



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: September 6, 2017 REPORT NO. HO-17-059  
HEARING DATE: September 20, 2017  
SUBJECT: 7<sup>TH</sup> AND MARKET TENTATIVE MAP WAIVER, PROCESS THREE  
PROJECT NUMBER: [495101](#)  
OWNER/APPLICANT: City of San Diego/Cisterra 7th & Market, LLC

### SUMMARY:

Issue: Should the Hearing Officer approve a Tentative Map Waiver to create 218 residential and twelve commercial condominiums units on a site located at 502 8<sup>th</sup> Avenue in the Downtown Community Plan area?

Staff Recommendation: APPROVE Tentative Map Waiver No. 1744511.

Community Planning Group Recommendation: On July 20, 2016, the project was unanimously approved by the Downtown Community Council with no recommendations (Attachment 6).

Civic San Diego: On October 27, 2016, Centre City Development Permit and Planned Development Permit No. 2015-73 (Attachment 4) was approved for the construction of a residential mixed-use project containing 218 dwelling units, a hotel and approximately 194,000 square feet of commercial/office use.

Environmental Review: The project would not result in additional impacts not previously addressed in the Downtown Final Environmental Impact Report (FEIR) and Addenda and the Climate Action Plan FEIR and Addendum. No new significant impacts will occur or no new mitigation will be required, and no new environmental document is required.

### BACKGROUND

The 1.26-acre project site is located at 502 8<sup>th</sup> Avenue in the CCPD-ER (Centre City Planned District Employment/ Residential Mixed-Use) zone within the Downtown Community Plan area. The site is a near-full block bounded by Market Street and Island, Seventh and Eighth Avenues. To the south is the Sempra Energy building and multi-family high rises to the east and west; across Market Avenue to the north is retail and restaurant uses.

On October 27, 2016, Centre City Development Permit (CCDP) and Planned Development Permit No. 2015-73 (Attachment 4) was approved for the construction of a residential mixed-use project containing 218 dwelling units, a hotel and commercial/office use.

## DISCUSSION

### Project Description:

The project requires a Tentative Map Waiver in accordance with San Diego Municipal Code Section 125.0120 to create 218 residential condominium units and twelve commercial condominiums (approximately 825,000 square feet). The project proposes to create condominium units for home ownership opportunities.

The CCPD-ER zone accommodates mixed-use development that supports major sporting facilities and visitor attractions. A broad array of other uses are also permitted, including eating and drinking establishments, hotels, offices, research and development for office and retail use. The proposed project complies with the policies, goals and objectives of the applicable land use plan and underlying zones and no deviations are being requested.

The project as proposed requires a Process Three, Hearing Officer decision with appeal rights to the Planning Commission. According to SDMC Section 125.0440, Findings for a Tentative Map Waiver, the decision maker may approve a Tentative Map Waiver if the decision maker finds that the proposed subdivision complies with the requirements of the Subdivision Map Act and the SDMC. Staff has reviewed the proposed subdivision and determined that it complies with both the Subdivision Map Act and the SDMC.

### Conclusion:

Staff has reviewed the proposed Project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings and conditions of approval (Attachments 3) to support approval of the Project. Staff recommends the Hearing Officer approve the Project as proposed.

## ALTERNATIVES

1. Approve Tentative Map Waiver No. 1744511, with modifications.
2. Deny Tentative Map Waiver No. 1744511, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



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Renee Mezo  
Development Project Manager  
Development Services Department

RDM

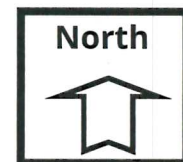
Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Draft Map Resolution with Findings and Conditions
4. Civic San Diego No. 2015-73
5. Tentative Map Waiver Exhibit
6. Community Planning Group Recommendation
7. Ownership Disclosure Statement

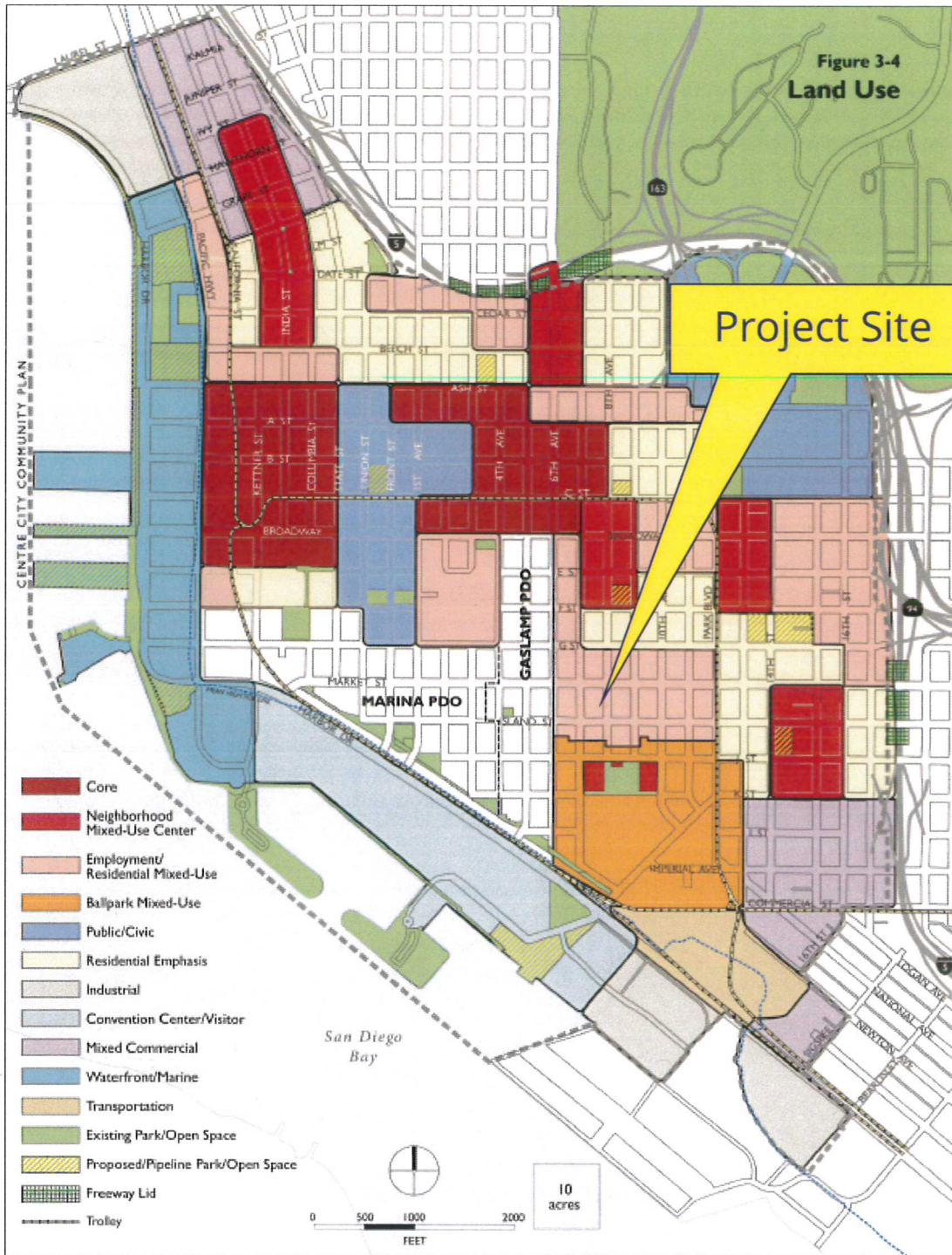




**Location Aerial Photo**  
7<sup>th</sup> & MARKET MW - 502 8<sup>TH</sup> AVENUE  
PROJECT NO. 495101







# Land Use Map

7th & MARKET MW – 502 8TH AVENUE  
PROJECT NO. 495101



HEARING OFFICER RESOLUTION NUMBER R-XXX  
TENTATIVE MAP WAIVER NO. 1744511  
PROJECT NO. 495101  
DRAFT

WHEREAS, the City of San Diego, Owner, Cisterra 7th & Market, LLC, Subdivider, and Fuscoe Engineering, Engineer submitted an application to the City of San Diego for Tentative Map Waiver No. 1744511 for the creation of residential and commercial condominium units. The 1.26-acre project site is located at 502 8<sup>th</sup> Avenue in the CCPD-ER (Centre City Planned District Employment/ Residential Mixed-Use) zone within the Downtown Community Plan area. The site is a near-near-full block bounded by Market Street and Island, Seventh and Eighth Avenues. The property is legally described Parcel 1 of Parcel Map No. 21393, filed September 19, 2016 in the office of the San Diego County Recorder; and

WHEREAS, the Map proposes the subdivision of a 1.26-acre site consisting of one (1) lot for into a 218 residential condominium unit development and a twelve unit commercial condominium development and;

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

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 4125 and filed pursuant to the Subdivision Map Act. The total number of residential condominium units is 218 with twelve commercial condominium units; and

WHEREAS, on September 20, 2017, the Hearing Officer of the City of San Diego considered Map No. 1744511, and pursuant to San Diego Municipal Code sections 125.0440 and 125.0123 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 Hearing Officer having near-fully considered the matter and being near-fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Tentative Map Waiver No. 1744511:

**Findings for a Tentative Map Waiver – Section 125.0440**

**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 the creation of 218 residential condominium units and twelve commercial condominiums. The 1.26-acre project site is located at 502 8<sup>th</sup> Avenue in the CCPD-ER (Centre City Planned District Employment/ Residential Mixed-Use) zone within the Downtown Community Plan area. The site is a near-full block bounded by Market Street and Island, Seventh and Eighth Avenues.

The CCPD-ER zone accommodates mixed-use development that supports major sporting facilities and visitor attractions. A broad array of other uses are also permitted, including eating and drinking establishments, hotels, offices, research and development for office and retail use complies with the policies, goals and objectives of the applicable land use plan and underlying zones.

The proposed project site is located within the Downtown Community Plan area and is designated for mixed-use. The subdivision of land for residential and commercial development complies with the policies, goals and objectives of the applicable land use plan and underlying zone.

**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 the creation of 218 residential condominium units and twelve commercial condominiums. The 1.26-acre project site is located at 502 8<sup>th</sup> Avenue in the CCPD-ER (Centre City Planned District Employment/ Residential Mixed-Use) zone within the Downtown Community Plan area. The site is a near-near-full block bounded by Market Street and Island, Seventh and Eighth Avenues. The proposed subdivision is consistent with the development regulations of the underlying zone and complies with lot width, floor area ratio and landscaping and no deviations to the Land Development Code are requested with this action. Future development is subject to the Centre City Development Permit and Planned Development Permit No. 2015-73, approved on October 27, 2016.



