

REPORT TO THE HEARING OFFICER

HEARING DATE:	April 17, 2013	REPORT NO. HO 13-040
ATTENTION:	Hearing Officer	
SUBJECT:	MOUNTAIN VIEW KINGSOM HA	ALL - PROJECT No. 260634
LOCATION:	365 South 45 th Street	
APPLICANT:	Joel Early	

SUMMARY

<u>Issue(s)</u>: Should the Hearing Officer approve a Site Development Permit and Conditional Use Permit for the construction of a new 8,800 square-foot religious facility and an 800 square-foot caretaker residence on a vacant 1.57-acre site located at 365 45th Street in the SF-5000 Zone of the Southeastern San Diego Planned District within the Southeastern San Diego Community Plan area.

Staff Recommendation(s) -

- 1. CERTIFY Negative Declaration No. 260634; and
- 2. APPROVE Conditional Use Permit No. 918416; and
- 3. APPROVE Site Development Permit No 918147

<u>Community Planning Group Recommendation</u> – On February 11, 2013 the Southeastern San Diego Community Planning Group voted 8–1-0 approving a motion to recommend approval of the project with the conditions that all staff review issues are cleared and that the project implement the goals of the Planed District.

<u>Environmental Review</u>: The City of San Diego, as lead agency, conducted an Initial Study and determined the proposed project would not have a significant effect on the environment. A Negative Declaration, Project No. 260634, has been prepared for the project in accordance with state of California Environmental Quality Act (CEQA) Guidelines.

BACKGROUND

The project site is a vacant 1.57-acre parcel located at 365 45th Street in the Southeastern San Diego Community. The Southeastern San Diego Community Plan designates the property for low density residential development and the site is mapped within a protected single-family neighborhood. The lot is zoned SF-5000 (single-family) in the Southeastern San Diego Planned District Ordinance and intended for single residential dwelling units on 5,000 square-foot lots. Pursuant to the land use recommendation and the underlying zone the property could be subdivided and developed with approximately 13 home sites.

The property spans a full block and includes street frontages along the entirety of the property lines on 45th Street and a narrow 24-foot wide "pan handle' frontage off of 46th Street providing additional access to the property from the east (Attachment 8). The project site is predominantly surrounded by single-family homes; however there are some multi-family apartment buildings in the area and a commercial node at the intersection of 45th Street and Ocean View Boulevard. The project is two blocks west of the Interstate-805 Freeway and within a half mile of the Greenwood Cemetery south of Imperial Boulevard. There is no record the vacant site was ever previously developed however; recently the property has served as a construction staging and storage area for a roadway and infrastructure improvement project by the City of San Diego.

DISCUSSION

Project Description

This application is requesting a Site development Permit and Conditional Use Permit that would allow the development of the vacant site with a new religious facility with a caretaker apartment. The Site development Permit is required to implement the Southeastern San Diego Planned District Ordinance for uses requiring a Conditional Use permit and the Conditional use Permit is required for the church use within the single-family zone.

The 9,600 square-foot one-story structure would include two worship halls/auditoriums, a library, staff offices, two bathrooms and the attached 800 square-foot living space. The building could be classified as a single-story ranch-style utilizing smooth earth tone stucco finishes. The structure would be 19-feet, ten-inches high at the tallest point with a gabled pitched roof and concrete shingles. The project includes 117 off-street parking spots and landscaping pursuant to the Land Development Code. A 20-foot wide storm drain easement that bisects the property diagonally is to remain and would not be disturbed from any construction activities.

Community Plan Analysis

The Southeastern San Diego Community Plan designates the site for low-density residential development and also identifies the property as part of the Protected Single-Family Neighborhood. While the project includes a caretaker unit no residential development is proposed with this application. The Municipal Code recognizes churches and religious institutions as a compatible use within a residential zone requiring a Conditional Use Permit. As

proposed the project would implement the goals and recommendations of the residential Land Use Element of the Plan by respecting the housing character, scale, style and density of existing residential neighborhoods by maintaining a single-story stucco building consistent with homes in the area. The project would revitalize the neighborhood by providing infill development on a vacant lot with a use available to the community while fitting in with respect to scale and conformity into the existing or imminently expected pattern of development. The project would also minimize landform alteration through a balanced grading plan designed to match existing grades at the street.

Project Analysis

The project was reviewed for compliance with the Southeastern San Diego PDO and applicable regulations of the Land Development Code. Staff determined the use of the site as a religious facility would be consistent with the community plan and the site design does not require any deviation of the applicable development regulations. The project is suitably designed not to interfere with an existing storm drain and the placement and one-story stucco design of the structure would be compatible with the surrounding neighborhood. Bulk and scale of the building would be reduced through the use of off-setting planes, building articulation and the use of a pitched tiled roof. The project would fully comply with off-street parking by providing 117 parking spaces where the use would require a minimum of 114 spaces. The project would also fully comply with the minimum landscape requirements providing adequate planting areas within the street and side yards, vehicle use area and street trees within the public right-of-way.

City staff conducted an Environmental Initial Study and determined the proposed project could have a significant environmental impact on sensitive biological resources in the form of nonnative grasslands. The 1.57-acre site included the grassland because it had remained undeveloped since the parcel was created in 1973. Biological Resources Letter Report for Mountain View Kingdom Hall of Jehovah's Witnesses prepared by Advent Beauty Consulting in January 2013 that concluded the project contained less than one-tenth of an acre of any sensitive resource and that the current construction storage and staging had previously disturbed the remainder of the site. Negative Declaration No. 260634 was prepared and distributed for public review pursuant to the California Environmental Quality Act (CEQA) stating the project would have no significant environmental impacts.

Conclusion

The Mountain View Kingdom Hall project was reviewed by the Development Services Department staff for consistency with the Southeastern San Diego Community Plan and for compliance with the Land Development Code including the Southeastern San Diego Planned District Ordinance. The reviews concluded the project would not have any adverse affect on the community plan and would comply with all applicable development regulations of the Land Development Code and SESD PDO. An Environmental Initial Study determined the project may have a significant environmental impact on biological resources. A Biological Letter Report was prepared for the project and concluded any potential impact would not reach a level of significance and therefore a Negative Declaration was prepared and circulated for the proposed development. Staff supports the proposed project and has provided draft findings to approve the Site Development Permit and Conditional Use Permit (Attachment 5).

