



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: November 20, 2013 REPORT NO. HO-13-099

ATTENTION: Hearing Officer

SUBJECT: **BONAIR RESIDENCES**
PTS PROJECT NUMBER - 312633.
PROCESS 3.

LOCATION: 754-758 Bonair Street

APPLICANT: Mr. Brian Sorokin, Greensticks II LLC, Owner
Mr. Daniel Linn, Architect/Consultant

SUMMARY

Requested Action - Should the Hearing Officer approve a Coastal Development Permit, Variance and Tentative Parcel Map to demolish an existing residential duplex, construct three new, three-story, detached residential dwelling units with a variance for a two driveway design and to create a one lot, three unit residential condominium development on a 9,225 square foot property in the La Jolla Community Plan area?

Staff Recommendation –

1. APPROVE Coastal Development Permit No. 1093516 and Variance No. 1093518.
2. APPROVE Tentative Parcel Map No. 1118123 with a requested waiver of the requirement to underground overhead utilities.

Community Planning Group Recommendation – The La Jolla Community Planning Association voted 11-4-1 to recommend approval of the proposed project at their meeting on September 5, 2013. Their recommendation did not include any additional conditions or comments (Attachment 9).

Environmental Review – The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, 15303, that allows for new construction. This project is not pending an appeal of the environmental determination. The exemption determination for this project was made on October 18, 2013; and the opportunity to appeal that determination ended on November 1, 2013.

BACKGROUND

The 9,225 square foot project site is currently developed with a residential duplex, with its original structure being built in 1946, which is proposed to be demolished. The existing structure was reviewed by the Historic Resources Staff and determined not to be potential historic. The surrounding properties are fairly well developed and form an established single-family residential neighborhood, with some multi-family residential mixed in. The project site is located at 754 - 758 Bonair Street, in the RM-1-1 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone and Residential Tandem Parking Overlay Zones within the La Jolla Community Plan area (Attachments 1 – 3).

A Coastal Development Permit is required for the demolition, construction and subdivision of land proposed by this project, by the Land Development Code (Section 126.0702), for the proposed development on property within the Coastal Overlay Zone. A Variance is requested in order to maintain a two driveway design where only one driveway would be allowed, pursuant to Land Development Code (Section 126.0803). A Tentative Parcel Map is required, pursuant to Land Development Code (Section 125.0510), to consolidate the two existing lots into one and create a three dwelling unit condominium project as defined in Section 1350 of the Civil Code of the State of California.

DISCUSSION

The project proposes to demolish the existing residential duplex and construct three, three-story, detached single dwelling units, with an attached- two-car- garage on the previously disturbed 9,225 square-foot property. The detached dwelling units range in size from 1,929 square feet to 2,185 square feet. During the project's review with City staff, the applicant modified the project to conform to all of the development regulations of the RM-1-1 Zone and the applicable Coastal Development Regulations, except for the requested Variance to maintain the existing two driveway design.

Variance:

The variance request is to maintain two driveways, where only one driveway would be allowed. This driveway design also includes a reduced minimum driveway width of 16 feet, where 20 feet is required, and reduced minimum distance between driveways to 26 feet, where 45 feet is required. Staff is able to support the proposed variance due to the unique circumstances involving the property's traffic safety situation, zoning of the property as it relates to existing neighbor character and topography of the site. The project site is located near the eastern terminus of Bonair Street, which dead ends abruptly. Normally only one driveway would be

allowed within a 100 foot portion of street frontage for traffic safety reasons, however, here traffic speeds are anticipated to be very slow, 20 miles per hour or less and the traffic volume is anticipated to be light. The 9,225 square foot project site is zoned RM-1-1, a multi-family zone and the majority of the properties to the north, south and west that form this neighborhood are also zoned RM-1-1. However, most of the lots are much smaller in the range of 4,000 to 5,000 square feet and do not appear to be developing into multi-family developments. The structural scale and massing of the existing character on this neighborhood is single-family, with smaller scale bulk and massing. The proposed three detached dwelling unit design is a better fit within the existing neighborhood pattern of development. The two driveway design helps maintain the detached dwelling unit pattern of development. The topography of the site has an approximate 10 foot drop in grade within the project sites southwest side near the front streetscape area. This drop in grade makes a one driveway design serving all three dwelling units extremely difficult. The applicant submitted a conceptual one driveway design illustration which showed the driveway portion serving the western most unit with a driveway gradient of 23 percent grade which exceeds the maximum grade allowed for a driveway.