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

The project proposes the creation of 218 residential condominium units and twelve commercial condominiums. The 1.26-acre project site is located at 502 8<sup>th</sup> Avenue in the CCPD-ER (Centre City Planned District Employment/ Residential Mixed-Use) zone within the Downtown Community Plan area. The site is a near-full block bounded by Market Street and Island, Seventh and Eighth Avenues.

The proposed site is flat and any future development shall be constructed in compliance with all geologic and engineering requirements including applicable building code requirements. Utility services would be provided through existing utility infrastructure in the surrounding area.

The CCPD-ER zone accommodates mixed-use development that supports major sporting facilities and visitor attractions. A broad array of other uses are also permitted, including eating and drinking establishments, hotels, offices, research and development for office and retail use complies with the policies, goals and objectives of the applicable land use plan and underlying zones.

The project has been conditioned to construct public improvements including new City Standard curbs, gutters, and sidewalks. 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 the creation of 218 residential condominium units and twelve commercial condominiums. The 1.26-acre project site is located at 502 8<sup>th</sup> Avenue in the CCPD-ER (Centre City Planned District Employment/ Residential Mixed-Use) zone within the Downtown Community Plan area. The site is a near-full block bounded by Market Street and Island, Seventh and Eighth Avenues.

The site is within an existing, developed, in-fill urban area and does not contain nor is adjacent to any fish or wildlife habitats, environmentally sensitive lands or Multiple Habitat Planning Area lands.

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

The project has been reviewed and is in compliance with the San Diego Municipal Code (SDMC) and the Subdivision Map Act. The Tentative Map Waiver includes conditions and corresponding exhibits of approvals relevant to adequate parking, public improvements, and paying applicable fees in order to achieve compliance with the regulations of the SDMC. The proposed subdivision is consistent with all Uniform Building, Fire, Plumbing, Electrical and Mechanical Code regulations and permitting requirements continue to govern this project. Therefore, the design of the subdivision or the type of improvements will not be detrimental to the public, health, safety, and welfare.

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

Other than the subdivision to allow condominium ownership, no other changes are requested. Existing public easements for public-rights of way, drainage and utility purposes will remain and the associate improvements will not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision.

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

The project proposes the creation of 218 residential condominium units and twelve commercial condominiums and will not impede or inhibit any future passive or natural heating and cooling opportunities. On October 27, 2016, Centre City Development Permit and Planned Development Permit No. 2015-73 was approved for the development of a residential mixed-use project. The design of the subdivision has taken into account the best use of the land to minimize grading. Conditions of the above referenced development permit have been adopted and the opportunity through building materials, site orientation, architectural treatments, placement and selection of plant materials provide to the extent feasible, for future passive or natural heating and cooling opportunities. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities

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

Other than the subdivision to allow condominiums ownership, no other changes are requested and the project does not include additional development of the property. The subdivision has been conditioned to comply with the City-wide Affordable Housing Regulations and is providing a minimum of 34 affordable units on site. 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 Downtown Community Plan area.

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 Waiver No. 1744511, is hereby granted to the City of San Diego, Owner and Cisterra 7th & Market, LLC, Subdivider, 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: Tentative Map Waiver Conditions

Internal Order No. 24006775

HEARING OFFICER  
CONDITIONS FOR TENTATIVE MAP WAIVER NO. 1744511  
PROJECT NO. 495101  
ADOPTED BY RESOLUTION NO. R-\_\_\_\_\_ ON \_\_\_\_\_  
**DRAFT**

**GENERAL**

1. This Map Waiver will expire on October 4, 2020.
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 Certificate of Compliance, unless otherwise noted.
3. Prior to the recordation of the Certificate of Compliance 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.
4. 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 near-fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate near-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.

**AFFORDABLE HOUSING**

5. Prior to the issuance of any building permits, the Subdivider shall enter into an affordable housing agreement with the San Diego Housing Commission to provide affordable housing units in compliance with the City's Inclusionary Affordable Housing Regulations (San Diego Municipal Code §§ 143.0301 et seq.).

**ENGINEERING**

6. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading/shoring permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer. The Subdivider shall grant easements to the City of San Diego for water and sewer purposes.

7. Prior to the issuance of the first building permit, the Subdivider shall assure by permit and bond the replacement of the existing curb with City standard curb and gutter, along the entire project frontage, satisfactory to the City Engineer.
8. Prior to the issuance of the first building permit, the Subdivider shall assure by permit and bond the replacement of the existing sidewalk with Civic San Diego standard sidewalk, satisfactory to the City Engineer.
9. Prior to the issuance of the first building permit, the Subdivider shall assure by permit and bond the replacement of the existing curb ramps with City standard curb ramps adjacent to the site, satisfactory to the City Engineer.
10. Per the City of San Diego Street Design Manual-Street Light Standards, and Council Policy 200-18, the Subdivider will be required to install new street lights adjacent to the site along the entire project frontage.
11. Prior to the issuance of the first building permit, the Subdivider shall obtain an Encroachment Maintenance Agreement with the City for the proposed underground parking structure located within the City's right-of-way, satisfactory to the City Engineer.
12. Prior to the issuance of the first building permit, the Subdivider shall obtain an Encroachment Maintenance and Removal Agreement with the City for the private storm drains, tree grates, landscape, and irrigation located within the City's right-of-way, satisfactory to the City Engineer.
13. Prior to the issuance of any construction permit, the Subdivider shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
14. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
15. 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.

#### **MAPPING**

16. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.
17. The Certificate of Compliance 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.

**INFORMATION:**

- The approval of this Tentative Map Waiver 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 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 Waiver will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map Waiver may protest the imposition within ninety days of the approval of this Tentative Map Waiver 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. 24006775

ATTACHMENT 4

DOC# 2016-0643466



Nov 23, 2016 11:29 AM  
OFFICIAL RECORDS  
Ernest J. Dronenburg, Jr.,  
SAN DIEGO COUNTY RECORDER  
FEES: \$84.00

PAGES: 24

**RECORDING REQUESTED BY:**

Civic San Diego  
Planning Department  
401 B Street, Suite 400  
San Diego, CA 92101

**AND WHEN RECORDED MAIL TO:**

Civic San Diego  
Planning Department  
401 B Street, Suite 400  
San Diego, CA 92101

*THIS SPACE FOR RECORDER'S USE ONLY*

*NOTE: COUNTY RECORDER, PLEASE RECORD AS  
RESTRICTION ON USE OR DEVELOPMENT OF  
REAL PROPERTY AFFECTING THE TITLE TO OR  
POSSESSION THEREOF*

**CENTRE CITY DEVELOPMENT PERMIT  
PLANNED DEVELOPMENT PERMIT  
NEIGHBORHOOD USE PERMIT  
NO. 2015-73**

**7<sup>TH</sup> & MARKET  
ASSESSOR PARCEL NUMBER  
535-112-01-00 THRU 11-00**

7<sup>th</sup> & Market  
CCDP/PDP/NUP No. 2015-73

**CENTRE CITY PLANNED DISTRICT  
CENTRE CITY DEVELOPMENT PERMIT  
PLANNED DEVELOPMENT PERMIT  
NEIGHBORHOOD USE PERMIT  
NO. 2015-73**

**7<sup>TH</sup> & MARKET  
ASSESSOR PARCEL NUMBER  
535-112-01-00 THRU 11-00**

This Centre City Development Permit / Planned Development Permit / Neighborhood Use Permit (CCDP/PDP/NUP) No. 2015-73 is granted by Civic San Diego ("CivicSD") to the City of San Diego, Owner, and Cisterra 7<sup>th</sup> & Market, LLC, Permittee, to allow the construction of a mixed-use development containing a 39-story and 19-story tower (approximately 475 feet and 227 feet tall, respectively) comprised in total of approximately 218 dwelling units (DU) including indoor and outdoor amenity space, approximately 156,000 SF of office space, a proposed 153-room hotel, an estimated 40,000 SF retail space for a grocer and 887 automobile parking spaces including a minimum of 200 public parking spaces, on a 60,000 square-foot (SF) full-block premises bounded by Market Street and Island, Seventh and Eighth avenues in the East Village neighborhood of the Downtown Community Plan (DCP) area and within the Centre City Planned District (CCPD); and more particularly described as Lots A, B, C, D, E, F, G, H, I, J, K & L in Block 98 of Horton's Addition in the City of San Diego, County of San Diego, State of California, according to partition map thereof, made by L.L. Lockling, filed in the Office of the County Recorder of San Diego County.

Subject to the terms and conditions set forth in this Permit, permission is granted to the Owner and/or Permittee to construct and operate a development and uses as described and identified by size, dimension, quantity, type, and location as follows and on the approved Basic Concept / Schematic Drawings and associated Color and Materials Boards dated April 4, 2016, on file at CivicSD.

1. General

The Owner and/or Permittee shall construct, or cause to be constructed on the site, a 39-story and 19-story tower (approximately 475 feet and 227 feet tall, respectively) comprised in total of approximately 218 dwelling units (DU) including indoor and outdoor amenity space, approximately 156,000 SF of office space, a proposed 153-room hotel, and an estimated 40,000 SF retail space for a grocer. The development shall not exceed a height of 475 feet above average grade level, measured to the top of the parapet of the uppermost floor, with roof equipment enclosures, elevator penthouses, mechanical screening, and architectural elements above this height permitted per the Centre City Planned District Ordinance (CCPDO).



7<sup>th</sup> & Market  
CCDP/PDP/NUP No. 2015-73

## 2. Disposition and Development Agreement

This permit shall be valid only upon approval and implementation of a Disposition and Development Agreement by the City of San Diego for the sale of the property

## 3. Floor Area Ratio (FAR) Bonus

- a. Green Building FAR – An increase in the Floor Area Ratio (FAR) by a factor of 1.0 is hereby granted under CCPDO Section 156.0309 (e)(8): FAR Green Building Program. The development is entitled to 1.0 FAR for the provision of Centre City Green (CCG) Building Incentive Program awards development incentives for buildings that exceed the California Green Building Standards Code (CALGreen). The Applicant shall construct a LEED-Certified Silver building in accordance with the US Green Building Council (USGBC) standards for new construction. CC&Rs shall be recorded on the property to ensure the LEED Certification level for construction of building. Such CC&Rs shall be in a form approved by CivicSD and the City Attorney's Office and shall be recorded prior to issuance of a Building Permit.

Prior to the issuance of any building permits, the Permittee shall provide a financial surety, deposit, or other suitable guarantee approved by the Civic San Diego President and the City Attorney's Office to ensure that the applicant completes the LEED certification for the development as proposed to obtain a FAR Bonus under this Section.

