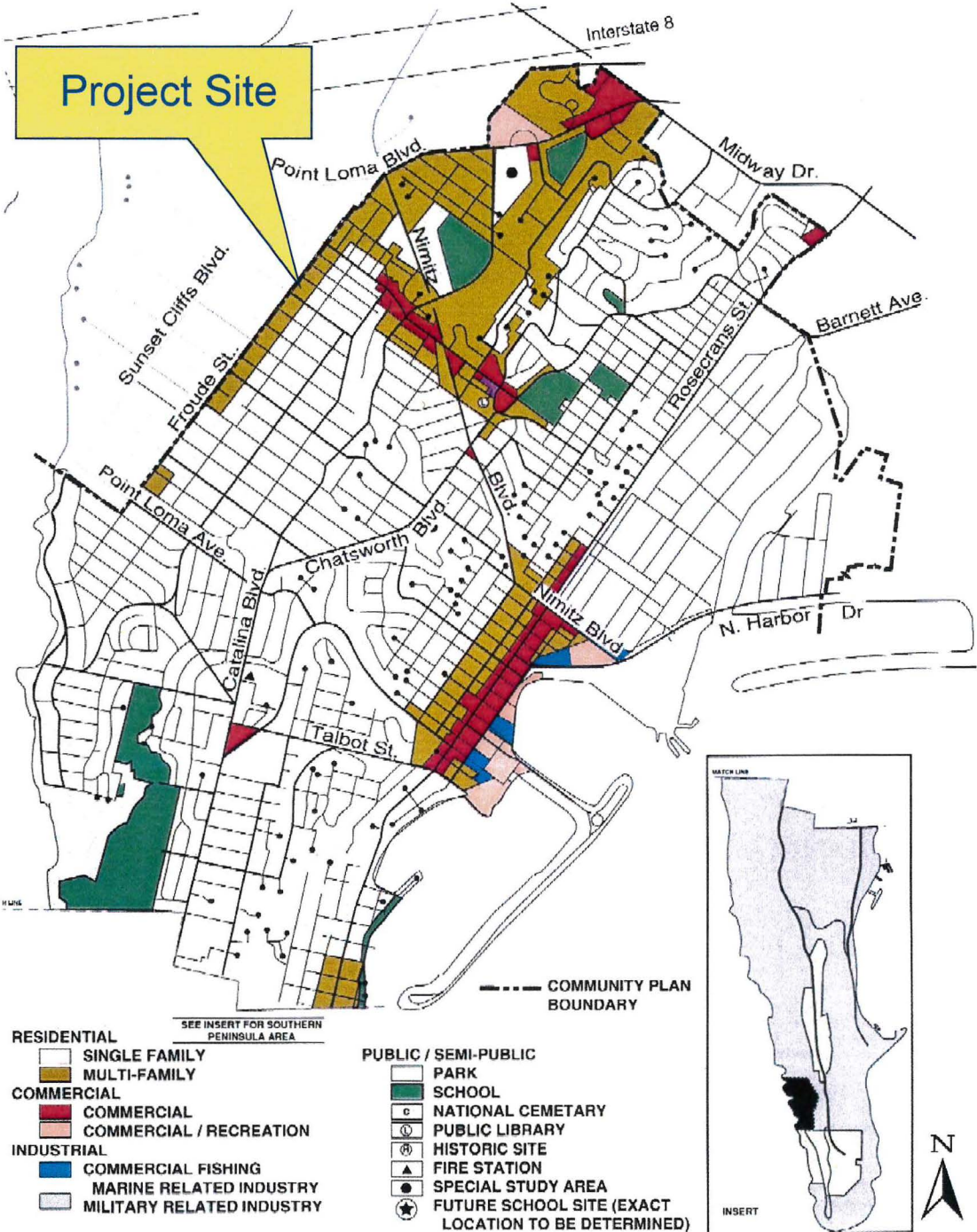
1. Aerial Photograph
2. Community Plan Land Use Map
3. Draft Map Resolution and Conditions
4. Draft Permit and Resolution
5. Environmental Exemption
6. Map Exhibit-Tentative Map
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement



Location Aerial Photo

PHIN CONDOMINIUMS CDP/TM – 2069-2071 FROUDE STREET
PROJECT NO. 407710





Land Use Map

**PHIN CONDOMINIUMS CDP / TM – 2069-2071 FROUDE STREET
PROJECT NO. 407710**



HEARING OFFICER,
CONDITIONS FORTENTATIVE MAP NO. 1435086

PHIN CONDOMINIUMS CDP/TM-PROJECT NO. 407710

ADOPTED BY RESOLUTION NO. R-_____ ON February 17, 2016

GENERAL

1. This Tentative Map will expire February 17, 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. Prior to the Tentative Map expiration date a Final Map to consolidate the existing lots into one lot shall be recorded in the Office of the San Diego County Recorder.
4. Prior to the recordation of the 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. The Tentative Map shall conform to the provisions of Coastal Development Permit No. 5405085 and Coastal Development Permit No.1530587.
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.