Tentative Parcel Map And Undergrounding Waiver Request:

Currently the project site is made up of portions of two lots. This Tentative Parcel Map will consolidate two portions of two lots into one whole lot. The proposed three dwelling units will become a condominium project as defined in Section 1350 of the Civil Code of the State of California.

The project site is located in Block 1C1 of the City's Undergrounding Master Plan and is not yet scheduled for undergrounding until 2037 (Attachment 10). San Diego Municipal Code Section 144.0240, allows the subdivider to apply for a waiver of the requirement to underground the existing overhead utilities within the boundary of the subdivision, or within the abutting public rights-of-way. City staff has determined the undergrounding waiver request qualifies under the Guidelines of Council Policy 600-25, Undergrounding Conversion of Utility Lines at the Developers Expense, in that it involves a short span of under 600-feet; and would not represent a logical extension to an undergrounding facility. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision and all onsite utilities serving the subdivision will be undergrounded as a condition of the Tentative Parcel Map (Attachment 8). If the requested waiver of the undergrounding is not approved, the applicant would leave two existing power poles, at the north west corner of the property, north of the project site.

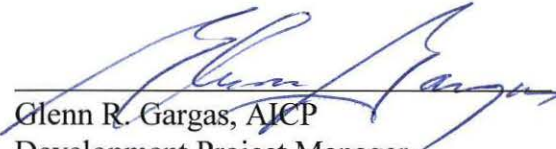
CONCLUSION

Staff has reviewed the proposed Coastal Development Permit, Variance, and Tentative Parcel Map and determined the project is consistent with the La Jolla Community Plan and Local Coastal Program Land Use Plan and the applicable Coastal Development regulations. Staff has provided draft findings supporting Coastal Development Permit, Variance and Tentative Parcel Map approval (Attachments 7 & 8). Staff recommends the Hearing Officer approve the proposed Coastal Development Permit, Variance and Tentative Parcel Map as proposed (Attachments 6 & 8).

ALTERNATIVES

1. Approve Coastal Development Permit No. 1093516, Variance No. 1093518 and Tentative Parcel Map No. 1118123, with modifications.
2. Deny Coastal Development Permit No. 1093516, Variance No. 1093518 and Tentative Parcel Map No. 1118123, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,


Glenn R. Gargas, AICP
Development Project Manager

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan/Tentative Parcel Map
6. Draft CDP with Conditions
7. Draft CDP Resolution with Findings
8. Draft TPM Resolution
9. Copy of Community Group Recommendation
10. City's Undergrounding Master Plan for Block 1C1
11. Ownership Disclosure Statement
12. Copy of Public Notice