LEED certification must be demonstrated through an independent report provided by the USDBC that confirms achievement of a LEED Silver (or higher) level of performance. The financial surety, deposit, or other suitable guarantee shall be in an amount equivalent to the values which would be required to purchase an equivalent amount of FAR under the FAR Payment Bonus Program, including any subsequent amendments in effect at the time of the development permit application. Within 180 days of receiving the final Certificate of Occupancy for a development, the applicant shall submit documentation that demonstrates achievement of the applicable LEED rating as proposed under this Section.

If the applicant fails to submit a timely report or demonstrate LEED certification, payment shall be deducted against the financial security, deposit, or other suitable guarantee and deposited in the FAR Bonus Fund established under the FAR Payment Bonus Program. The amount of payment shall be calculated according to the following formula:

$$P = \text{FAR} \$ \times ((\text{LCP} - \text{CPE}) / \text{LCP})$$

P= the payment amount shall be paid to the FAR Bonus Fund

FAR\$ = the amount of money which would be required to purchase FAR under the FAR Payment Bonus Program

7<sup>th</sup> & Market  
CCDP/PDP/NUP No. 2015-73

LCP + LEED Certification Points needed to achieve the proposed LEED certification level (Silver or higher)

CPE = LEED Certification Points actually earned by the development as certified by the USGBC

All funds provided by the applicant for the LEED certification surety, deposit, or other suitable guarantee that are not paid to the FAR Bonus Fund shall be refunded to the applicant. In the event that the applicant submits a timely report and demonstrates the necessary level of LEED certification for the applicant's desired FAR Bonus, the entire amount of the surety, deposit, or other suitable guarantee shall be refunded to the applicant.

- b. Three-Bedroom Units – The Project is entitled up to a 0.5 FAR bonus for the provision of 22 three-bedroom units, equivalent to 10 percent of the total amount of dwelling units, within the development. Eligible three-bedroom units shall not exceed 1,300 square feet with each bedroom in a dwelling unit used to earn the FAR bonus containing a minimum of 70 square feet (with additional area for enclosed closet). Covenants, Conditions and Restrictions (CC&R's) shall be recorded on the property to ensure the number of bedrooms in the units used to earn the FAR are not reduced. Such CC&Rs shall be in a form approved by CivicSD and the City Attorney's Office and shall be recorded prior to issuance of a Building Permit.
- c. Urban Open Space – The development is entitled up to a 0.5 FAR bonus (20,000 square feet) under the provisions of the CCPDO for the provision of 6,014 square feet (10% of total site area) of Urban Open Space designed as approved during the Design Review process and as shown in the Basic/Concept Drawings. Specifications for the design of the Urban Open Space shall be submitted with 100% Construction Drawings and approved by CivicSD prior to issuance of a Building Permit. The Urban Open Space shall also be subject to the following:
  - i. The Urban Open Space shall be open to the general public at least between the hours of 6:00a.m. and 10:00p.m. every day. The open space area shall have signs indicating that the public is welcome and the hours of closure, if applicable.
  - ii. CC& R's shall be recorded on the property providing for the development and on-going maintenance of the open space area to City standards in perpetuity. These provisions shall be approved by CivicSD and the City Attorney's Office prior to issuance of a Building Permit.
- d. Public Parking – The development is entitled to an additional 2.25 FAR (135,311 SF) for every square foot of parking area made permanently available for public use. A public parking easement shall be executed for such facilities, with restrictions and covenants acceptable to Civic San Diego and the City of San Diego.



7<sup>th</sup> & Market  
 CCDP/PDP/NUP No. 2015-73

- e. Affordable Housing Bonus – The development is entitled to an additional 1.43 FAR (85,776 square feet). The Owner/Permittee shall provide a minimum of 22 affordable units restricted to 51% -80% of Area Median Income (AMI) for a minimum of 55 years. An agreement with the San Diego Housing Commission shall be executed to enforce and monitor the affordability restrictions prior to issuance of any Building Permit for construction of any residential unit.

4. Centre City Planned Development Permit

The CivicSD Board hereby grants a Centre City Planned Development Permit (CCPDP) pursuant to Sections 156.0304(d) and (f) of the CCPDO for deviations to the following development regulations within the CCPDO:

- a. CCPDO 156.0310(d)(3)(C) Tower Separation – Allowing less than 60 feet of separation between the towers on the project site.
- b. CCPDO 156.0310(d)(1)(D) Minimum Streetwall Height – Reducing from 45 feet to 31 feet for the streetwall height along a portion of Eighth Avenue.
- c. CCPDO 156.0313(k)/SDMC 142.0555(b) Valet, Tandem Parking for the Hotel Use – Allowing valet, tandem parking to meet the minimum required parking for the hotel use.

5. Comprehensive Sign Plan

The CivicSD Board of Directors hereby grants a Comprehensive Sign Plan pursuant to San Diego Municipal Code (SDMC) Chapter 14, Article 1 Division 11 and Section 156.0314 (a)(4) of the CCPDO subject to the following criteria:

CSP High-Rise Signage Criteria for 39-Story Tower	
Location	North and South Elevations
Overall Area	Overall High-Rise Signage Not Exceed 735 SF
Overall Size	Not to Exceed 450 SF (North Elevation) Not to Exceed 285 SF (South Elevation)
Logo Height	Maximum 10' North Elevation Maximum 5' South Elevation
Letter Height	Maximum 5' tall letters on Both Elevations
Materials	Painted Metal or Plexiglass Face, No Box Signs Permitted
Lighting	Remotely Illuminated, Halo-Lit or Backlit

CSP High-Rise Signage Criteria for 19-Story Tower	
Location	South and East Elevations
Overall Area	Overall High-Rise Signage Not Exceed 400 SF
Overall Size	Not to Exceed 300 SF (South Elevation) Not to Exceed 200 SF (East Elevation)



7<sup>th</sup> & Market  
CCDP/PDP/NUP No. 2015-73

Logo Height	Maximum 10' wide x 10' high
Letter Height	Maximum 5' tall letters
Materials	Painted Metal or Plexiglass Face, No Box Signs Permitted
Lighting	Remotely Illuminated, Halo-Lit or Backlit

- a. All other signs on the site and building shall comply with the City Signage Regulations outlined in Chapter 14 of the SDMC and the CCPDO.
- b. Before issuance of any sign permits, the signage plans shall be submitted to Civic SD for approval. Plans shall be in substantial conformity to the approved Basic/Concept Plans for the project.

6. Affordable Housing Density Bonus Development Incentive

Per SDMC Section 143.0740, a development incentive shall be utilized to allow the proposed east-west tower dimension of the 39-story tower to exceed the maximum 130-foot-wide east-west tower dimension established in CCPDO 156.0310(d)(3)(B). The maximum east-west tower dimension allowed under the incentive shall be a dimension of 141 feet for levels 30-39 only. All applicable requirements of SDMC Sections 143.0720 and 143.0725 shall be met and incorporated herein.

7. Parking

- a. The development includes approximately 887 automobile parking spaces. A minimum of 184 spaces (or an equivalent number based on the exact number of DU) shall be dedicated to the development's market-rate residential component and seven spaces (or an equivalent number based on the exact number of DU) shall be dedicated to visitors and guests of the residents; and all shall be designed to meet City Standards. These automobile parking spaces shall be allocated for exclusive use by the development's residential units. All guest parking should be located near the garage entrance. If any additional parking spaces are designed with dimensions less than the City Standards, future buyers (if converted to condominium) of the residential units shall be informed of the dimensional size of their parking spaces prior to the sale of such units. All tandem parking spaces must be for residential units within the Project with the exception of select hotel tandem parking spaces. Additional parking spaces above the minimum requirements for the project may be made available to the public.
- b. A minimum of 15 spaces (or an equivalent number based on the exact number of affordable DU) shall be dedicated to the development's affordable residential component. An additional eight spaces (or an equivalent number based on the exact number of affordable DU) shall be provided for the visitors and staff of affordable residential component of the Project and shall be designed to meet City Standards. These automobile parking spaces shall be allocated for exclusive use by the development's affordable residential units.

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- c. A minimum of 41 spaces must be dedicated to the development's retail component (or an equivalent number based on the exact retail area) and all shall be designed to meet City Standards These automobile parking spaces shall be allocated for exclusive use by the development's retail component.
  - d. A minimum of 243 spaces must be dedicated to the development's office component (or an equivalent number based on the exact office area) and all shall be designed to meet City Standards These automobile parking spaces shall be allocated for exclusive use by the development's office component.
  - e. A minimum of 46 spaces must be dedicated to the development's hotel component (or an equivalent number based on the exact number of hotel rooms). Per the hotel parking deviation, the hotel parking spaces may be valet-parked and up to 23 of the hotel spaces may be tandem parking spaces. These automobile parking spaces shall be allocated for exclusive use by the development's hotel component.
  - f. A minimum of 200 parking spaces must be public parking spaces and must remain accessible to the general public in perpetuity. All public parking spaces shall be designed to meet City Standards.
  - g. A minimum of 38 motorcycle parking spaces and secured storage space for a minimum of 71 bicycles shall be provided (or an equivalent number based on the exact number of DU and/or use areas).
8. Loading
- a. A minimum of one off-street loading space shall be required for the residential component of the development with minimum dimensions of 35 feet in depth, 13 feet in width, and 13 feet in height (measured from the inside walls).
  - b. A minimum of one off-street loading space shall be required for the commercial component of the development with minimum dimensions of 35 feet in depth, 14 feet in width, and 14 feet in height (measured from the inside walls).

9. Historical Resources

The project includes a designated historical resources; the Clermont Hotel (Historical Resources Board (HRB) Site No. 509) located on the southwest corner of the site. The building shall be retained on site and rehabilitated in accordance with the Secretary of the Interior Standards to the satisfaction of the City of San Diego Historic Resources staff. A Historical Treatment Plan, including a Historical Monitoring Plan, for the resource shall be provided to, and approved by, the City of San Diego Historical Resources Department prior to work commencing on the site.

10. Transportation Demand Management



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The project is required to implement measures to reduce single-occupant vehicle trips for the project, per Table 0313-D of Section 156.0313(o) of the CCPDO, achieving a minimum of 25 points, for the life of the project. Such measures shall be demonstrated prior to issuance of Building Permits for the project.

#### 11. Public Art

The Owner/Permittee shall comply with public art requirements of San Diego Municipal Code Chapter 2, Article 6, Division 7 Art in Private Development Ordinance and shall provide confirmation of compliance from the City of San Diego Commission for Arts and Culture prior to issuance of Building Permits.