ALTERNATIVES

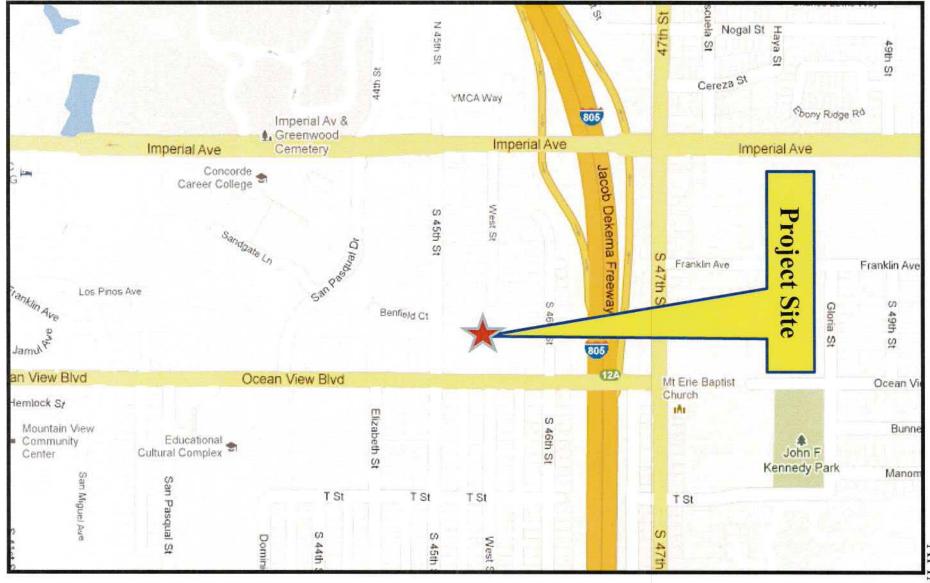
- 1. Approve Conditional Use Permit No. 918416 and Site Development Permit No 918147, with modifications; or
- 2. Deny Conditional Use Permit No. 918416 and Site Development Permit No 918147, if the findings required for approving the project cannot be affirmed.

Respectfully submitted,

John P. Hooper, Development Project Manager

Attachments:

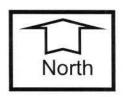
- 1. Project Location Map
- 2. Community Plan Land Use Map
- 3. Aerial Photograph
- 4. Project Data Sheet
- 5. Draft Permit Resolution with Findings
- 6. Draft Permit with Conditions
- 7. Draft Environmental Resolution (ND)
- 8. Project Plans
- 9. Community Planning Group Recommendation
- 10. Ownership Disclosure Statement

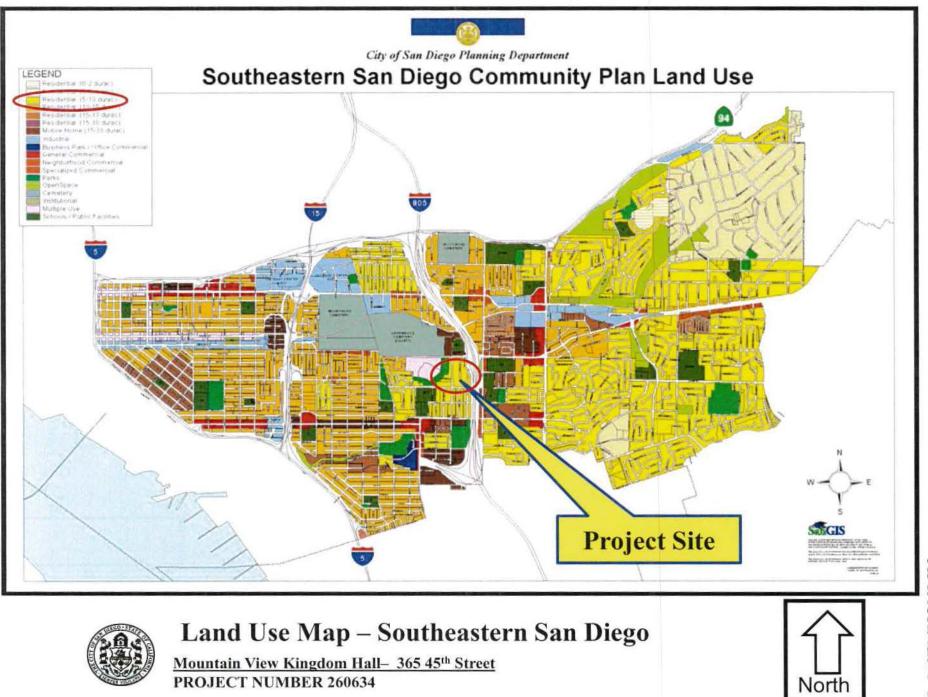




Project Location Map

<u>Mountain View Kingdom Hall – 365 45th Street</u> PROJECT NUMBER 260634



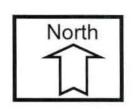






Aerial Photo

<u>Mountain View Kingdom Hall – 365 45th Street</u> PROJECT NUMBER 260634



PROJECT DATA SHEET MOUNTAIN VIEW KINGDOM HALL

MOU	TAIL TEW KINGD	OM MALL		
PROJECT NAME:	365 S. 45 TH Street			
PROJECT DESCRIPTION:	Construction of a 9,60	00-sqaure-foot religious facility.		
COMMUNITY PLAN AREA:	Southeastern			
DISCRETIONARY ACTIONS:	Site Development Permit & Conditional Use Permit			
COMMUNITY PLAN LAND USE DESIGNATION:	Residential Single-Fan	nily Protection.		
ZONE: RM DENSITY: one unit per 5,000 HEIGHT LIMIT: 24 Feet LOT SIZE: 5,000 sq.ft. min FRONT SETBACK: 15 feet SIDE SETBACK: 8 feet min. STREETSIDE SETBACK: N/A REAR SETBACK: 10 feet PARKING: 114 (based on use a		SF-5000 SESD PDO N/A 19 feet-10 inches 1.57 acre 270 10 Ft. NA 10 117		
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE		
NORTH:	SESD PDO SF Zone	Single & Multi-Family Res		
SOUTH:	SESD PDO SF Zone	Single & Multi-Family Res		
EAST:	SESD PDO SF Zone	Single & Multi-Family Res		
WEST:	SESD PDO SF Zone	Single & Multi-Family Res		
DEVIATIONS OR VARIANCES REQUESTED:	D: None			
COMMUNITY PLANNING GROUP RECOMMENDATION:	On February 11, 2013 the Southeastern San Diego Community Planning Group voted 8–1-0 approving a motion to recommend approval of the project.			

HEARING OFFICER RESOLUTION NO. CONDITIONAL USE PERMIT NO. 918416 SITE DEVELOPMENT PERMIT NO. 918417 MOUNTAIN VIEW KINGDOM HALL - PROJECT NO. 260634

WHEREAS, UNITED MISSIONARY BAPTIST CHURCH, A CALIFORNIA CORPORATION, Owner and MOUNTAIN VIEW ENGLISH CONGREGATION OF JEHOVAH'S WITNESSES, SAN DIEGO, CALIFORNIA, INC., Permittee, filed an application with the City of San Diego for a Site Development Permit and Conditional Use Permit to develop a vacant site with a religious facility and caretaker residence (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Conditional Use Permit No. 918416 and Site Development Permit No 918147, on portions of a 1-57-acre; and

WHEREAS, the project site is located at 365 S. 45th Street in the SF-5000 Zone of the Southeastern San Diego Planned District Ordinance within the Southeastern San Diego Community Plan area; and

WHEREAS, the project site is legally described as Parcel B of Map No. 1413; and

WHEREAS, on April 17, 2013, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 918416 and Site Development Permit No 918147 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, after the approval of the above referenced project by the Hearing Officer, the United Missionary Baptist Church, a California Corporation, transferred the property to the Mountain View English Congregation of Jehovah's Witnesses, San Diego, California, Inc., thereby making the Mountain View English Congregation of Jehovah's Witnesses, San Diego, California, Inc. the new owner of the property. NOW, THEREFORE,

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

That the Hearing Officer adopts the following written Findings, dated April 17, 2013.