Job Order Number: 24003559



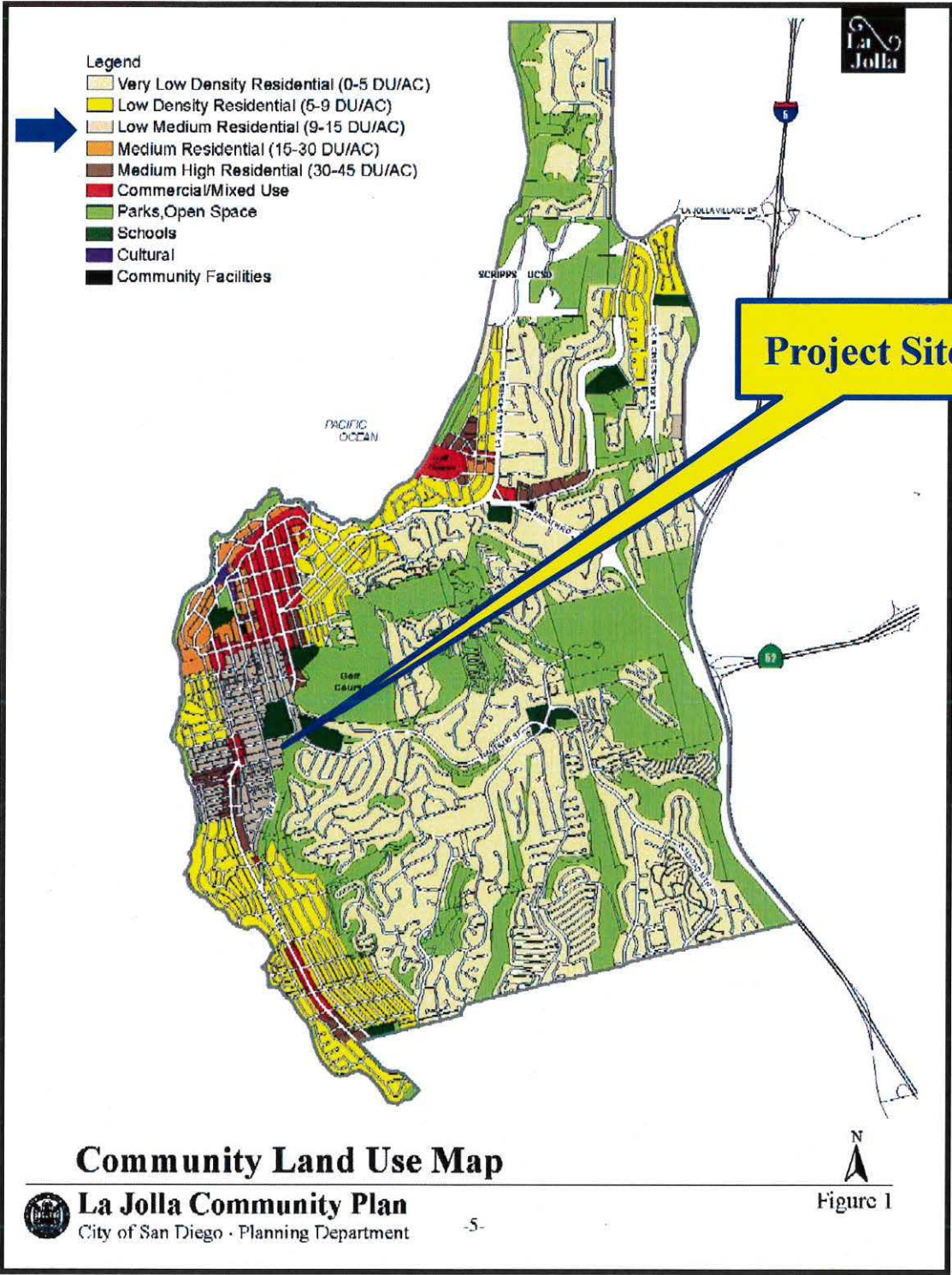
•Project Site



Aerial Photo

BONAIR RESIDENCES – 754 to 758 BONAIR STREET
PROJECT NO. 312633





Land Use Map

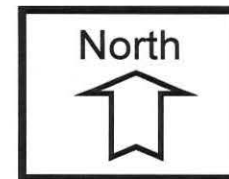
BONAIR RESIDENCES – 754 to 758 BONAIR STREET
PROJECT NO. 312633 La Jolla





Project Location Map

BONAIR RESIDENCES – 754 to 758 BONAIR STREET
PROJECT NO. 312633



PROJECT DATA SHEET

PROJECT NAME:	Bonair Residences – Project No. 312633
PROJECT DESCRIPTION:	CDP, VAR and TPM to demolish an existing duplex and construct three detached, three story, dwelling units, with a one lot parcel map on a 9,225 square foot property. The requested Variance is to maintain a two driveway design on the property where only one is allowed per the street frontage.
COMMUNITY PLAN AREA:	La Jolla
DISCRETIONARY ACTIONS:	Coastal Development Permit, Variance and Tentative Parcel Map.
COMMUNITY PLAN LAND USE DESIGNATION:	Low Medium Density Residential (9-15 DUs per acre)

ZONING INFORMATION:

ZONE: RM-1-1 Zone

HEIGHT LIMIT: 30-Foot maximum height limit.