### PLANNING AND DESIGN REQUIREMENTS

#### 12. Residential Amenities and Facilities

The development includes the following residential amenities and facilities as illustrated on the approved Basic Concept/Schematic Drawings on file at CivicSD, which shall be required to be maintained within the development in perpetuity:

- a. Common Outdoor Open Space – Approximately 12,027 SF of common outdoor space shall be provided. The dimensions of the common outdoor open space(s) must not be reduced for the life of the development. A minimum of 10% of each common outdoor open space area must be planted area and each area must be accessible to all residents of the development through a common accessway.
- b. Common Indoor Space – A minimum of 500 SF of common indoor amenity space shall be provided. The space(s) shall be maintained for use by residents of the development and must be accessible through a common corridor. The area may contain active or passive recreational facilities, meeting space, computer terminals, or other activity space.
- c. Private Open Space - At least 50 percent of all dwelling units shall provide private open space on a balcony, patio, or roof terrace, with a minimum area of 40 square feet (SF) each and an average horizontal dimension of 6 feet. Balconies should be proportionately distributed throughout the development in relationship to floor levels and sizes of units. Living unit developments are exempt from this requirement.
- d. Pet Open Space – A minimum of 200 SF of pet open space shall be provided and improved for use by pets and clearly marked for such exclusive use. Such areas shall include permeable surfaces, a hose bib, and be drained to the public sewer system (except for at-grade lawn areas).

#### 13. Urban Design Standards

The proposed development, including its architectural design concepts and off-site improvements, shall be consistent with the CCPDO and Centre City Streetscape Manual



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(CCSM). These standards, together with the following specific conditions, will be used as a basis for evaluating the development through all stages of the development process.

- a. Architectural Standards – The architecture of the development shall establish a high quality of design and complement the design and character of the East Village neighborhood as shown in the approved Basic Concept/Schematic Drawings on file with CivicSD. The development shall utilize a coordinated color scheme consistent with the approved Basic Concept/Schematic Drawings.
- b. Form and Scale – The development shall consist of a mixed-use development containing with a maximum height of 39 stories (up to 475 feet tall) measured to the top of the roofline, with roof equipment enclosures, elevator penthouses, and mechanical screening above this height permitted per the CCPDO and the Federal Aviation Administration (FAA). All building elements shall be complementary in form, scale, and architectural style.
- c. Building Materials – All building materials shall be of a high quality as shown in the Basic Concept/Schematic Drawings and approved materials board. All materials and installation shall exhibit high-quality design, detailing, and construction execution to create a durable and high quality finish. The base of the buildings shall be clad in upgraded materials and carry down to within one inch of finish sidewalk grade, as illustrated in the approved Basic Concept/Schematic Drawings on file with CivicSD. Any plaster materials shall consist of a hard troweled, or equivalent, smooth finish. Any stone materials shall employ larger modules and full-corner profiles to create a substantial and non-veneer appearance. Any graffiti coatings shall be extended the full height of the upgraded base materials or up to a natural design break such a cornice line. All downspouts, exhaust caps, and other additive elements shall be superior grade for urban locations, carefully composed to reinforce the architectural design. Reflectivity of the glass shall be the minimum reflectivity required by Title 24 of the California Code of Regulations (“Title 24”).

All construction details shall be of the highest standard and executed to minimize weathering, eliminate staining, and not cause deterioration of materials on adjacent properties or the public right of way. No substitutions of materials or colors shall be permitted without the prior written consent of the CivicSD. A final materials board which illustrates the location, color, quality, and texture of proposed exterior materials shall be submitted with 100% Construction Drawings and shall be consistent with the Materials Board approved with the Basic Concept/Schematic Drawings.

- d. Street Level Design – Architectural features such as awnings and other design features which add human scale to the streetscape are encouraged where they are consistent with the design theme of the structure. Exit corridors including garage/motor-court entrances shall provide a finished appearance to the street with street level exterior finishes wrapping into the openings a minimum of ten feet. The garage door on Eighth Avenue shall provide an upgraded architectural design and/or finish and obscure views into the garage. The garage door and loading bay doors on Seventh Avenue shall contain

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graphics that obscure the glass of these doors and shall depict the cultural heritage of the Clermont Hotel. These doors shall remain in the closed position when not in use.

All exhaust caps, lighting, sprinkler heads, and other elements on the undersides of all balconies and surfaces shall be logically composed and placed to minimize their visibility, while meeting code requirements. All soffit materials shall be high quality and consistent with adjacent elevation materials (no stucco or other inconsistent material), and incorporate drip edges and other details to minimize staining and ensure long-term durability.

- e. Utilitarian Areas – Areas housing trash, storage, or other utility services shall be located in the garage or otherwise completely concealed from view of the ROW and adjoining developments, except for utilities required to be exposed by the City or utility company. The development shall provide trash and recyclable material storage areas per SDMC sections 142.0810 and 142.0820. Such areas shall be provided within an enclosed building/garage area and shall be kept clean and orderly at all times.
- f. Mail and Delivery Locations – It is the Owner's and/or Permittee's responsibility to coordinate mail service and mailbox locations with the United States Postal Service and to minimize curb spaces devoted to postal/loading use. The Owner and/or Permittee shall locate all mailboxes and parcel lockers outside of the ROW, either within the building or recessed into a building wall. Individual commercial spaces shall utilize a centralized delivery stations within the building or recessed into a building wall, which may be shared with residential uses sharing a common street frontage address.
- g. Access – Vehicular access to the development's parking shall be limited to one driveway on Eighth Avenue with a curb cut not exceeding 26 feet in width and one driveway on Seventh Avenue with a curb cut not exceeding 23 feet in width. Loading access to the development's loading spaces shall be limited to two driveways on Seventh Avenue with respective curb cuts of 26 feet and 24 feet in width.
- h. Circulation and Parking – The Owner and/or Permittee shall prepare a plan which identifies the location of curbside parking control zones, parking meters, fire hydrants, trees, and street lights to the satisfaction of Civic San Diego. Such plan shall be submitted in conjunction with construction permits.

All on-site parking shall meet the requirements of the City Building Official, Fire Department, and Engineer. All parking shall be mechanically ventilated. The exhaust system for mechanically ventilated structures shall be located to mitigate noise and exhaust impacts on residential units, adjoining properties, and the ROW according to applicable building codes.

- i. Open Space and Development Amenities – A landscape plan that illustrates the relationship of the proposed on and off-site improvements and the location of water and electrical hookups to the satisfaction of Civic San Diego shall be submitted with construction permit drawings.



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- j. Roof Tops – A rooftop equipment and appurtenance location and screening plan shall be prepared and submitted to the satisfaction of Civic San Diego with 100% Construction Drawings. Any roof-top mechanical equipment shall be grouped, enclosed, and screened from surrounding views (including views from above).
- k. Signage – All signs shall comply with the City Sign Regulations and the CCPDO with the exception of the proposed tower signage approved under the Comprehensive Sign Program.
- l. Noise Control – All mechanical equipment, including but not limited to, air conditioning, heating and exhaust systems, shall comply with the City Noise Ordinance and California Noise Insulation Standards as set forth in Title 24. Owner and/or Permittee shall provide evidence of compliance at 100% Construction Drawings.
- m. Street Address – Building address numbers shall be provided that are visible and legible from the ROW.

#### 14. On-Site Improvements

All off-site and on-site improvements shall be designed as part of an integral site development. An on-site improvement plan shall be submitted to the satisfaction of Civic San Diego with the construction permit drawings.

#### 15. Removal and/or Remedy of Soil and/or Water Contamination

The Owner/Permittee shall (at its own cost and expense) remove and/or otherwise remedy as provided by law and implementing rules and regulations, and as required by appropriate governmental authorities, any contaminated or hazardous soil and/or water conditions on the Site. Such work may include without limitation the following:

- a. Remove (and dispose of) and/or treat any contaminated soil and/or water on the site (and encountered during installation of improvements in the adjacent public rights-of-way which the Owner/Permittee is to install) as necessary to comply with applicable governmental standards and requirements.
- b. Design and construct all improvements on the site in a manner which will assure protection of occupants and all improvements from any contamination, whether in vapor or other form, and/or from the direct and indirect effects thereof.
- c. Prepare a site safety plan and submit it to the appropriate governmental agency, CivicSD, and other authorities for approval in connection with obtaining a building permit for the construction of improvements on the site. Such site safety plan shall assure workers and other visitors to the site of protection from any health and safety hazards during development and construction of the improvements. Such site safety



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plan shall include monitoring and appropriate protective action against vapors and/or the effect thereof.

- d. Obtain from the County of San Diego and/or California Regional Water Quality Control Board and/or any other authorities required by law any permits or other approvals required in connection with the removal and/or remedy of soil and/or water contamination, in connection with the development and construction on the site.
- e. If required due to the presence of contamination, an impermeable membrane or other acceptable construction alternative shall be installed beneath the foundation of the building. Drawings and specifications for such vapor barrier system shall be submitted for review and approval by the appropriate governmental authorities.

**PUBLIC IMPROVEMENTS, LANDSCAPING AND UTILITY REQUIREMENTS**

16. Off-Site Improvements

The following public improvements shall be installed in accordance with the Centre City Streetscape Manual (CCSM). The CCSM is currently being updated and the Owner and/or Permittee shall install the appropriate improvements according to the latest requirements at the time of Building Permit issuance:

	Island Avenue	Market Street	Seventh /Eighth avenues
Paving	Island Avenue Paving	Market Street Paving	Ballpark Paving
Street Trees	Chinese Evergreen Elm	Raywood Ash	Brisbane Box
Street Lights	CCDC Standard	CCDC Gateway	CCDC Standard

- a. Street Trees – Street tree selections shall be made according to the CCSM. All trees shall be planted at a minimum 36-inch box size with tree grates provided as specified in the CCSM, and shall meet the requirements of Title 24. Tree spacing shall be accommodated after street lights have been sited, and generally spaced 20 to 25 feet on center. All landscaping shall be irrigated with private water service from the subject development.

No trees shall be removed prior to obtaining a Tree Removal Permit from DSD per City Council Policy 200-05.

- b. Street Lights – All existing lights shall be evaluated to determine if they meet current CivicSD and City requirements, and shall be modified or replaced if necessary.
- c. Sidewalk Paving – Any specialized paving materials shall be approved through the execution of an Encroachment Removal and Maintenance Agreement (EMRA) with the City at the time of construction permit issuance.