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AFFORDABLE HOUSING

7. 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.).

ENGINEERING

8. The Tentative Map shall comply with the conditions of the Coastal Development Permit No. 1430587.
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. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

12. "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].
13. "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."
14. The Tentative 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

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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.

LANDSCAPE/BRUSH MANAGEMENT

15. Prior to recordation of the Parcel/Final Map, the Owner/Permittee shall ensure that existing landscape and irrigation is field verified by the Development Services Department to be consistent with the Landscape Standards and in substantial conformance with the Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department.
16. Prior to recordation of the Parcel/Final Map, it shall be the responsibility of the Permittee/Owner to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees. The installation of Street Trees shall take into account a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.
17. 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.

INFORMATION:

- The approval of this Tentative Map by the Hearing Officer 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

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to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).

- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of Tentative Map, may protest the imposition within ninety days of the approval of this Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 24005558

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TM No. 1430586

HEARING OFFICER RESOLUTION NUMBER R-_____

TENTATIVE MAP NO.1430586
PHIN CONDOMINIUMS CDP / TM PROJECT NO. 407710

WHEREAS, DANIEL PHIN, Subdivider, and San Diego Land Surveying & Engineering, submitted an application to the City of San Diego for a Tentative Map to subdivide the site into one (1) lot and create two (2) residential condominium dwelling units for the Phin Condominiums CDP/TM project on a 0.16-acre site, and to waive the requirement to underground existing offsite overhead utilities. The project site is located at 2069 and 2071 Froude Street in the RM-1-1 Zone, the Coastal Height Limitation Overlay Zone City-issued Coastal Development Permit jurisdiction (non-appealable area 2), Parking Impact Overlay Zone, the Coastal Overlay Zone of the Peninsula Plan and the Local Coastal Program Land Use Plan. The property is legally described as the north half of Lots 1 thru 4, Block 1 of Ocean Beach, Map No. 279; and

WHEREAS, the Map proposes the Subdivision of a 0.16 acre site into one (1) lot and create (2) two condominiums; and

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

WHEREAS, on February 17, 2016, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act [CEQA] (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15305 (Minor Alterations in Land

Use Limitations); and there was no appeal of the environmental determination filed within the time period provided by San Diego Municipal Code Section 112.0520; and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineer pursuant to Subdivision Map Act section 66491(a) and San Diego Municipal Code sections 144.0220(a) and 144.0220(b); and

WHEREAS, on February 17, 2016, the Hearing Officer of the City of San Diego considered Tentative Map No.1430586 and pursuant to San Diego Municipal Code sections 125.0440 and 125.0444, and the Subdivision Map Act, 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 Hearing Officer having fully considered the matter and being fully advised concerning the same; NOW THEREFORE and

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Tentative Map No 1430586:

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

The project proposes a Tentative Map to create two residential condominium units. The subject property is currently improved with two, three bedroom, two-story residences. The residence addressed at 2071 Froude Street was originally constructed in 1923, with a second story addition added in 1988. The residence contains a total of 1,577-square feet and has a detached garage. The residence addressed at 2069 Froude Street was constructed in 2013 and contains 2,015-square feet and an attached garage.

The site is located within the Peninsula Community Plan area and is designated for lower density multiple dwelling units, with a maximum density of one dwelling unit for each 3,000-square feet of lot area. The two residential condominium units are consistent with this land use designation. The proposed project is the subdivision of land only and complies with the Coastal Overlay and Coastal Height Overlay zones per Coastal Development Permit No. 545085. The proposed project conforms to the certified Local Coastal Program land use plan and complies with all the regulations of the certified Implementation Program.

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 a Tentative Map to create two residential condominium units. The subject property is currently improved with two, three bedroom, two-story residences. The residence addressed at 2071 Froude Street was originally constructed in 1923, with a second story addition added in 1988. The residence contains a total of 1,577-square feet and has a detached garage. The residence addressed at 2069 Froude Street was constructed in 2013 and contains 2,015-square feet and an attached garage.

The proposed subdivision is consistent with the zoning and development regulations of the RM-1-1 Zone and complies with setbacks, floor area ratio, landscaping and architectural design and no deviations are requested. Therefore, the site complies with the applicable zoning and development regulations of the Land Development Code.

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

The project proposes a Tentative Map to create two residential condominium units. The subject property is currently improved with two, three bedroom, two-story residences. The residence addressed at 2071 Froude Street was originally constructed in 1923, with a second story addition added in 1988. The residence contains a total of 1,577-square feet and has a detached garage. The residence addressed at 2069 Froude Street was constructed in 2013 and contains 2,015-square feet and an attached garage.