FINDINGS:

A. Findings for Conditional Use Permit Approval - Section §126.0305

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

The project site is within the Southeastern San Diego Community Plan area. The Plan designates the site for low-density residential development and is included in the Single-Family Neighborhood Protection area. The City of San Diego Land Development Code considers a religious institution as a compatible use with single-family development therefore, the proposed use of the property would not adversely affect the applicable land use plan. The proposed development would implement some of the goals and recommendations of the Southeastern San Diego Community Plan by respecting the character, scale, style and density of existing residential neighborhoods by maintaining a single-story stucco building consistent with homes in the area. The project would revitalize the neighborhood by providing infill development on a vacant lot with a use available to the community while fitting in with respect to scale and conformity into the existing or imminently expected pattern of development. The project would also minimize landform alteration through a balanced grading plan designed to match existing grades at the street.

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

The proposed development has been design, reviewed and approved in accordance with all applicable land use policies and development regulations for the site. No deviation or variance is required to develop the property. A Negative Declaration was prepared pursuant to the California Environmental Quality Act (CEQA) which concluded the proposed development would not have any significant environmental impacts on the site or surrounding community. New construction would be reviewed, approved and inspected to ensure the development would not adversely affect the health and safety of the site or adjacent uses. Therefore, the proposed development would not be detrimental to the public health, safety or welfare.

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

The proposed development would comply with the applicable development regulations of the Land Development Code including the Southeastern San Diego Planned District Ordinance. No deviations are required to develop the property as proposed.

4. The proposed use is appropriate at the proposed location.

The project proposes a 9,600 square-foot religious facility that includes an 800 square-foot caretaker residence. The project site is within a single-family zone and considered an appropriate use for the zone pursuant to the Southeastern Community Plan and the Land Development Code. The project site is vacant and records indicate no development has occurred on the parcel since it was created through a subdivision map in 1973. The proposed project would provide an in-fill development on a vacant lot adding a new community resource to the neighborhood. The project site includes two street frontages providing dual access and egress points to facilitate traffic circulation, sufficient off-street parking and new landscaping on the property and within the public right-of-way. The use and design of the site are consistent with the General Plan, Community Plan and the Planned District Ordinance, therefore the proposed development would be appropriate at the proposed location.

B. Site Development Permit - Southeastern San Diego Planned District Ordinance.

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

The proposed use of the site as a religious facility would be consistent with the General Plan, Community Plan and the Planned District Ordinance. The use of single-family zoned property as a church site is consistent with the use regulations of the Land development Code and the applicable land use plan. The project would implement some of the goals and recommendations of the Plan by respecting the character, scale, style and density of existing residential neighborhoods by maintaining a single-story stucco building consistent with homes in the area. The project would revitalize the neighborhood by providing infill development on a vacant lot with a use available to the community while respecting the scale and conformity of the existing or imminently expected pattern of development. The project would minimize landform alteration through a balanced grading plan designed to match existing grades at the street.

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

The proposed development has been sited and designed to be consistent with the surrounding residential uses in the neighborhood. Limitations on the hours of operation and worship services are conditioned within the permit. The one-story structure would respect the character of the neighborhood and the design of the building utilizes off-setting planes, articulation and a pitched roof to reduce the bulk and scale of the development. Sufficient off-street parking would be provided to ensure service do not impact surrounding properties. Landscaping within the vehicle use area, required yards and public right-of-way provide screening and soften the large parking area. Circulation through the site is facilitated by adequate drive aisles and two access and egress points. Therefore, the proposed development would be compatible to the existing single-family zone, would be harmonious to the low density character of the neighborhood and not be a disruptive element in the community.

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

The proposed use of the site as a religious facility has been conditioned to ensure the use is compatible with the surrounding community. Conditions include sufficient off-street parking, limits on the hours of operation, signage, landscape and lighting. Therefore, the proposed use would not be detrimental to the health safety and welfare of those residing in the area and would not adversely affect other properties in the vicinity.

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

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 918416 and Site Development Permit No 918147 are hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Conditional Use Permit No. 918416 and Site Development Permit No 918147, a copy of which is attached hereto and made a part hereof.

Development Services

Adopted on: April 17, 2013

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

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

INTERNAL ORDER NUMBER: 24002271

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 918416 SITE DEVELOPMENT PERMIT NO. 918417 MOUNTAIN VIEW KINGDOM HALL - PROJECT NO. 260634 HEARING OFFICER

This Conditional Use Permit No. 198416 and Site Development Permit No. 198417 is granted by the Hearing Officer of the City of San Diego to the Mountain View English Congregation of Jehovah's Witnesses, San Diego, California, Inc., Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0305 and1519.0202. The 1.57-acre site is located at 365 S. 45th Street in the SF-5000 zone(s) of the Southeastern San Diego Planned District Ordinance within the Southeastern San Diego Community Plan. The project site is legally described as: Parcel B of Map 1413.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to develop the site with a new 9,600 square-foot church including a caretaker residence as described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 17, 2013, on file in the Development Services Department.

The project shall include:

a. An 8,800 square-foot, one-story church with an attached 800 square-foot caretaker residence for a total of 9,600 square-feet of new construction;

b. Landscaping (planting, irrigation and landscape related improvements);

- c. Off-street parking;
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in

accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by March 1, 2016.

2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

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

6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

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

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

ENGINEERING REQUIREMENTS:

10. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of City standard 25-foot driveway, on 45th Street, and a shared driveway, 46th Street, satisfactory to the City Engineer.

11. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement for private improvements located within the City's drainage easement, satisfactory to the City Engineer.

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

13. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate and show the type and location of all post construction Best Management Practices (BMP's) on the final construction drawings, consistent with the approved Water Quality Technical Report.

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

15. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

16. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009-DWQ and the Municipal Storm Water Permit, Order No. R9-2007-0001 in accordance with Order No. 2009-0009DWQ, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.

17. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

LANDSCAPE REQUIREMENTS:

18. Prior to issuance of grading permit, construction documents for the vegetation and hydroseeding of all disturbed land shall be submitted to the Development Services Department.

19. Prior to issuance of public improvement permit, landscape construction documents shall be submitted to and approved by the Development Services Department. Improvement plans shall account for a 40 square foot planting area for each required tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

20. Prior to issuance of any building permits, complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan. In the event that a foundation-only permit is requested by the Owner/Permittee, a site plan or staking layout plan shall be submitted identifying all required landscape areas.

21. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections.

22. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.