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- d. Litter Containers – The development shall provide a minimum of six litter receptacles and shall be located as specified in the CCSM.
- e. Landscaping – All required landscaping shall be maintained in a disease, weed and litter free condition at all times. If any required landscaping (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent in size per the approved documents and to the satisfaction of the CivicSD within 30 days of damage or Certificate of Occupancy, whichever occurs first.
- f. Planters – Planters shall be permitted to encroach into the ROW a maximum of two feet for sidewalk areas measuring at least twelve feet and less than fourteen feet in width. For sidewalk areas fourteen feet or wider, the maximum permitted planter encroachment shall be three feet. The planter encroachment shall be measured from the property line to the face of the curb to the wall surrounding the planter. A minimum six foot clear path shall be maintained between the face of the planter and the edge of any tree grate or other obstruction in the ROW.
- g. On-Street Parking – The Owner and/or Permittee shall maximize the on-street parking wherever feasible.
- h. Public Utilities – The Owner and/or Permittee shall be responsible for the connection of on-site sewer, water and storm drain systems from the development to the City utilities located in the ROW. Sewer, water, and roof drain laterals shall be connected to the appropriate utility mains within the street and beneath the sidewalk. The Owner and/or Permittee may use existing laterals if acceptable to the City, and if not, Owner and/or Permittee shall cut and plug existing laterals at such places and in the manner required by the City, and install new laterals. Private sewer laterals require an EMA.

If it is determined by the City Engineer or CivicSD that existing water and sewer services are not of adequate size to serve the proposed development, the Owner and/or Permittee will be required to abandon any unused water and sewer services and install new services and meters. Service abandonments require an engineering permit and must be shown on a public improvement plan. All proposed public water and sewer facilities, including services and meters, must be designed and constructed in accordance with established criteria in the most current edition of City's Water and Sewer Facility Design Guidelines and City regulations standards and practices pertaining thereto.

Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the Building Permit plan check. If and when the Owner and/or Permittee submits for a tentative map or tentative map waiver, the Water Department will require Covenants, Conditions, and Restrictions ("CC&Rs") to address the operation and



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maintenance of the private on-site water system serving the development. No structures or landscaping of any kind shall be installed within ten feet of water facilities.

All roof drainage and sump drainage, if any, shall be connected to the storm drain system in the public street, or if no system exists, to the street gutters through sidewalk underdrains. Such underdrains shall be approved through an Encroachment Removal Agreement with the City. The Owner and/or Permittee shall comply with the City's Storm Water Management and Discharge Control Ordinance and the storm water pollution prevention requirements of Chapter 14, Article 2, Division 1 and Chapter 14, Article 2, Division 2 of the SDMC.

- i. Franchise Public Utilities – The Owner and/or Permittee shall be responsible for the installation or relocation of franchise utility connections including, but not limited to, gas, electric, telephone and cable, to the development and all extensions of those utilities in public streets. Existing franchise utilities located above grade serving the property and in the sidewalk ROW shall be removed and incorporated into the adjoining development. All franchise utilities shall be installed as identified in the Basic Concept Drawings. Any above grade devices shall be screened from view from the ROW.
- j. Fire Hydrants – If required through the construction permit review, the Owner and/or Permittee shall install fire hydrants at locations satisfactory to the City's Fire Department and DSD.
- k. Water Meters and Backflow Preventers – The Owner and/or Permittee shall locate all water meters and backflow preventers in locations satisfactory to the Public Utilities Department and CivicSD. Backflow preventers shall be located outside of the ROW adjacent to the development's water meters, either within the building, a recessed alcove area, or within a plaza or landscaping area. The devices shall be screened from view from the ROW. All items of improvement shall be performed in accordance with the technical specifications, standards, and practices of the City's Engineering, Public Utilities, and Building Inspection Departments and shall be subject to their review and approval. Improvements shall meet the requirements of Title 24.

#### 17. Storm Water Compliance

- a. Prior to issuance of any construction permit, the Owner and/or Permittee shall enter into a Maintenance Agreement for the on-going permanent Best Management Practices (BMP) maintenance, satisfactory to the City Engineer.
- b. Prior to the issuance of any Construction Permit, the Owner and/or Permittee shall incorporate any construction BMP necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.



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

18. Removal and/or Remedy of Soil and/or Water Contamination

- a. The Owner and/or Permittee shall (at its own cost and expense) remove and/or otherwise remedy as provided by law and implementing rules and regulations, and as required by appropriate governmental authorities, any contaminated or hazardous soil and/or water conditions on the Site. Such work may include without limitation the following:
  - i. Remove (and dispose of) and/or treat any contaminated soil and/or water on the site (and encountered during installation of improvements in the adjacent ROW which the Owner and/or Permittee is to install) as necessary to comply with applicable governmental standards and requirements.
  - ii. Design construct all improvements on the site in a manner which will assure protection of occupants and all improvements from any contamination, whether in vapor or other form, and/or from the direct and indirect effects thereof.
  - iii. Prepare a site safety plan and submit it to the appropriate governmental agency, CivicSD, and other authorities for approval in connection with obtaining a building permit for the construction of improvements on the site. Such site safety plan shall assure workers and other visitors to the site of protection from any health and safety hazards during development and construction of the improvements. Such site safety plan shall include monitoring and appropriate protective action against vapors and/or the effect thereof.
  - iv. Obtain from the County of San Diego and/or California Regional Water Quality Control Board and/or any other authorities required by law any permits or other approvals required in connection with the removal and/or remedy of soil and/or water contamination, in connection with the development and construction on the site.
  - v. If required due to the presence of contamination, an impermeable membrane or other acceptable construction alternative shall be installed beneath the foundation of the building. Drawings and specifications for such vapor barrier system shall be submitted for review and approval by the appropriate governmental authorities.

**SUSTAINABILITY**

- 19. A combination of cool/green roofs must be utilized in the development including the following:

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- a. Roofing materials with a minimum three-year aged solar reflection and thermal emittance or solar reflection index equal to or greater than the values specified in the voluntary measures under the California Green Building Standards Code must be implemented.
- b. The project roof construction must have a thermal mass over the roof membrane, including areas of vegetated (green) roofs, weighing at least 25 pounds per square foot as specified in the voluntary measures under the California Green Building Standards Code.

Compliance with this measure must be demonstrated prior to the issuance of the building permit.

20. The development must include, at a minimum, the following fixtures:

- a. Residential Buildings
  - Kitchen faucets: maximum flow rate not to exceed 1.5 gallons per minute at 60 psi;
  - Standard dishwashers: 4.25 gallons per cycle;
  - Compact dishwashers: 3.5 gallons per cycle; and
  - Clothes washers: water factor of 6 gallons per cubic feet of drum capacity
- b. Non-Residential Buildings
  - Plumbing fixtures and fittings that do not exceed the maximum flow rate specified in Table A5.303.2.3.1 (voluntary measures) of the California Green Building Standards Code; and
  - Appliances and fixtures for commercial applications that meet the provisions of Section A5.303.3 (voluntary measures) of the California Green Building Standards Code.

Compliance with this measure must be demonstrated prior to the issuance of the building permit.

21. The development must be designed to have an energy budget that meets or exceeds a 10% improvement with both indoor lighting and mechanical systems when compared to the Title 24, Part 6 Energy Budget for the proposed design building as calculated by Compliance Software certified by the California Energy Commission (percent improvement over current code). The demand reduction may be provided through on-site renewable energy generation, such as solar, or by designing the project to have an energy budget that meets the above-mentioned performance standards, when compared to the Title 24, Part 6 Energy Budget for the Proposed Design Building (percent improvement over current code). Compliance with this measure must be demonstrated prior to the issuance of the building permit.

22. A minimum of 3% of the total required parking spaces must be provided with a listed cabinet, box or enclosure connected to a conduit linking the parking spaces with the electrical service, in a manner approved by the building and safety official. Of the total listed cabinets, boxes or enclosures provided, at least 50% must have the necessary electric vehicle supply equipment installed to provide active electric vehicle charging stations ready for use by residents. Compliance with this measure must be demonstrated prior to the issuance of the building permit.



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23. The development must contain more short- and long-term bicycle parking spaces than required in SDMC Chapter 14, Article 2, Division 5 at all times. Compliance with this measure must be demonstrated prior to the issuance of the building permit.
24. Changing/shower facilities must be provided for the non-residential component of the development. With over 200 tenant occupants, the project must provide one shower stall plus one additional shower stall for each 200 additional tenant-occupants, as well as one two-tier locker plus one two-tier locker for each 50 additional tenant-occupants. Compliance with this measure must be demonstrated prior to the issuance of the building permit.
25. The development must provide a minimum of 10% of the total number of designated parking spaces for any combination of low-emitting, fuel-efficient, and carpool/vanpool vehicles. Compliance with this measure must be demonstrated prior to the issuance of the building permit.
26. The development must provide a transportation demand management program that would be applicable to existing tenants and future tenants that includes:
  - a. At least one of the following components:
    - Parking cash out program
    - Parking management plan that includes charging employees market-rate for single-occupancy vehicle parking and providing reserved, discounted, or free spaces for registered carpools or vanpools
    - Unbundled parking whereby parking spaces would be leased or sold separately from the rental.
  - b. At least three of the following components
    - Commitment to maintaining an employer network in the SANDAG iCommute program and promoting its RideMatcher service to tenants/employees
    - On-site carsharing vehicle(s) or bikesharing
    - Flexible or alternative work hours
    - Telework program
    - Transit, carpool, and vanpool subsidies
    - Pre-tax deduction for transit or vanpool fares and bicycle commute costs
    - Access to services that reduce the need to drive, such as cafes, commercial stores, banks, post offices, restaurants, gyms, or childcare, either onsite or within 1,320 feet (1/4 mile) of the structure/use

All required transportation demand management components must be identified and submitted to CivicSD prior to issuance of a Certificate of Temporary Occupancy for each commercial tenant space in the development.

## STANDARD REQUIREMENTS

27. Environmental Impact Mitigation Monitoring and Reporting Program



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As required by CCPDO Section 156.0304(h), the development shall comply with all applicable Mitigation Monitoring and Reporting Program (MMRP) measures from the 2006 Final Environmental Impact Report (FEIR) for the DCP.

28. Development Impact Fees

The development will be subject to Centre City Development Impact Fees. The fee shall be determined in accordance with the fee schedule in effect at the time of building permit issuance. The Owner and/or Permittee shall provide to the City's Facilities Financing Department the following information at the time of application for building permit plan check: 1) total square footage for commercial lease spaces and all areas within the building dedicated to support those commercial spaces including, but not limited to: loading areas, service areas and corridors, utility rooms, and commercial parking areas; 2) applicable floor plans showing those areas outlined for verification; and, 3) the total number of residential units. In addition, it shall be responsibility of the Owner and/or Permittee to provide all necessary documentation for receiving any "credit" for existing buildings to be removed. Development Impact Fees shall be calculated in accordance with fee schedule in effect at the time of building permit issuance, and in accordance with the SDMC.