LOT SIZE: 6,000 square-foot minimum lot size – existing portions of lots 9,225 sq. ft.

FLOOR AREA RATIO: 0.742 proposed – 0.75 max. allowed

FRONT SETBACK: 15 feet / 26' 4" proposed – 15 feet/20 feet min. required

SIDE SETBACK: 5 feet / 8 feet proposed – 5 feet / 8 feet min. required

STREETSIDE SETBACK: NA

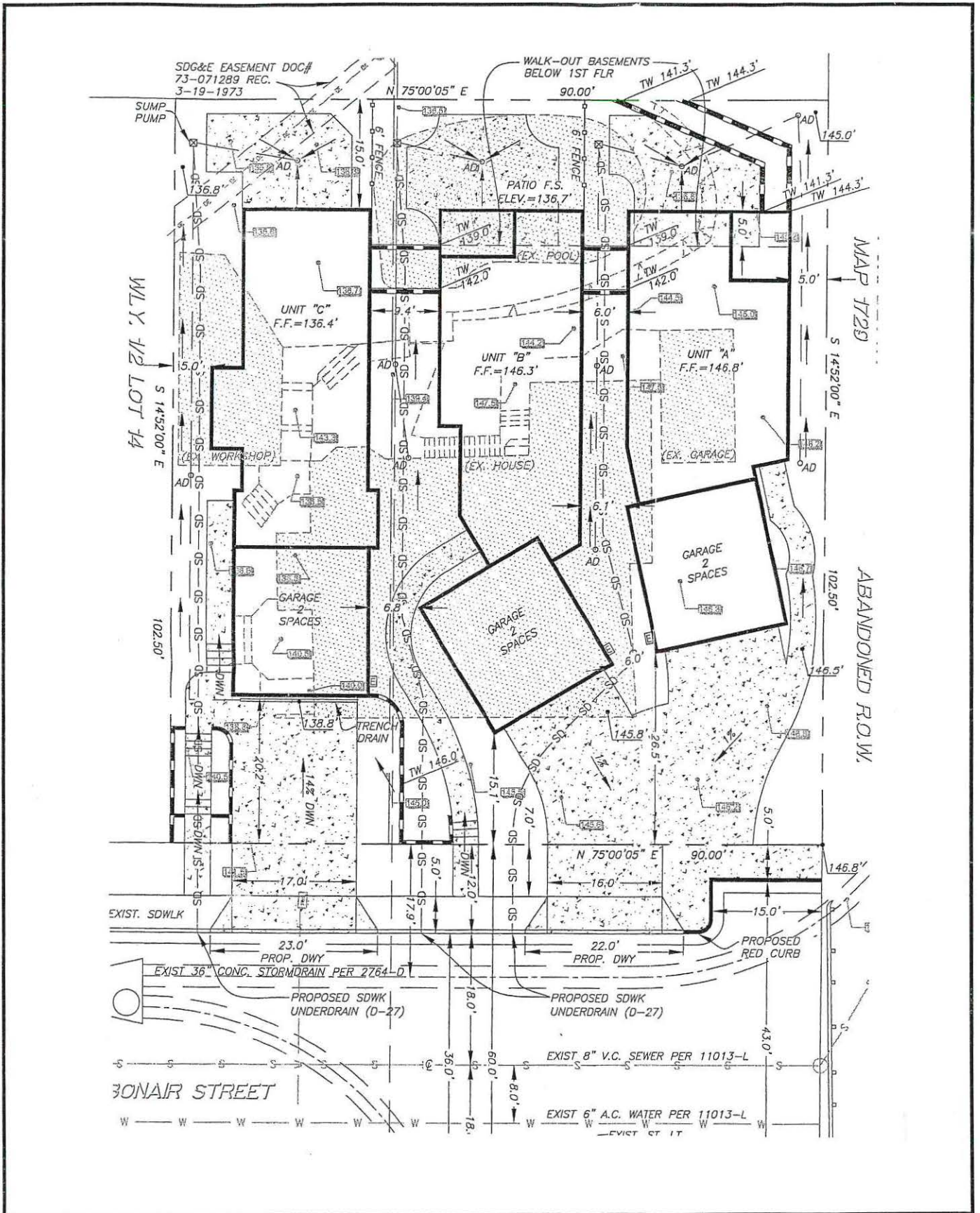
REAR SETBACK: 15 feet proposed – 15 feet min. required

PARKING: 2 parking spaces per dwelling unit – 6 spaces proposed - total of 6 spaces min. required.