PLANNING/DESIGN REQUIREMENTS:

23. Owner/Permittee shall maintain a minimum of **117** off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use

unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

24. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

25. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

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

TRANSPORTATION REQUIREMENTS

27. The Owner/Permittee shall restrict the number of vehicles going to the project site to no more than 30 and leaving the project site to no more than 30 within any 60 minute period between the hours of 7:00AM to 9:00AM and 4:00PM and 6:00PM Monday through Friday, excluding holidays, to the satisfaction of the City Engineer.

28. A minimum of 117 off-street parking spaces (with 114 off-street parking spaces provided) shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A". Further, all on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Director of Development Services Department.

29. The Owners/Premittee shall acquire a "Public Right-of-Way Permit for Traffic Control " prior to any work starting in the City street right-of-way, to the satisfaction of the City Engineer.

30. The owner/permittee shall close any unused driveways and install new curb, gutter and sidewalks to the satisfaction of the City Engineer.

31. The owner/permittee shall construct all new driveways in accordance to the San Diego Municipal Code 142.0560(9)(B), to the satisfaction of the City Engineer.

32. The owner/permittee shall construct two gates which block vehicle, but not pedestrian, access onto 46th Street, and said gates shall remain secured except during emergencies, to the satisfaction of the City Engineer.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

33. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on

each water service (domestic, fire and irrigation), in a manner satisfactory to the Director of Public Utilities and the City Engineer.

34. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of all public water facilities, including services and meters, in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto.

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

36. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any water and sewer facilities.

37. Sewer laterals in driveways (existing or proposed) shall be private. Prior to issuance of any engineering permits, the Owner/Permittee provide recorded Encroachment Maintenance and Removal Agreement (EMRA) for the 4-inch private sewer lateral(s) located in the driveway.

INFORMATION ONLY:

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

APPROVED by the Hearing Officer of the City of San Diego on April 17, 2013 pursuant to Hearing Officer Resolution No. (DRAFT).

Permit Type/PTS Approval No.: Date of Approval:

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

NAME Development Project Manager

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

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

[NAME OF COMPANY] Owner/Permittee

By

NAME TITLE

[NAME OF COMPANY] Owner/Permittee

By

NAME TITLE

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

RESOLUTION NUMBER R- (DRAFT) ADOPTED ON APRIL 17, 2013

WHEREAS, on October 10, 2011, Francisco Villa submitted an application to Development Services Department for a Site Development Permit and Conditional Use Permit for the Mountain View Kingdom Hall (Project); and

WHEREAS, the matter was set for a public hearing by the Hearing Officer of the City of San Diego; and

WHEREAS, the issue was heard by the Hearing Officer on April 17, 2013; and

WHEREAS, the Hearing Officer considered the issues discussed in Negative Declaration No. 260634 prepared for this Project; NOW THEREFORE,

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

BE IT FURTHER RESOLVED, that the Hearing Officer finds on the basis of the entire record, including the Initial Study and any comments received, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

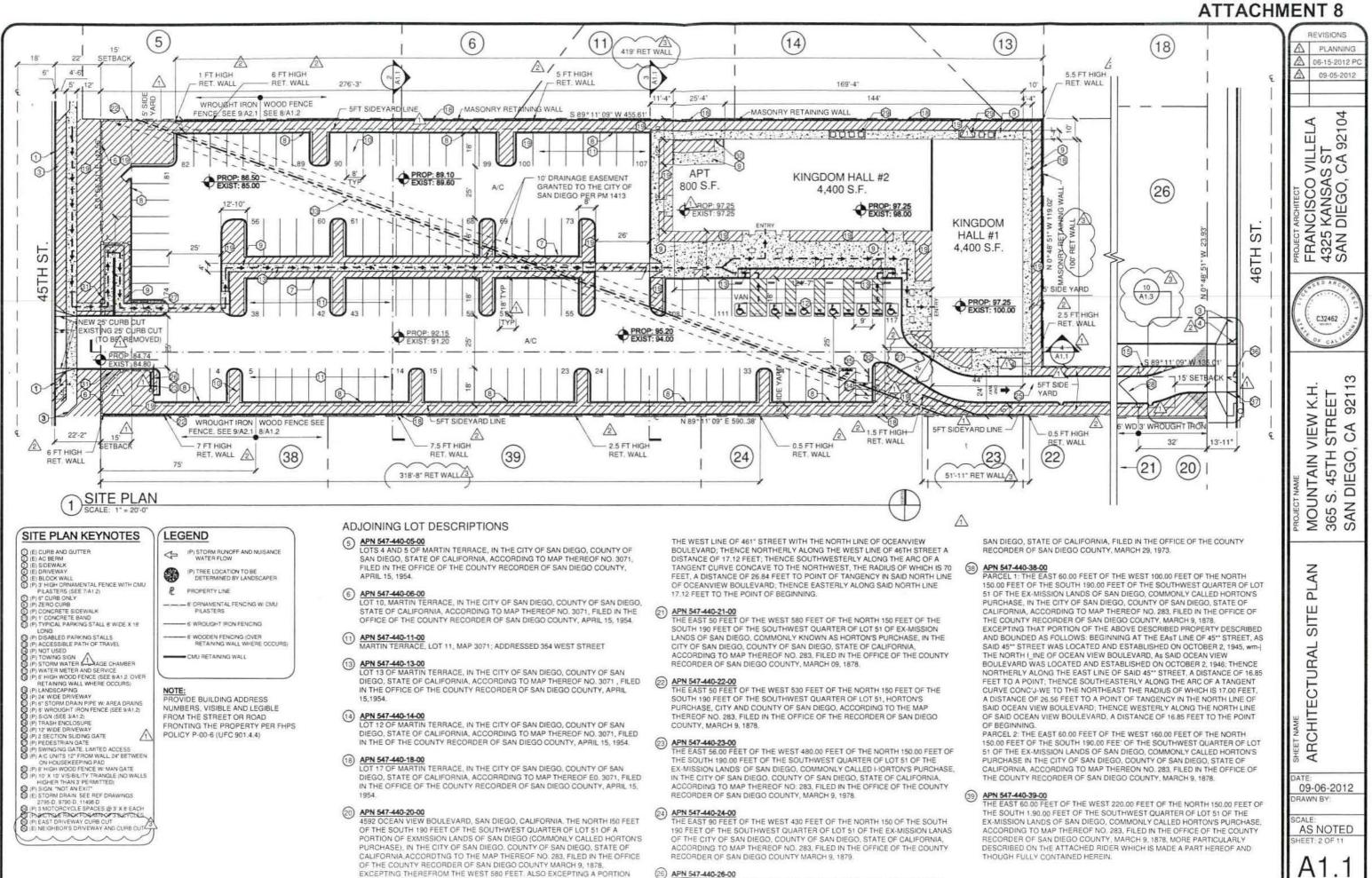
BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 922101; and