The proposed subdivision was determined to be consistent with the development regulations of the RM-1-1 Zone of the Peninsula Community Plan for density and the Municipal Code which includes setbacks, floor area ratio, landscaping and architectural. The developed project site is located on a flat, previously graded parcel and contains two existing dwelling units. The soils for the site are adequate for the density of the development. The two dwelling units have been maintained on the site for over 30 years.

The project was previously conditioned to construct public improvements that included a new concrete alley apron, at the alley entrance off of Froude Street and the construction of curb and gutter, adjacent to the site on Froude Street. The project includes a request to waive the requirement to underground the existing offsite overhead utilities. Therefore; the site is physically suitable for the type and density of development.

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

The project proposes a Tentative Map to create two residential condominium units. The subject property is currently improved with two, three bedroom, two-story residences. The residence addressed at 2071 Froude Street was originally constructed in 1923, with a second story addition added in 1988. The residence contains a total of 1,577-square feet

and has a detached garage. The residence addressed at 2069 Froude Street was constructed in 2013 and contains 2,015-square feet and an attached garage.

The site is within an existing developed urban in-fill area and does not contain nor is adjacent to any fish or wildlife habitats, environmentally sensitive lands or with the Multiple Habitat Planning Area. Therefore, the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure 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 a Tentative Map to create two residential condominium units. The subject property is currently improved with two, three bedroom, two-story residences. The residence addressed at 2071 Froude Street was originally constructed in 1923, with a second story addition added in 1988. The residence contains a total of 1,577-square feet and has a detached garage. The residence addressed at 2069 Froude Street was constructed in 2013 and contains 2,015-square feet and an attached garage.

The project has been reviewed and is in compliance with the Municipal Code and the Subdivision Map Act. The Tentative Map includes conditions and corresponding exhibits of approvals relevant to public health, safety, and welfare, such as requiring adequate parking, public improvements, and paying applicable taxes in order to achieve compliance with the regulations of the San Diego Municipal Code. The proposed subdivision was categorically exempt from review pursuant to the California Environmental Quality Act.

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 a Tentative Map to create two residential condominium units. The subject property is currently improved with two, three bedroom, two-story residences. The residence addressed at 2071 Froude Street was originally constructed in 1923, with a second story addition added in 1988. The residence contains a total of 1,577-square feet and has a detached garage. The residence addressed at 2069 Froude Street was constructed in 2013 and contains 2,015-square feet and an attached garage.

No existing easements are located within the project boundaries as show on Tentative Map No.1430586. As such, no conflict will occur with the recording of the subdivision and therefore no conflict would negatively affect any easements acquired by the public at large.

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

The project proposes a Tentative Map to create two residential condominium units. The subject property is currently improved with two, three bedroom, two-story residences. The residence addressed at 2071 Froude Street was originally constructed in 1923, with a second story addition added in 1988. The residence contains a total of 1,577-square feet and has a detached garage. The residence addressed at 2069 Froude Street was constructed in 2013 and contains 2,015-square feet and an attached garage.

The proposed subdivision of a .016-acre parcel site into one (1) lot and create two (2) residential condominium dwelling units will not impede or inhibit any future passive or natural heating and cooling opportunities. During the construction of the existing single family dwelling units caution was taken to ensure the best use of the land by minimize grading and by providing for natural light to permeate through the windows of the residences. In addition, the potential and opportunity exists to impellent sustainable building techniques that utilize photovoltaic systems (solar panels) to generate a portion of the project energy need. Each dwelling unit has the opportunity to perform remodels through the building permit process, which would include building materials, 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 proposes a Tentative Map to create two residential condominium units. The subject property is currently improved with two, three bedroom, two-story residences. The residence addressed at 2071 Froude Street was originally constructed in 1923, with a second story addition added in 1988. The residence contains a total of 1,577-square feet and has a detached garage. The residence addressed at 2069 Froude Street was constructed in 2013 and contains 2,015-square feet and an attached garage.

No construction or grading is permitted by this Tentative Map. All development was previously approved by Coastal Development Permit No. 545085. The proposed project is a subdivision to create two residential units for condominium interests. The applicant has chosen the option of paying an in-lieu fee per the requirements of the San Diego Municipal Code. Balanced needs for public facilities were taken into consideration with the development of the Peninsula Community Plan and the project is consistent with the density in the community plan. Therefore, the Tentative Map, in and of itself, would not impact the housing needs within the region, public services, and the available fiscal and environmental resources as it does not create additional units beyond those previously approved.