29. Inclusionary Affordable Housing Ordinance

As required by SDMC Chapter 14, Article 2, Division 13, the development shall comply with all applicable regulations of the City's Inclusionary Housing Ordinance. The Owner and/or Permittee shall provide documentation of such compliance to CivicSD prior to issuance of any Building Permits.

30. Construction Fence

Owner and/or Permittee shall install a construction fence pursuant to specifications of, and a permit from, the City Engineer. The fence shall be solid plywood with wood framing, painted a consistent color with the development's design, and shall contain a pedestrian passageway, signs, and lighting as required by the City Engineer. The fencing shall be maintained in good condition and free of graffiti at all times.

31. Development Identification Signs

Prior to commencement of construction on the site, the Owner and/or Permittee shall prepare and install, at its cost and expense, one sign on the barricade around the site which identifies the development. The sign shall be at least four feet by six feet and be visible to passing pedestrian and vehicular traffic. The signs shall at a minimum include:

- Color rendering of the development
- Development name
- Developer
- Completion Date

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- For information call \_\_\_\_\_

Additional development signs may be provided around the perimeter of the site. All signs shall be limited to a maximum of 160 SF per street frontage. Graphics may also be painted on any barricades surrounding the site. All signs and graphics shall be submitted to the CivicSD for approval prior to installation.

### 32. Tentative Map

The Owner and/or Permittee shall be responsible for obtaining all map approvals required by the City prior to any future conversion of the residential units and/or commercial spaces to condominium units for individual sale.

33. 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.
34. 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.
35. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
36. 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.).
37. 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 and/or Permittee and any successor(s) in interest.
38. This development shall comply with the standards, policies, and requirements in effect at the time of approval of this development, including any successor(s) or new policies, financing mechanisms, phasing schedules, plans and ordinances adopted by the City.
39. No permit for construction, operation, or occupancy of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until this Permit is recorded in the Office of the San Diego County Recorder.
40. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site



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improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

41. 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.
42. The Owner/Permittee shall defend, indemnify, and hold harmless CivicSD and the City (collectively referred to as "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.
43. 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 there.

This CCDP/CCPDP/NUP is granted by the Planning Commission on October 27, 2016.

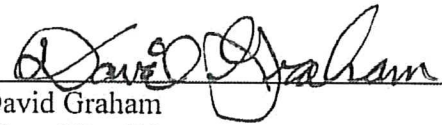


7<sup>th</sup> & Market  
CCDP/PDP/NUP No. 2015-73

CIVIC SAN DIEGO:

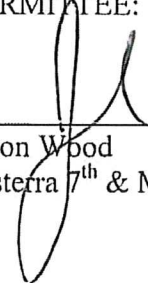
  
Aaron Hollister  
Senior Planner  
11/15/16  
Date

OWNER:

  
David Graham  
City of San Diego  
11/17/16  
Date

**Note: Notary acknowledgment  
must be attached per Civil Code  
Section 1189 et seq**

PERMITEE:

  
Jason Wood  
Cisterra 7<sup>th</sup> & Market, LLC  
11-22-16  
Date

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of San Diego )

On November 15, 2016 before me, Nicole Marie Pare, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Aaron Hollister  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Nicole Marie Pare  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: CCDP/CCPDP/NUP 205-73 Document Date: 11/15/2016

Number of Pages: 21 Signer(s) Other Than Named Above: David Graham, Jason Wood

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Individual  Attorney in Fact
- Trustee  Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Individual  Attorney in Fact
- Trustee  Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of San Diego )

On November 17, 2016 before me, Nicole Marie Pare, Notary Public  
Date Here Insert Name and Title of the Officer  
personally appeared David Graham  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Nicole Marie Pare  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_  
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_ Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  Partner —  Limited  General  
 Individual  Attorney in Fact  Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_ Signer Is Representing: \_\_\_\_\_



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of San Diego )  
On 22 November 2016 before me, Linda Hrenko, Notary Public  
Date Here Insert Name and Title of the Officer  
personally appeared Jason Wood  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Linda Hrenko  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: CCD/PD/NUP # 2015-73 Document Date: \_\_\_\_\_  
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

Signer's Name: David Graham, Aaron Hollister  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_



Downtown Community Planning Council San Diego

## DOWNTOWN COMMUNITY PLANNING COUNCIL MINUTES OF THE MEETING OF July 20, 2016.

**Call to Order:** Chair Stark @ 5:18pm

### 1. Roll Call

Secretary Radke noted that 20 of 25 members were present, constituting a quorum.

**Members Present @ Call to Order (20):** Potter, Orabone, Link, Gharabiklou, Blair, Wery, Herscovitz, Nauta, Lawson, Wessling, Baker, Radke, DiFrancesca, Cline, King, Vinci, Ball, Stark, Weichelt, Cervello

**Late Arrival (1):** Brewer

**Members Absent (4):** Ward, A. Vinci, Escala, Rosenbaum

**Early Departure (1):** Brewer

### 2. Approval of Minutes from the Meeting of June 15, 2016

- There were no changes to the June 15, 2016 meeting minutes; they are accepted as printed.

### 3. Public Comments on Non-Agenda Items

- Ian Patzke spoke to inform the group about Orchids & Onions and encouraged voting on-line at [onionsandorchids.org](http://onionsandorchids.org).

### 4. Elected Representatives' Comments

Anthony Bernal

- Minimum wage increase was implemented this week. FAQ's are on the government website and in Councilmember Todd Gloria's newsletter.
- City budget was passed. Mounds were removed from Children's Park. This is an interim improvement until Civic San Diego approves park revisions.

### 5. Chairperson's Report, Subcommittee Reports

- SANDAG presented at CPC on the proposed sales tax increase and would like the CPC support; however, individual planning groups have not taken a position on the item.
- Chair Stark submitted a letter to the Port regarding proposed Seaport Village development and spoke at the community event presenting the proposals. The Port selected Gafcon.
- Initial Budget and Finance subcommittee met; will meet again on July 25 at 12:30PM to prioritize outstanding projects.
- Predesign met and previewed Nook (later on the agenda), Park and Market, and the Beacon.

### Information

## 6. Project Updates - Brad Richter – Civic SD

- Richter gave an overview of tentative map waivers and parcel map waivers (on the Consent agenda) and when/why they come to DCPC.
- June 21 the City Council approved the Downtown Mobility Plan. 14<sup>th</sup> Street Master Plan was also approved. The first phase on the Albertsons block will be completed in 2018.
- Working on traffic assessment of 6<sup>th</sup> Ave. for the pedestrian promenade.
- Children’s Park enhancement will move forward with DIF fees; first public workshop will be in August.

**Consent**7. 7<sup>th</sup> and Market Map Waiver

## 8. Ballpark Village Tentative Map

## 9. Makers Quarter Block D Utility Easement Vacation

*Motion by Chair Stark to adopt the Consent Agenda.*

	In Favor	Opposed	Abstain	Recuse
DCPC	19	0	0	0

In Favor: Potter, Orabone, Link, Gharabiklou, Blair, Wery, Herscovitz, Nauta, Wessling, Baker, Radke, DiFrancesca, Cline, King, L. Vinci, Ball, Stark, Weichelt, Cervello

**Action**10. 7<sup>th</sup> and Market

Public Speakers:

In favor: Mary Laub, Gary Smith

Opposed: Rick Bates

*Motion: To support staff recommendations.*

*1<sup>st</sup> L. Vinci, 2<sup>nd</sup> Brewer*

	In Favor	Opposed	Abstain	Recuse
DCPC	20	0	1	0

In Favor: Potter, Orabone, Link, Gharabiklou, Blair, Wery, Herscovitz, Nauta, Wessling, Baker, Radke, DiFrancesca, Brewer, Cline, King, L. Vinci, Ball, Stark, Weichelt, Cervello

Opposed: None

Abstain: Lawson, because of missing some of the discussion.

**11. Cityplace**

Public Speakers:

In favor: Gary Smith

Opposed: None

*Motion: To support staff recommendations.*

*1<sup>st</sup> Cline, 2<sup>nd</sup> L. Vinci*



	In Favor	Opposed	Abstain	Recuse
DCPC	19	1	0	0

In Favor: Potter, Orabone, Link, Blair, Wery, Herscovitz, Nauta, Lawson, Wessling, Baker, Radke, DiFrancesca, Cline, King, Vinci, Ball, Stark, Weichelt, Cervello

Opposed: Gharabiklou

## 12. Nook East Village

Public Speakers:

In favor: Gary Smith

Opposed: None

*Motion: To support staff recommendations.*

*1st Baker, 2<sup>nd</sup> Ball*

	In Favor	Opposed	Abstain	Recuse
DCPC	20	0	0	0

In Favor: Potter, Orabone, Link, Gharabiklou, Blair, Wery, Herscovitz, Nauta, Lawson, Wessling, Baker, Radke, DiFrancesca, Cline, King, L. Vinci, Ball, Stark, Weichelt, Cervello

Opposed: None

## 13. Hotel Metro

Public Speakers:

In favor: None

Opposed: Gary Smith

*Motion: To stop the conversation regarding no parking for the property and take no action.*

*1<sup>st</sup> DiFrancesca 2<sup>nd</sup> L. Vinci*

	In Favor	Opposed	Abstain	Recuse
DCPC	14	6	0	0

In favor: Potter, Link, Wery, Herscovitz, Nauta, Lawson, Wessling, Baker, DiFrancesca, Cline, Vinci, Ball, Weichelt, Cervello

Opposed: Orabone, Gharabiklou, Blair, Radke, King, Stark

## 14. Potential Agenda Items and Member Comments

Development of CivicSD project completion procedure.

Presentation of both the second Charger Plan (that will be on the November ballot) and the alternative plan (group opposed to the stadium).

## 15. Urgent Non-Agenda Items

- None

## Adjournment

Meeting adjourned at 7:55 PM.

Respectfully submitted,  
Judith Radke



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**  
 7th and Market Map Waiver

**Project Address:**  
 502 8th Avenue

**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):  
 City of San Diego  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address:  
 202 C Street  
 City/State/Zip:  
 San Diego, CA 92101  
 Phone No: (619) 235-5880 Fax No:  
 Signature: *[Signature]* Date: 8.15.17

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)
----------------	---------------------------------

**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): \_\_\_\_\_

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: \_\_\_\_\_

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: \_\_\_\_\_







# TENTATIVE MAP WAIVER NO. 1744511

## SURVEYOR'S NOTE

THE EXISTING TOPOGRAPHY SHOWN ON THIS SURVEY WAS COMPILED FROM AERIAL PHOTOGRAPHS DATED OCTOBER 26, 2015 FROM ROBERT J. LUNG AND ASSOCIATES. THE AERIAL PHOTOGRAPHS WERE SUPPLEMENTED BY FIELD SURVEY COMPLETED ON OCTOBER 20, 2015. THE BUILDING OUTLINE SHOWN MAY INCLUDE EAVES AND ADDITIONS THAT ARE NOT PART OF THE FOUNDATION. WHILE EVERY EFFORT HAS BEEN MADE TO SHOW THE TOPOGRAPHY IN A GRAPHICALLY CORRECT MANNER, THE PRECISE LOCATION OR IDENTIFICATION OF ITEMS SHOWN CANNOT BE CERTIFIED WITH THIS SURVEY.