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

APPROVED: JOHN P. HOOPER, DEVELOPMENT PROJECT MANAGER

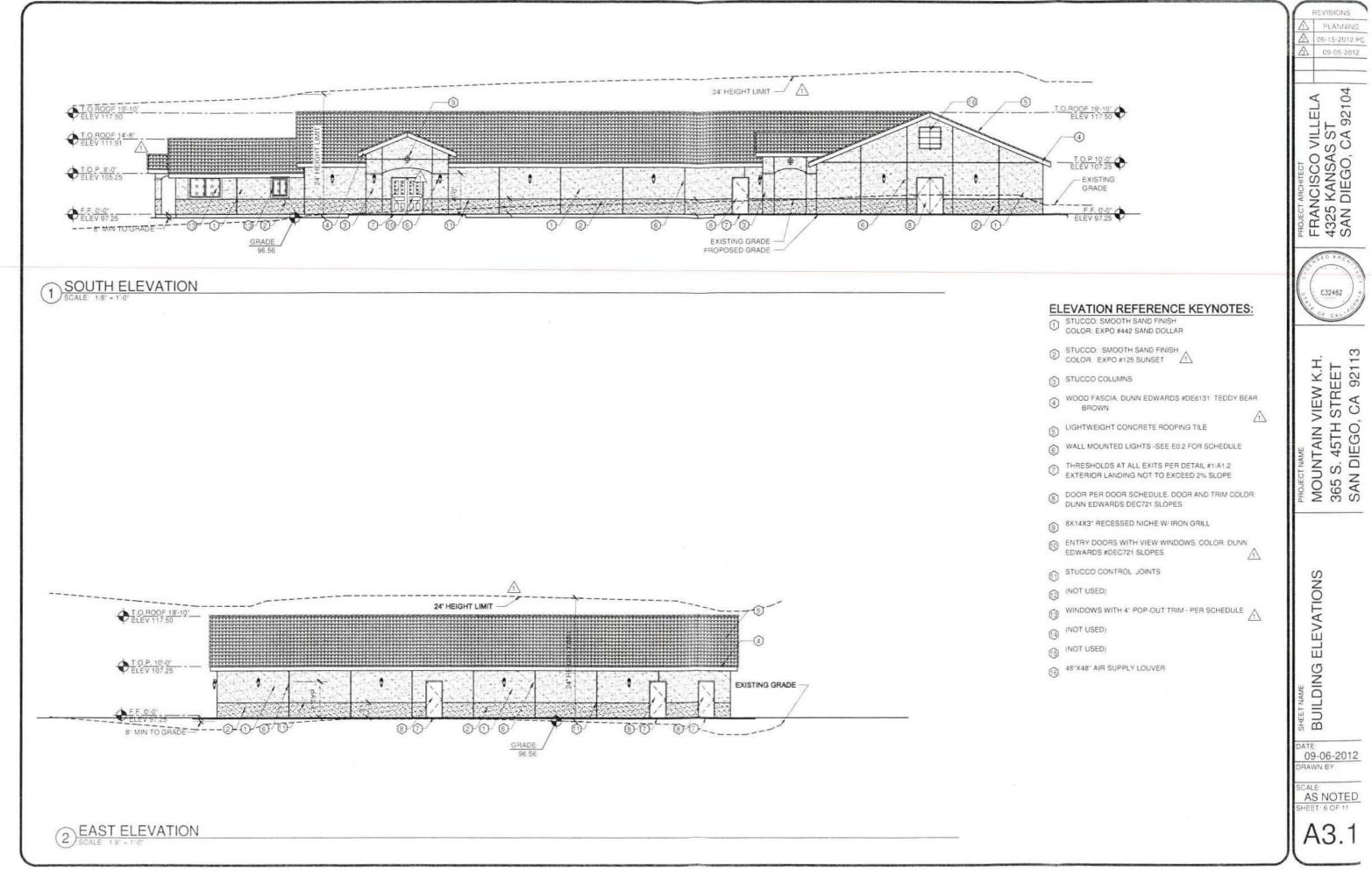
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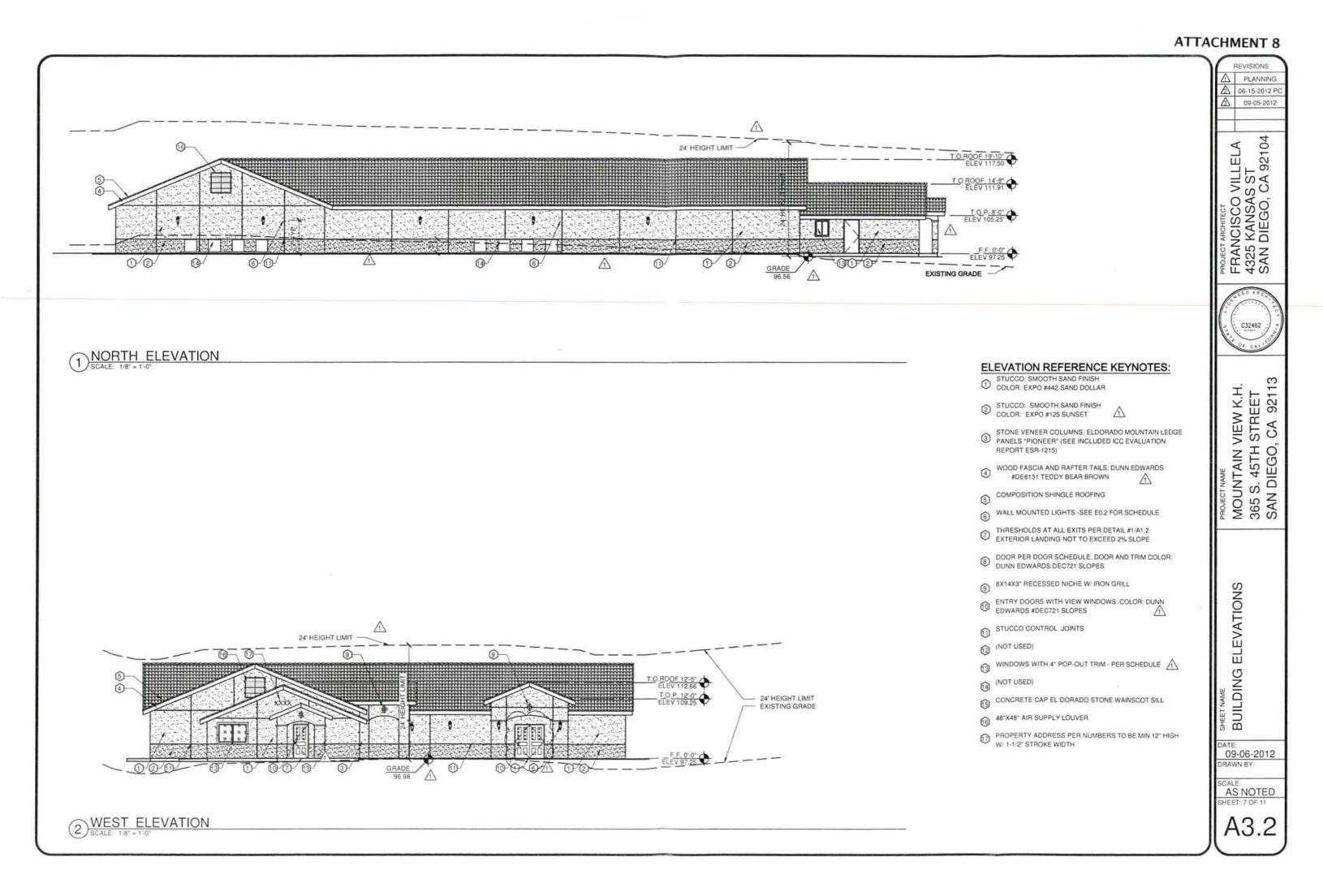
John P. Hooper Development Project Manager Development Services Department