9. The notices required by section 125.0431 have been given in the manner required;

The project proposes a Tentative Map to create two residential condominium units. The subject property is currently improved with two, three bedroom, two-story residences. The residence addressed at 2071 Froude Street was originally constructed in 1923, with a

second story addition added in 1988. The residence contains a total of 1,577-square feet and has a detached garage. The residence addressed at 2069 Froude Street was constructed in 2013 and contains 2,015-square feet and an attached garage. The project includes a request to waive the requirement to underground the existing offsite overhead utilities. The project is not subject to the condominium conversion regulations, including tenant noticing. As stated in SDMC Section 144.0501, these regulations apply to the conversion of apartments to condominiums, as the project consists of two existing single family residences under the same ownership. Therefore, no tenant notices are required.

10. The project was not financed by funds obtained from a governmental agency to provide for elderly disabled, or low income housing;

The project proposes a Tentative Map to create two residential condominium units. The subject property is currently improved with two, three bedroom, two-story residences. The residence addressed at 2071 Froude Street was originally constructed in 1923, with a second story addition added in 1988. The residence contains a total of 1,577-square feet and has a detached garage. The residence addressed at 2069 Froude Street was constructed in 2013 and contains 2,015-square feet and an attached garage. The project includes a request to waive the requirement to underground the existing offsite overhead utilities. All costs associated with the processing and financing of this subdivision were paid by the applicant through private funds. Therefore, the project was not financed by funds obtained from a governmental agency to provide for elderly, disabled or low income housing.

11. For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed;

The project proposes a Tentative Map to create two residential condominium units. The subject property is currently improved with two, three bedroom, two-story residences. The residence addressed at 2071 Froude Street was originally constructed in 1923, with a second story addition added in 1988. The residence contains a total of 1,577-square feet and has a detached garage. The residence addressed at 2069 Froude Street was constructed in 2013 and contains 2,015-square feet and an attached garage. The project includes a request to waive the requirement to underground the existing offsite overhead utilities. The single family dwelling units will be owner occupied, and if sold the residences would be sold at the going market rate. The project was not developed as housing for the elderly, disabled or to provide low income housing.

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 Hearing Officer, Tentative Map No. 1435086, including the waiver of the requirement to underground existing offsite utilities, is hereby granted to DANIEL PHIN, subject to the attached conditions which are made a part of this resolution by this reference.

By

Derrick Johnson (DJ)
Development Project Manager
Development Services Department

Internal Order No. 24005558

HEARING OFFICER
RESOLUTION NO. **TO BE FILLED IN**
COASTAL DEVELOPMENT PERMIT No. 1430587
PHIN CONDOMINIUMS CDP/TM PROJECT No. 407710

WHEREAS, DANIEL PHIN, Owner/Permittee, filed an application with the City of San Diego for a permit to subdivide the property and create two residential condominium units (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1430587), on portions of a 0.16 acre site;

WHEREAS, the project site is located at 2069 & 2071 Froude Street, in the RM-1-1 Zone, the Coastal Height Limitation Overlay Zone (Prop D), City-issued Coastal Development Permit jurisdiction (non-appealable area 2), Parking Impact Overlay Zone, the Coastal Overlay Zone of the Peninsula Plan and the Local Coastal Program Land Use Plan.;

WHEREAS, the project site is legally described as the north half of Lots 1 thru 4, Block 1 of Ocean Beach, Map No. 279;

WHEREAS, on February 17, 2016, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1430587, pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on January 20, 2016 the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) under CEQA Guideline Section 15301; and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

FINDINGS:

Coastal Development Permit - Section 126.0708

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

The project proposes a Tentative Map to create two residential condominium units. The subject property is currently improved with two, three bedroom, two-story residences. The residence addressed at 2071 Froude Street was originally constructed in 1923, with a second story addition added in 1988. The residence contains a total of 1,577 square feet and has a detached garage. The residence addressed at 2069 Froude Street was constructed in 2013 and contains 2,015 square feet and an attached garage.

The Peninsula Community Plan resource and there are no public access easements recorded on the title of the property. Therefore the proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway

identified in a Local Coastal Program land use plan. Furthermore, the Peninsula Community Plan, the adopted Local Coastal Program land use plan, does not identify any public views from this private property to and along the ocean, or other scenic coastal areas of which there are none. In addition, the proposed coastal development will not degrade and will not remove, eliminate, or detract any protected public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan from this site.

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

The project proposes a Tentative Map to create two residential condominium units. The subject property is currently improved with two, three bedroom, two-story residences. The residence addressed at 2071 Froude Street was originally constructed in 1923, with a second story addition added in 1988. The residence contains a total of 1,577-square feet and has a detached garage. The residence addressed at 2069 Froude Street was constructed in 2013 and contains 2,015-square feet and an attached garage.