## BENCHMARK/DATUM

CITY OF SAN DIEGO BENCHMARK BEING A BRASS PLUG IN THE TOP OF A CURB INLET IN THE NORTHEAST CORNER OF MARKET STREET AND 7TH AVENUE. ELEV = 33.593' (M.S.L. 1970 ADJUSTMENT)

## LEGAL DESCRIPTION

PARCEL 1 OF PARCEL MAP No 21393, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE BY FUSCOE ENGINEERING, ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

## SITE AREA

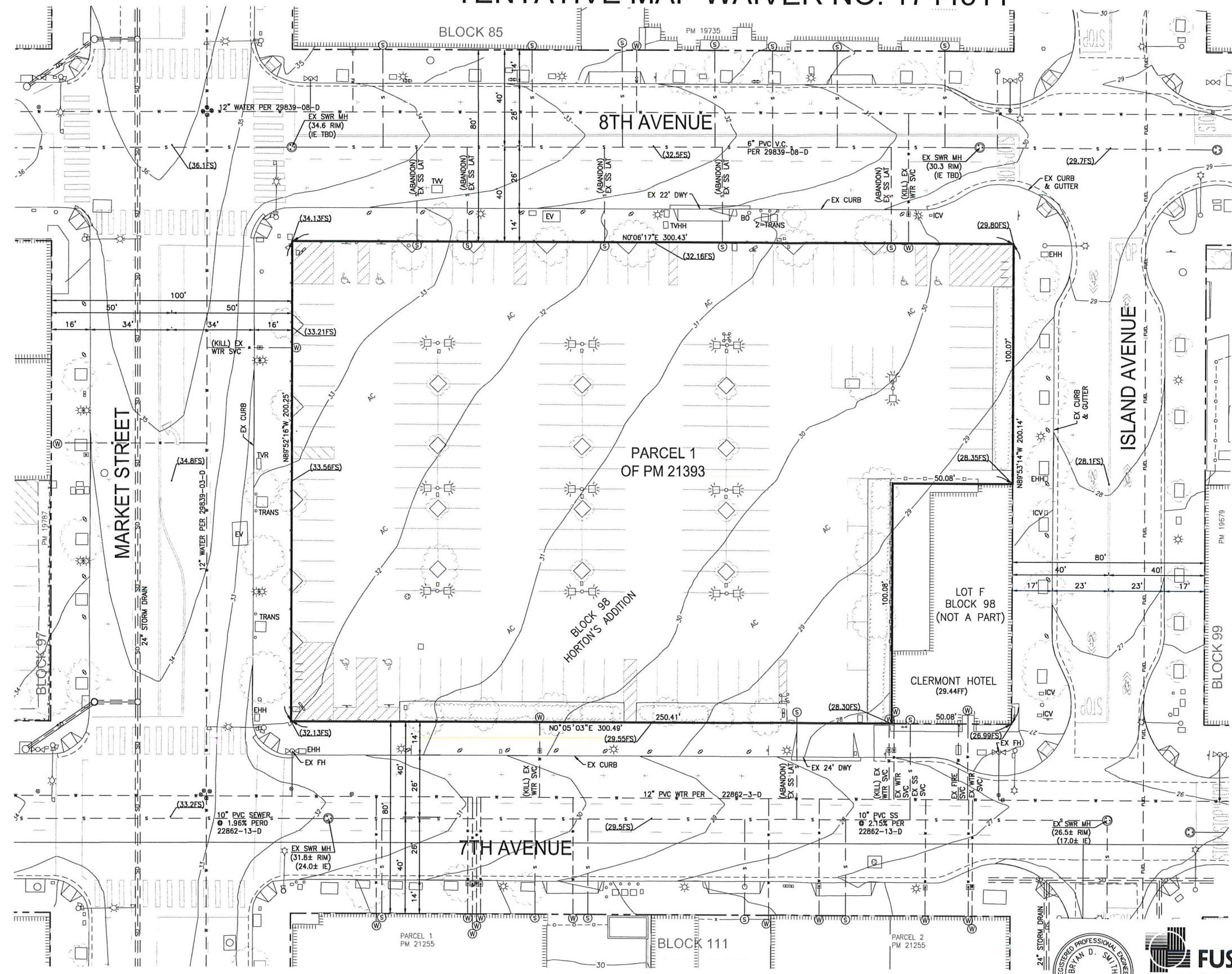
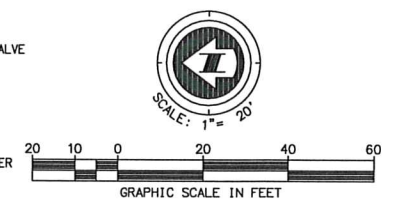
TOTAL SITE AREA FOR PARCEL 1 IS 55,140 SQ. FT.

## LEGEND

- INDICATES EXISTING CONTOUR
- INDICATES PROPERTY LINE/TENTATIVE MAP WAIVER BOUNDARY
- INDICATES PUBLICLY DEDICATED RIGHT-OF-WAY
- INDICATES BUILDING OUTLINE
- INDICATES CHAIN LINK FENCE
- INDICATES WOOD FENCE
- INDICATES TRAFFIC SIGNAL
- INDICATES THEME STYLE STREET LIGHT
- INDICATES STREET LIGHT
- INDICATES AREA LIGHT
- INDICATES VALVE BOX
- INDICATES FIRE HYDRANT
- INDICATES HANDICAP PARKING SPACE
- INDICATES PEDESTRIAN RAMP
- INDICATES EXISTING ELEVATION
- INDICATES EXISTING SEWER LINE
- INDICATES EXISTING SEWER MANHOLE
- INDICATES EXISTING WATER LINE
- INDICATES EXISTING STORM DRAIN
- INDICATES EXISTING WATER POINT OF CONNECTION
- INDICATES EXISTING WATER METER
- INDICATES EXISTING SEWER POINT OF CONNECTION
- INDICATES EXISTING PARKING METER

## ABBREVIATIONS

- AC ASPHALT CONCRETE
- BO WATER LINE BLOW-OFF
- C&G CONCRETE CURB AND GUTTER
- COR CORNER
- DWY CONCRETE OR PAVED DRIVEWAY
- EHH ELECTRICAL HANDHOLE
- EV ELECTRICAL VAULT
- EX EXISTING
- FF FINISH FLOOR
- FS FINISH SURFACE
- ICV IRRIGATION CONTROL VALVE
- OH OVERHEAD UTILITY LINE
- MH MANHOLE
- PA PLANTED AREA
- PL PROPERTY LINE
- PP POWER POLE
- S/W CONCRETE SIDEWALK
- SEWER SEWER
- TRANS ELECTRICAL TRANSFORMER
- TVR CABLE TV RISER
- TW CABLE TV VAULT



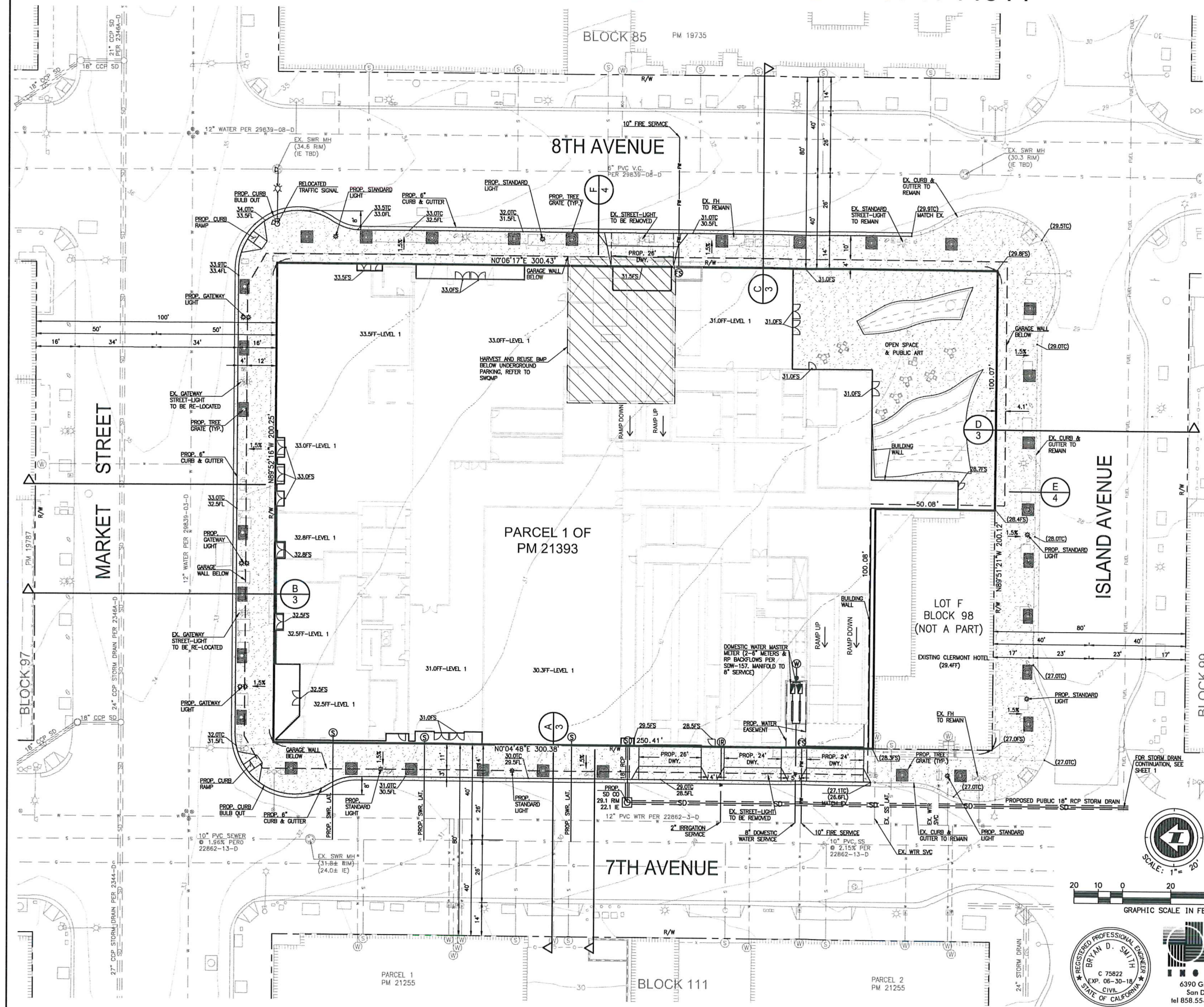
**FUSCOE ENGINEERING**  
 6390 Greenwich Drive, Suite 170  
 San Diego, California 92122  
 Tel 858.554.1500 • fax 858.597.0335  
 www.fuscoe.com