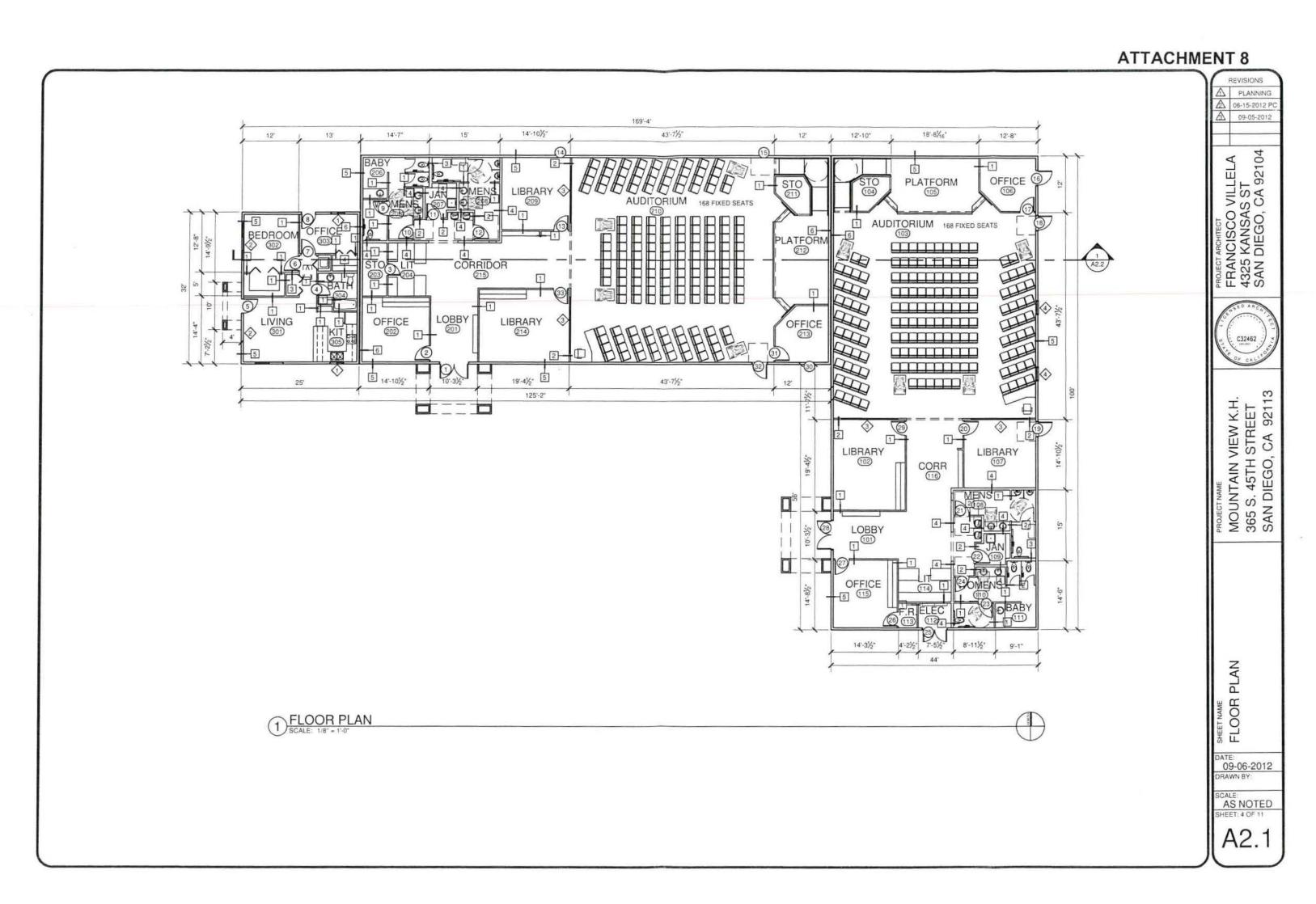


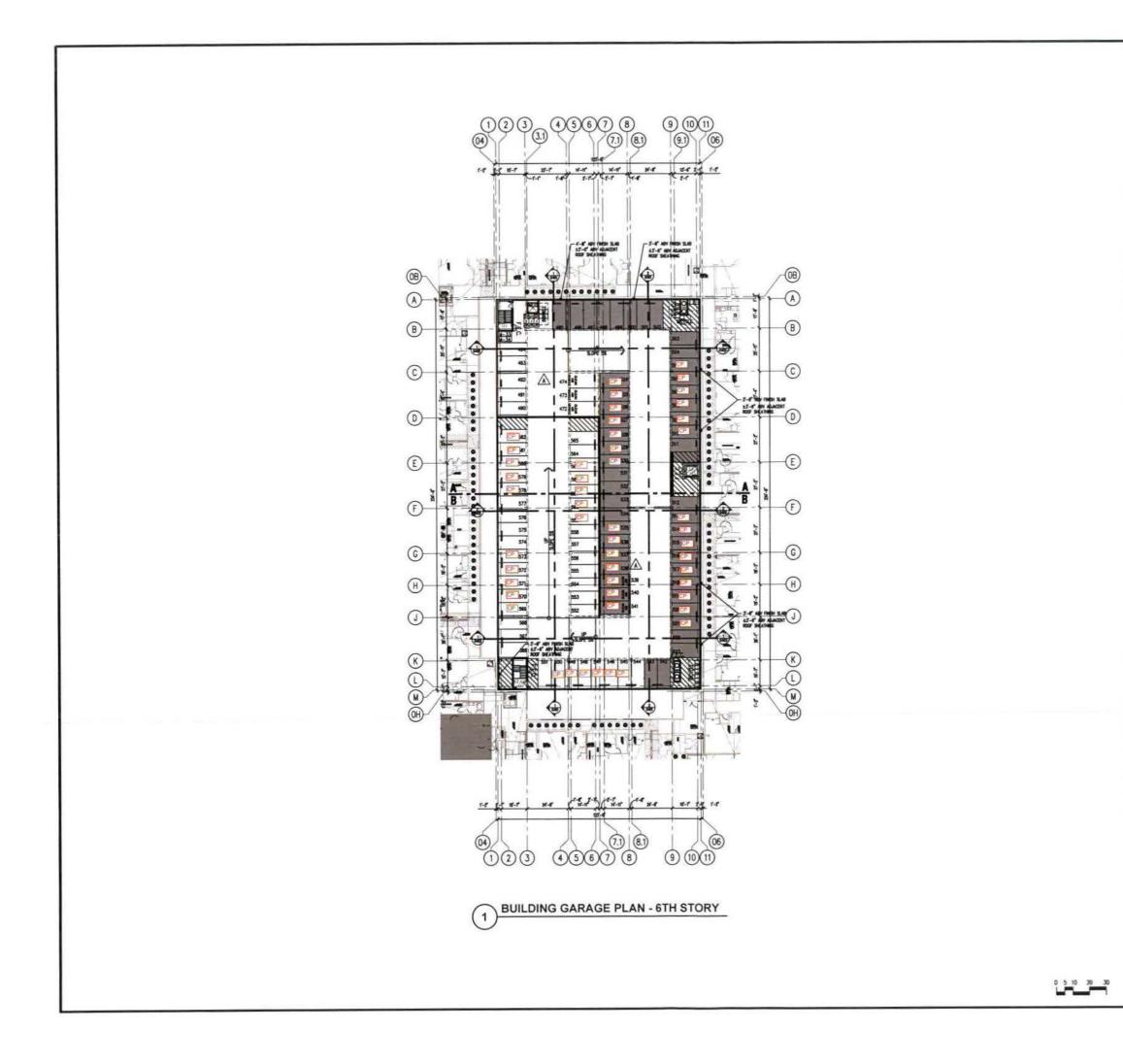
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⁽²⁾ APN 547-440-26-00 PARCEL & OF PARCEL MAP NO. 1413, IN THE CITY OF SAN DIEGO, COUNTY OF