The project site is located within a developed residential area of the Peninsula Community Plan. The property does not contain nor is it adjacent to any environmentally sensitive lands and therefore would not adversely affect environmentally sensitive lands

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

The project proposes a Tentative Map to create two residential condominium units. The subject property is currently improved with two, three bedroom, two-story residences. The residence addressed at 2071 Froude Street was originally constructed in 1923, with a second story addition added in 1988. The residence contains a total of 1,577-square feet and has a detached garage. The residence addressed at 2069 Froude Street was constructed in 2013 and contains 2,015-square feet and an attached garage.

The site is located within the Peninsula Community Plan area and is designated for lower density multiple dwelling units, with a maximum density of one dwelling unit for each 3,000 square feet of lot area. The two residential condominium units are consistent with this land use designation. The proposed project is the subdivision of land only and complies with the Coastal Overlay and Coastal Height Overlay zones per Coastal Development Permit No. 545085. The proposed project conforms to the certified Local Coastal Program land use plan and complies with all the regulations of the certified Implementation Program.

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

The 0.16-acre site is located within an existing developed urban in-fill residential neighborhood and is not located between the nearest public roadway and the sea or the shoreline of any body of water located within the Coastal Overlay Zone. The site is not within any area identified as public

access area and complies with the public recreation policies of Chapter 3 of the California Coastal Act. Therefore the propose project is in conformance with the California Coastal Act

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development No. 1430587 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1430587, a copy of which is attached hereto and made a part hereof.

Derrick Johnson (DJ)
Development Project Manager
Development Services

Adopted on: February 17, 2016

Job Order Number: 24005558

NOTICE OF EXEMPTION

(Check one or both)

TO: RECORDER/COUNTY CLERK
 P.O. BOX 1750, MS A-33
 1600 PACIFIC HWY, ROOM 260
 SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO
 DEVELOPMENT SERVICES DEPARTMENT
 1222 FIRST AVENUE, MS 501
 SAN DIEGO, CA 92101

OFFICE OF PLANNING AND RESEARCH
 1400 TENTH STREET, ROOM 121
 SACRAMENTO, CA 95814

PROJECT TITLE/ NO.: **PHIN CONDOMINIUMS / 407710**

PROJECT LOCATION-SPECIFIC: 2069 & 2071 Froude Street, San Diego, California 92107

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: A TENTATIVE MAP and COASTAL DEVELOPMENT PERMIT to convert two existing residential units into two condominium units. No construction is proposed. The 0.16 acre (6,967-square-foot) project site is located at 2069 and 2071 Froude Street in the RM-1-1 zone. The land use designation is Multi-Family Residential (10 – 14 dwelling units per acre) per the community plan. Additionally, the project site is located in the Coastal Height Limitation Overlay Zone, City Coastal Non-Appealable Area 2, Federal Aviation Administration (FAA) Part 77 Notification Area (San Diego International Airport – Lindbergh Field and North Island Naval Air Station), Airport Influence Area (San Diego International Airport, Review Area 1), Airport Approach Overlay Zone (San Diego International Airport), Airport Land Use Compatibility Plan Noise Contours (San Diego International Airport, 65-70 CNEL), Coastal Parking Impact Overlay Zone, and Peninsula Community Plan and Local Coastal Program. (LEGAL DESCRIPTION: North Half of Lots 1 through 4, in Block 1 of Ocean Beach according to Map No. 279.)

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Daniel Phin, 2069 Froude Street, San Diego, CA 92107, (619) 507-9923

EXEMPT STATUS: (CHECK ONE)

- MINISTERIAL (SEC. 21080(b)(1); 15268)
 DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a))
 EMERGENCY PROJECT (SEC. 21080(b)(4); 15269 (b)(c))
 CATEGORICAL EXEMPTION: 15301 (EXISTING FACILITIES)
 STATUTORY EXEMPTIONS:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an environmental review which determined the project would not have the potential for causing a significant effect on the environment in that the project is consistent with the community plan and the applicable zone. The project would not result in any significant environmental impacts. The project meets the criteria set forth in CEQA Section 15301 that consists of the operation, repair, maintenance, permitting, leasing, or minor alteration of existing public or private structures, involving negligible or no expansion of use existing at the time of the lead agency's determination. Furthermore, the exceptions listed in 15300.2 would not apply.

LEAD AGENCY CONTACT PERSON: LINDSEY H. SEBASTIAN

TELEPHONE: 619-236-5993

IF FILED BY APPLICANT:

1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
 2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?
 YES NO

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA.