MAP WAIVER FOR:			
<b>7TH &amp; MARKET</b>			
EXISTING CONDITIONS			
SHEET 2 OF 4 SHEETS			
DESCRIPTION	BY	DATE	
			L.O. NO. 240064775
			PTS NO. 495101
			T.M. WAIVER NO. 1744511
			1836-5279
			NAD83 COORDINATES
			198-1719
			LAMBERT COORDINATES

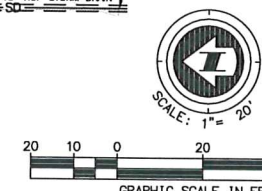
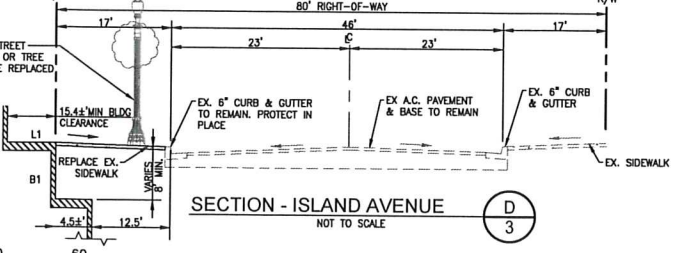
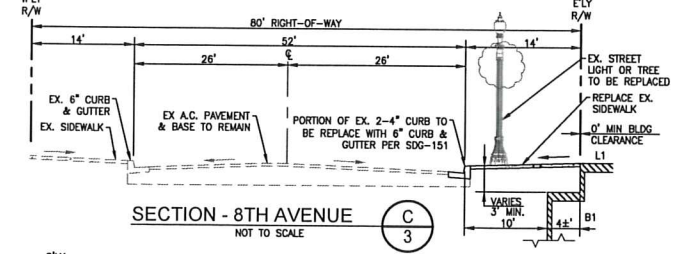
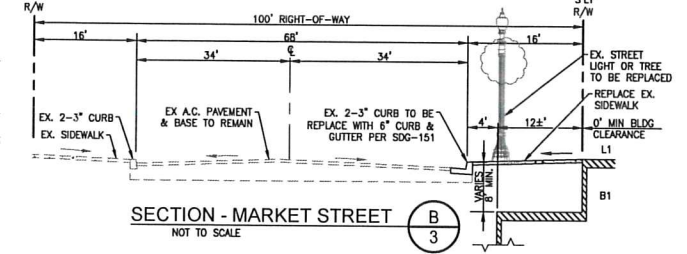
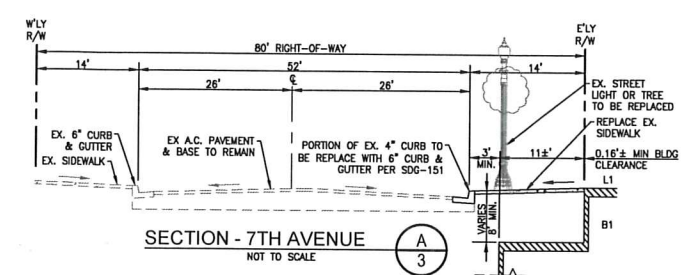
F:\PROJECTS\1580\1580\PLANS\ENGINEERING\1580\1580\1580-001\DWG\1580-001-17-1001311.dwg



# TENTATIVE MAP WAIVER NO. 1744511



- LEGEND**
- PROPERTY LINE/TENTATIVE MAP WAIVER BOUNDARY
  - - - RIGHT-WAY-LINE
  - CENTERLINE
  - EXISTING UNDERGROUND WATER LINE
  - EXISTING UNDERGROUND SEWER LINE
  - EXISTING UNDERGROUND GAS LINE
  - ⊙ SEWER SERVICE
  - ⊙ EXISTING SEWER MANHOLE
  - ⊙ SEWER CLEANOUT
  - ⊙ WATER SERVICE
  - ⊙ RP BACKFLOW PREVENTER
  - ⊙ RP BACKFLOW PREVENTER
  - ⊙ WATER VALVE
  - ⊙ FIRE SERVICE
  - ⊙ IRRIGATION SERVICE
  - ⊙ STORM DRAINAGE CONNECTION
  - ⊙ STORM DRAIN MAIN
  - ⊙ STORM DRAIN CLEANOUT
- LEGEND (CONTINUED)**
- ⊙ PROPOSED CURB RAMP
  - ⊙ PROPOSED TRAFFIC SIGNAL
  - ⊙ PROPOSED TREE GRATE
  - ⊙ PROPOSED STANDARD LIGHT TYPE 'C'  
W/65 WATT INDUCTION 4000K GL  
PHILLIPS (LOW PRESSURE SODIUM)  
LUMINAIRE PER CENTER CITY  
STREETSCAPE MANUAL 2012.
  - ⊙ PROPOSED GATEWAY LIGHT TYPE 'A'  
W/165 WATT INDUCTION 4000K GL  
PHILLIPS (LOW PRESSURE SODIUM)  
LUMINAIRE PER CENTER CITY  
STREETSCAPE MANUAL 2012.



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 6390 Greenwich Drive, Suite 170  
 San Diego, California 92122  
 Tel 858.554.1500 • Fax 858.597.0335  
 www.fuscoe.com

MAP WAIVER FOR:  
**7TH & MARKET**  
 PROPOSED CONDITIONS  
 SHEET 3 OF 4 SHEETS

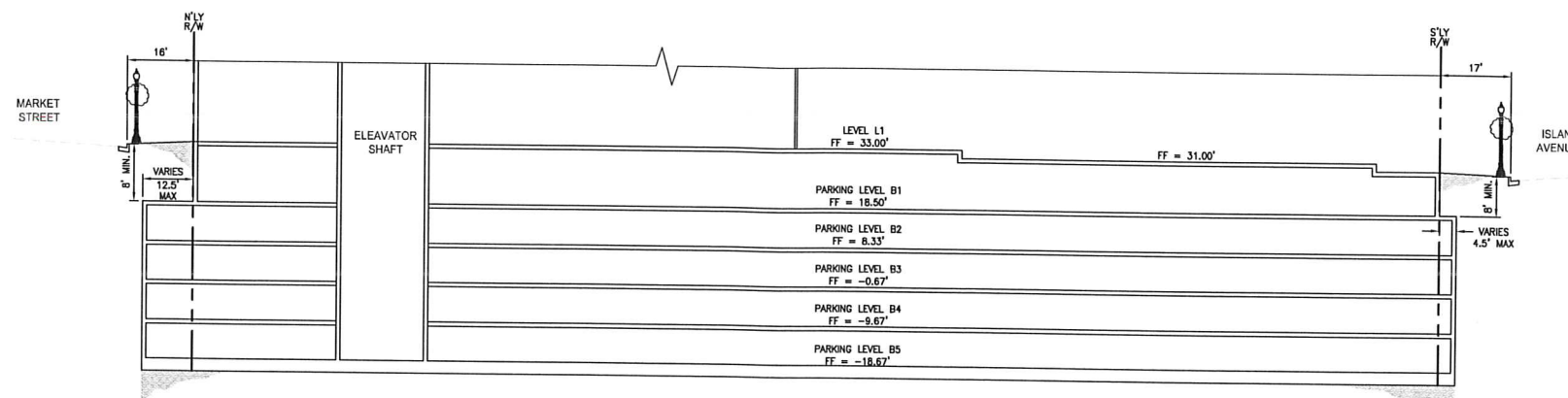
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P.T.S. NO. 495101		
T.M. W.A.N.E.R. NO. 1744511		
1838-6279		
NAUBS COORDINATES		
198-1719		
LAMBERT COORDINATES		



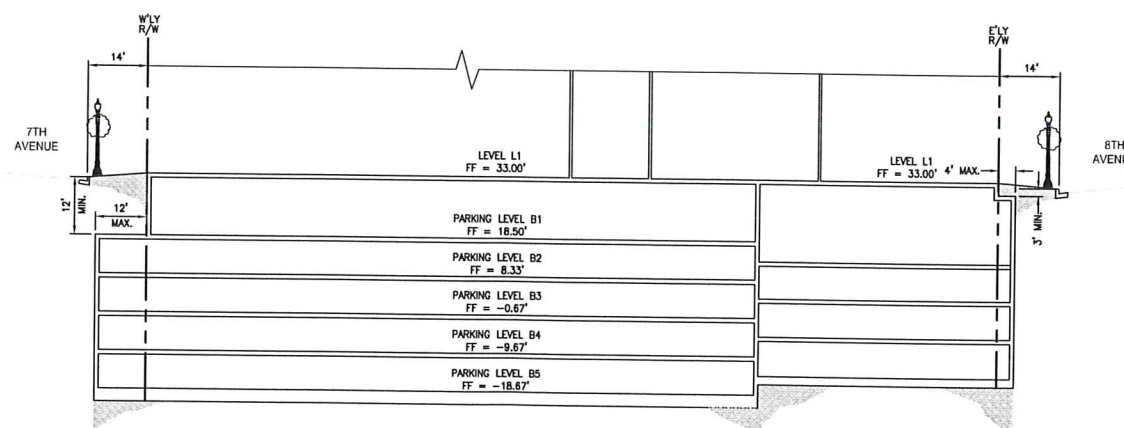
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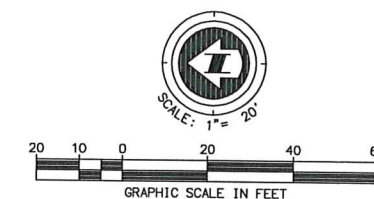
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SECTION VIEW **E**  
NOT TO SCALE 4



SECTION VIEW **F**  
NOT TO SCALE 4



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MAP WAIVER FOR:			
<b>7TH &amp; MARKET</b>			
BUILDING SECTIONS			
SHEET 4 OF 4 SHEETS			
DESCRIPTION	BY	DATE	I.O. NO. 240064775
			PTS NO. 495101
			T.M. WAIVER NO. 1744511
			1838-5279
			NAD83 COORDINATES
			198-1719
			LAMBERT COORDINATES

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