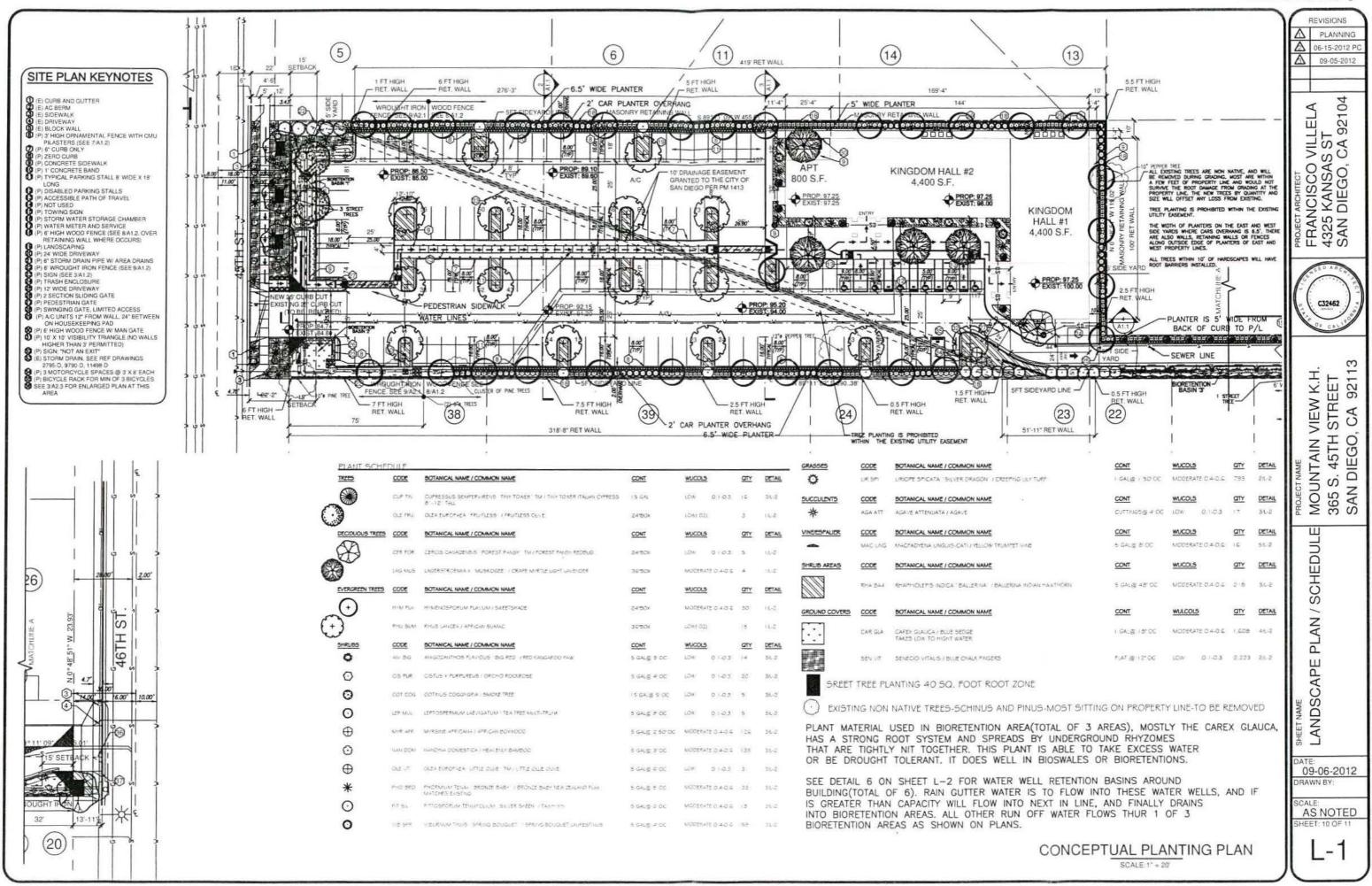


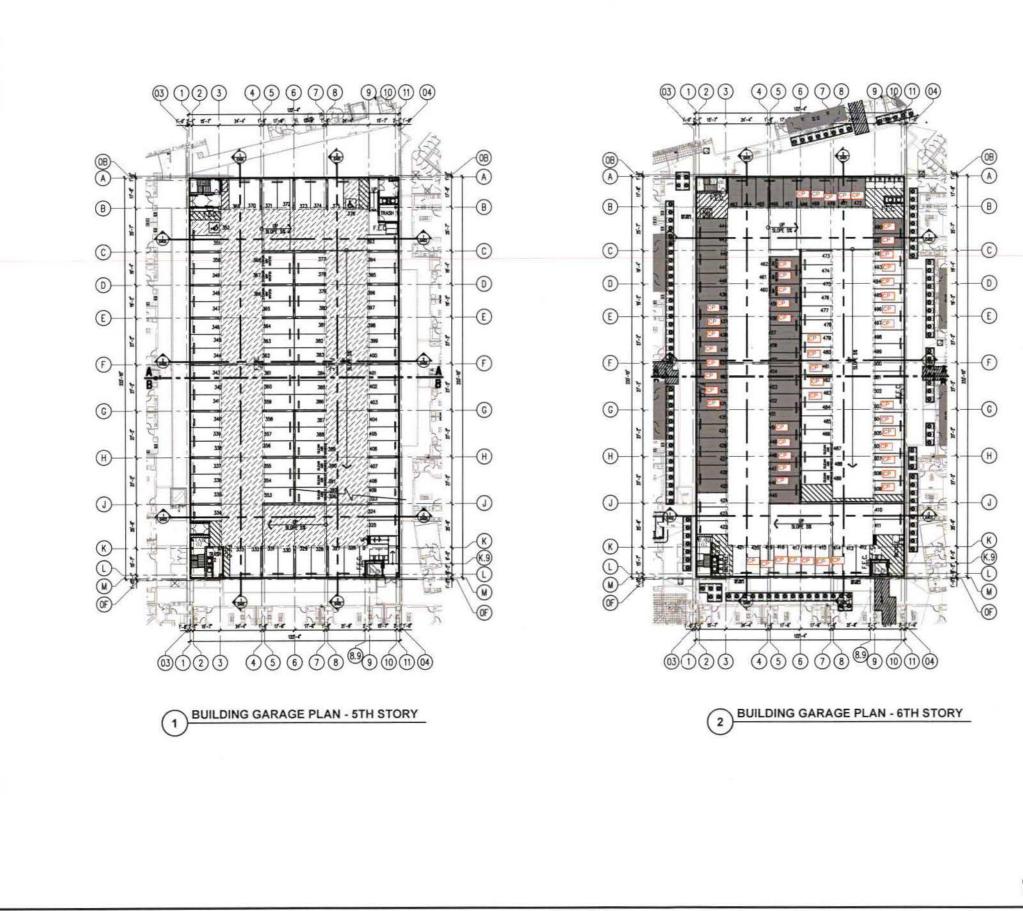






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THE CITY OF SAN DIEGO

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

Community Planning Committee Distribution Form Part 1

Mountain View Kingdom Hall Project Scope/Location: Mountain View Kingdom Hall, 365 South 45th Street, M		260634	02/11/13
Mountain View Kingdom Hall, 365 South 45th Street, N			
8,800sf Church with an attached caretaker's apartmen Development Permit. Patrick Hooper is the Project M	nt for a total of 96	00sf on an undevelope	ed lot. Seeking CUP and SESD
Applicant Name:		Applicant Phone	Number:
Francisco Villela		(619) 884-7869	
Project Manager: Ph	ione Number:	Fax Number:	E-mail Address:
Patrick Hooper (6	619) 446-5107	(619) 446-5245	phooper@sandiego.gov
Project Issues (To be completed by Community Pl	lanning Commit	ttee for initial review)	:
Attach Additional Pages If Necessary.	City of Sa Developm 1222 First	anagement Division	Ĩ



THE CITY OF SAN DIEGO

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

Community Planning Committee Distribution Form Part 2

	Proj	ject l	Number:	Distribution Date:
Mountain View Kingdom Hall		260634		02/11/13
nent for a	total of 9600sf o	on an	undeveloped	I lot. Seeking CUP and SESD
			Applicant (619) 884-	Phone Number: 7869
Pho	one Number:	Fax	Number:	E-mail Address:
(61	9) 446-5107	(619	9) 446-5245	phooper@sandiego.gov
	Members Yes			Members Abstain
	Members Yes	M	lembers No	Members Abstain
Below	Members Yes	M	Iembers No	0 Members Abstain
	Members Yes	M	lembers No	Members Abstain
informat	tion, Split vote, I	Lack	of	Continued
ations.				
			TITLE: C	nairperson
			DATE	/11/13
	Project Managem			
	Pho (61 for Initi Below informat	tt, Mountain View Neighbor nent for a to:al of 9600sf of t Manager. Presentation b Phone Number: (619) 446-5107 for Initial Review): Members Yes 8 Members Yes 8 Below Members Yes 9 information, Split vote, 1 ations.	t, Mountain View Neighborhoo nent for a total of 9600sf on an t Manager. Presentation by Fra (619) 446-5107 (619 for Initial Review): Members Yes M 8 Members Yes M 8 Below Members Yes M 8 nformation, Split vote, Lack ations.	t, Mountain View Neighborhood, Project No thent for a total of 9600sf on an undeveloped t Manager. Presentation by Francisco Villela Applicant (619) 884- (619) 446-5107 (619) 446-5245 for Initial Review): Members Yes Members No 8 1 Members Yes Members No 8 1 1 Members Yes Members No 8 1 1 Members Yes Members No 8 1 1 1 1 1 1 1 1 1 1 1 1 1

ATTACHMENT 10 City of San Diego **Development Services Ownership Disclosure** 1222 First Ave., MS-302 San Diego, CA 92101 Statement (619) 446-5000 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
 Varience
 Tentative Map
 Vesting Tentative Map
 Map Waiver
 Land Use Plan Amendment