SIGNATURE/TITLE

January 20, 2016

DATE

CHECK ONE:

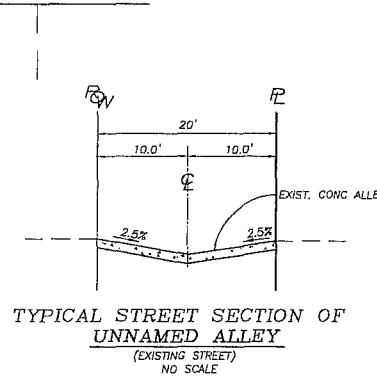
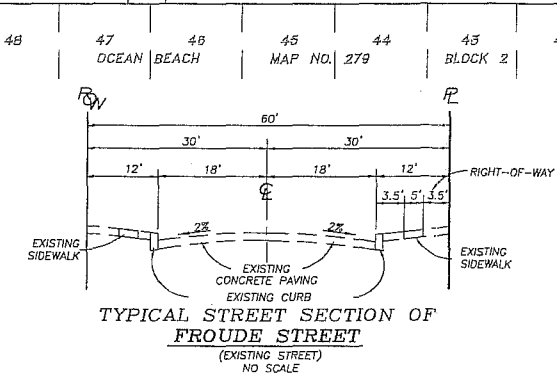
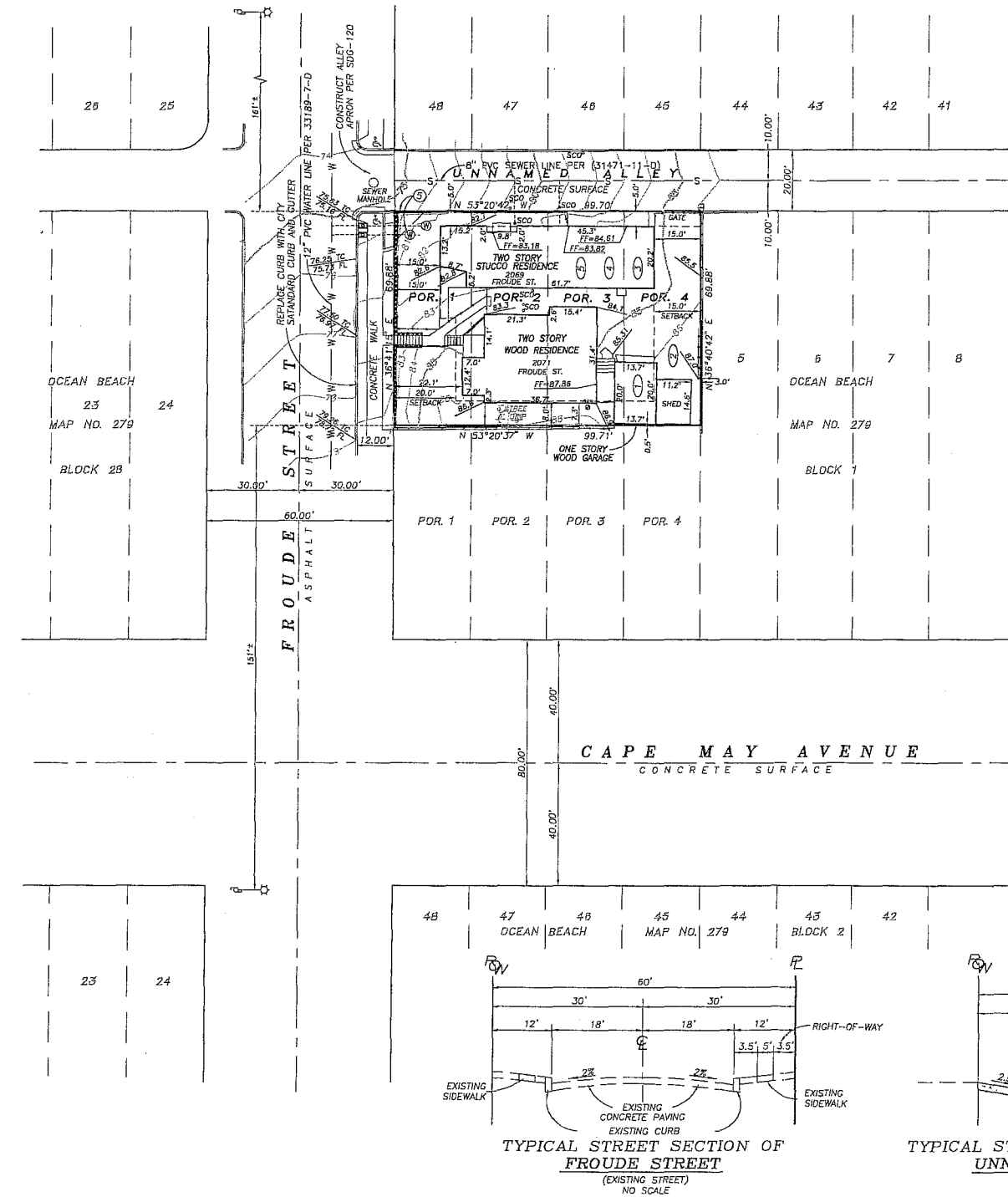
- SIGNED BY LEAD AGENCY
 SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

2069 & 2071 FROUDE STREET

Tentative Map No. 1430586

Project No. 407710



UTILITY TABLE:

UTILITY	OVERHEAD	UNDERGROUND
CATV	X	
ELECTRIC	X	
GAS		X
TELEPHONE	X	

ZONING INFORMATION

EXISTING AND PROPOSED ZONE: RM-1-1
 COMMUNITY PLAN NAME: OCEAN BEACH
 OVERLAY ZONES: 1) AIRPORT INFLUENCE AREA (REVIEW AREA 1)
 2) FAA PART 77 NOTIFICATION AREA
 3) AA OZ
 4) ALLICP NOISE
 COASTAL HEIGHT LIMIT, COASTAL (CITY)
 PARKING IMPACT

CITY OF SAN DIEGO

DEVELOPMENT SUMMARY

- SUMMARY OF REQUEST:**
TENTATIVE MAP TO CREATE 2 RESIDENTIAL CONDOMINIUM DWELLING UNITS AND FILE A LOT CONSOLIDATION PARCEL MAP
- STREET ADDRESS:** 2069 & 2071 FROUDE STREET BETWEEN FROUDE STREET AND GUIZOT AVENUE
- SITE AREA:**
TOTAL SITE AREA (GROSS): (6,987 SF) 0.16 AC.
NET SITE AREA: (6,987 SF) 0.16 AC.
- DENSITY: (RESIDENTIAL)**
MAXIMUM NO. DWELLING UNITS ALLOWED PER ZONE: 2
NUMBER OF EXISTING UNITS TO REMAIN ON SITE: 1
NUMBER OF PROPOSED DWELLING UNITS ON SITE: 1
TOTAL NUMBER OF UNITS PROVIDED ON THE SITE: 2
- YARD/SETBACK STANDARD MINIMUM**
FRONT YARD: 20' 15'
INTERIOR YARD(S): 8' 5'
REAR YARD: 15' 15'
- PARKING:**
PARKING CRITERIA:
 RESIDENTIAL COMMERCIAL INDUSTRIAL
 MIXED USE OTHER

TYPE OF UNIT	NUMBER OF TYPE	PARKING REQUIRED PER UNIT	TOTAL PER TYPE
3 BR UNIT	1	3	3
2 BR UNIT	1	2	2
TOTAL REQUIRED BY ZONE			5
TOTAL PROVIDED ON-SITE			5

UNIT AREAS

BUILDING	TOTAL
2069 FROUDE ST.	1,577
2071 FROUDE ST.	2,015
TOTAL	3,592

MONUMENTATION & MAPPING

ALL PROPERTY CORNERS WILL BE SET AND A PARCEL MAP WILL BE FILED. A DETAILED PROCEDURE OF SURVEY WILL BE SHOWN ON SAID MAP.

EXISTING IMPROVEMENTS

SEWER DRAWING NO. 314171-11-D
 WATER DRAWING NO. 33189-7-D

EXISTING & PROPOSED EASEMENTS:

- THERE ARE NO EXISTING EASEMENTS ON SITE
- THERE ARE NO PROPOSED EASEMENTS.

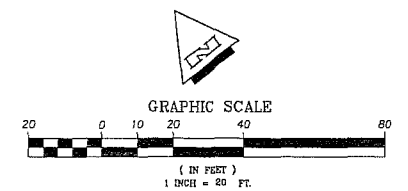
DEVELOPMENT NOTES:

- THIS IS A MAP OF A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4125 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. THE TOTAL NUMBER OF RESIDENTIAL CONDOMINIUM DWELLING UNITS IS 2.
 - NUMBER OF EXISTING LOTS = 4
NUMBER OF PROPOSED LOTS = 1
 - THERE IS NO BUS STOP ON SITE.
 - THE EXISTING GATE SHALL NOT SWING OPEN INTO THE ALLEY RIGHT-OF-WAY.
- ⑤ INDICATES SITE VISIBILITY TRIANGLE.

OWNER/DEVELOPER:

LARRY D. BECK & EILEEN A. WARD
 DANIEL M. PHIN & CASEY L. PHIN
 2069 FROUDE STREET
 SAN DIEGO, CA 92107

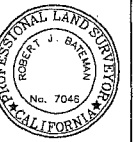
DAN PHIN, OWNER



LEGEND:

- ⊕ INDICATES WATER METER
- ⊖ INDICATES POWER POLE
- ⊙ INDICATES STREET LIGHT
- SCD INDICATES SEWER CLEAN OUT
- TC INDICATES TOP OF CURB
- FL INDICATES FLOW LINE
- DI INDICATES DRAIN INLET
- INDICATES WOOD FENCE
- INDICATES CHAIN LINK FENCE
- INDICATES BLOCK WALL
- INDICATES SEWER LATERAL
- INDICATES WATER SERVICE
- INDICATES PARKING SPACE
- INDICATES PROPERTY LINE/TENTATIVE MAP BOUNDARY

PROFESSIONAL LAND SURVEYOR:
 SAN DIEGO LAND SURVEYING & ENGINEERING, INC.
 9865 CHESAPEAKE DRIVE, SUITE 445
 SAN DIEGO, CALIFORNIA 92123 (858) 565-8352

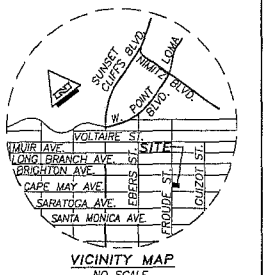


ROBERT J. BATEMAN, P.L.S. 7046
 DATE 08/13/2015

Prepared by:

SAN DIEGO LAND SURVEYING AND ENGINEERING, INC.
 9865 CHESAPEAKE DRIVE, SUITE 445
 SAN DIEGO, CA 92123-1354
 PHONE: 858-565-8362
 FAX: 858-565-4364 EMAIL: rbateman@sdlse.com

Consultant:



Project Soil Conditions:

Existing developed site.

Source of Topography:

Field survey by San Diego Land Surveying on 05-12-2014

Project Permits Required:

Tentative Map

Project Date:

Number of Stories: 2
 Proposed use: Residential
 Existing use: Residential
 Zone Designation: RM-1-1
 Year of Construction (exist. structure): 1923

LAMBERT COORDINATES:

NAD 27 = 210-1685 NAD 83 = 1,850-6,255

A.P.N. 448-672-02

Project Name:

2069 & 2071 FROUDE STREET

Project Address:

2069 & 2071 Froude St.
 San Diego, CA 92107

Project Owner:

Dan Phin
 2069 Froude Street
 San Diego, CA 92107

Sheet Title:

Tentative Map No. 1430586
 PTS No. 407710
 IO No. 24005558

Scale:

1" = 20'

Original Date:

January 28, 2015

Revised:

June 5, 2015
 August 13, 2015



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

THE CITY OF SAN DIEGO

**Community Planning
 Committee
 Distribution Form Part 2**

Project Name: Phin Condominiums CDP / TM		Project Number: 407710	Distribution Date: 2/10/2015
Project Scope/Location: Peninsula (Process 3) Tentative Map and Coastal Development Permit to convert two (2) existing residences into two (2) residential condominiums located at 2069 and 2071 Froude Street. The 6,967 sq ft site is located in the RM-1-1 zone of the Peninsula Community Plan Area and Coastal Overlay Zone (Non-Appealable) in Council District 2.			
Applicant Name: Robert Bateman		Applicant Phone Number: (858) 565-8362	
Project Manager: Mezo, Renee	Phone Number: (619) 446-5001	Fax Number: (619) 446-5245	E-mail Address: RMezo@sandiego.gov
Committee Recommendations (To be completed for Initial Review): <i>RECOMMEND APPROVAL 4-16-15</i>			
<input checked="" type="checkbox"/> Vote to Approve	Members Yes <i>13</i>	Members No <i>0</i>	Members Abstain <i>0</i>
<input type="checkbox"/> Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Deny	Members Yes	Members No	Members Abstain
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			<input type="checkbox"/> Continued
CONDITIONS: <i>NONE</i>			
NAME: <i>MARK BRENEK</i>		TITLE: <i>PROJECT REVIEW CHAIR</i>	
SIGNATURE: <i>[Signature]</i>		DATE: <i>4/21/15</i>	
Attach Additional Pages If Necessary.		Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	
Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services . Upon request, this information is available in alternative formats for persons with disabilities.			



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 **Project No. For City Use Only**
 Phin Condominiums 407710

Project Address:
 2069 & 2071 Froude Street

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):
 Larry D. Beck
 Owner Tenant/Lessee Redevelopment Agency

Street Address:
 2071 Froude Street
City/State/Zip:
 San Diego, CA 92107
Phone No: _____ **Fax No:** _____
Signature : _____ **Date:** _____

Name of Individual (type or print):
 Eileen A. Ward
 Owner Tenant/Lessee Redevelopment Agency

Street Address:
 2071 Froude Street
City/State/Zip:
 San Diego, CA 92106
Phone No: _____ **Fax No:** _____
Signature : _____ **Date:** _____

Name of Individual (type or print):
 Daniel M. Phin
 Owner Tenant/Lessee Redevelopment Agency

Street Address:
 2069 Froude Street
City/State/Zip:
 San Diego, CA 92107
Phone No: 619-507-9923 **Fax No:** _____
Signature :  **Date:** 1/23/15

Name of Individual (type or print):
 Casey L. Phin
 Owner Tenant/Lessee Redevelopment Agency

Street Address:
 2069 Froude Street
City/State/Zip:
 San Diego, CA 92107
Phone No: 619-507-9923 **Fax No:** _____
Signature : _____ **Date:** _____