 Tother_____ Project Title Project No. For City Use Only Mountain View Kingdom Hall Project Address: 45th Street near Ocean View Blvd., San Diego, CA 92113 (Undeveloped Lot) and the method and a processing the second and a second state of the (1) 个人的 Ste ont 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 but 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 T No Name of Individual (type or print): Name of Individual (type or print) COwner CTenent/Lessee Redevelopment Agency Owner CTenant/Lessee Redevelopment Agency Street Address: Street Address: City/State/Zip: City/State/Zip* Phone No: Phone No: Fax No: Fax No: Signature : Date: Signature ' Date Name of Individual (type or print): Name of Individual (type or print): Owner Tenant/Lessee Redevelopment Agency Owner CTenant/Lessee Redevelopment Agency Street Address: Street Address: City/State/Zip: City/State/Zip: Phone No: Fax No: Phone No: Fax No: Signature : Date Date: Signature .

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Printed on recycled paper. Visit our web site at <u>www.sandiego.gov/dovelopment-services</u>. Upon request, this information is available in alternative formats for persons with disabilities.

DS-318 (5-05)

SAN DEERO COUNTY BY COUNT. EDF. JUNE 24, 2012 T	ATTACHMENT
Mountain View Kingdom Hall	
egal Status (please check):	
Corporation CLimited Liability -or- CG General) Wh	at State? Corporate Identification No
s identified above, will be filed with the City of San Diego he property. Please list below the names, titles and addre thorwise, and state the type of property interest (e.g., tenu h a partnership who own the property). A signature is roop property. Attach additional pages if needed. Note: The app whership during the time the application is being processe	r(s) acknowledge that an application for a permit, map or other matter. on the subject property with the Intent to record an encumbrance again esses of all persons who have an interest in the property, recorded or ants who will benefit from the permit, all corporate officers, and all partr <u>puired of at least one of the corporate officers or partners</u> who own the plicant is responsible for notifying the Project Manager of any changes i ed or considered. Changes in ownership are to be given to the Project the subject property Failure to provide accurate and current ownership Additional pages attachedYesNo
Corporate/Partnership Name (type or print);	Corporate/Partnership Name (type or print):
Winer Tenant/Lessee	Owner Tenant/Lessee
Street Address: 5930 Division St	Street Address:
City/State/Zip: Sig Dilgo La	City/State/Zip:
Phone No: 14) 410 62 Pax No: 0	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type ar print):	Title (type or print):
Pivig	Dela Statement
Signature: DAT Date: 3-16-1	
Corporate/Parlnership Mame (type or print):	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tonant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
	Name of Corporate Officer/Partner (type or print):
Name of Corporate Officer/Partner (type or print):	Title (type or print):
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