<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Low Medium Density Residential; RM-1-1 Zone	Single Family Residence
SOUTH:	Low Medium Density Residential; RM-1-1 Zone & RS-1-5	Single Family Residence
EAST:	Parks and Open Space;	Public bike path

ATTACHMENT 4

	RS-1-1 Zone	
WEST:	Low Medium Density Residential; RM-1-1 Zone	Single Family Residence
DEVIATIONS OR VARIANCES REQUESTED:	Proposed Variance for two driveway design with reduced driveway width and reduced distance between driveways.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	The La Jolla Community Planning Association voted to approve the project by a vote of 11-4-1 at their meeting on September 5, 2013.	



SITE PLAN

CITY OF SAN DIEGO • DEVELOPMENT SERVICES DEPARTMENT

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24003559

COASTAL DEVELOPMENT PERMIT NO. 1093516 AND VARIANCE NO. 1093518
BONAIR RESIDENCES - PROJECT NO. 312633
HEARING OFFICER

This Coastal Development Permit No. 1093516 and Variance No. 1093518 is granted by the Hearing Officer of the City of San Diego to Greensticks II, LLC, a California Limited Liability Company, Owner/ Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0702 and 126.0802. The 9,225 square-foot site is located at 754 – 758 Bonair Street, in the RM-1-1 Zone, Coastal (non-appealable), Coastal Height Limit, Parking Impact Overlay Zone and within the La Jolla Community Plan area. The project site is legally described as: The east half of the south half of Lot 14 and the south half of Lot 15, Block D of Starkey's Prospect Park, according to Map No. 1729.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner /Permittee to demolish an duplex and construct, three detached, three-story condominium dwelling units with attached two-car garages, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated November 20, 2013, on file in the Development Services Department.

The project shall include:

- a. To demolish an existing duplex and construct three, three-story, detached single-family dwelling units ranging from 1,929 square feet to 2,185 square feet in size, totaling 6,846 square feet, each dwelling unit with an attached two-car garage, on a 9,225 square foot property.
- b. The variance request is to maintain two driveways where only one driveway would be allowed, the driveway design includes a reduced minimum driveway width to 16 feet where 20 feet is required and reduced minimum distance between driveways to 26 feet where 45 feet is required;

- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;
- e. Retaining walls and fencing; and
- f. 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 December 5, 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 determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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

AFFORDABLE HOUSING REQUIREMENTS:

11. Prior to the issuance of any building permits, the Owner/Permittee shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.).

ENGINEERING REQUIREMENTS:

12. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

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

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

LANDSCAPE REQUIREMENTS:

15. Prior to issuance of any construction permits for structures, 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, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.

16. 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.

17. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

18. 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.

19. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Owner/Permittee to prepare and submit to the Building Inspector a Irrigation Audit Report consistent with the Landscape Standards of the Land Development Manual.

PLANNING/DESIGN REQUIREMENTS:

20. Owner/Permittee shall maintain a minimum of six (6) 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.

21. 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.

22. 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

23. A turnaround area at the end of Bonair Street shall be maintained as shown on Tentative Parcel Map (Sheet 1 of 1) and Title Sheet (Sheet T) of the project's Exhibit "A," and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Director.

24. No more than two (2) driveways shall be maintained as shown on Exhibit "A," shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Director.

25. Driveway widths shall be a minimum of 16 feet, with a minimum the three-foot driveway apron to each side of the driveway; total of 22-foot wide curb cut. This driveway design shall be maintained as shown on Exhibit "A," and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Director.

26. No less than 26 lineal feet of full-height curb shall be maintained between driveways. This driveway design shall be maintained as shown on Exhibit "A," and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Director.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

27. Prior to the issuance of any construction permit, the Owner/Permittee shall ensure that the private sewer lateral easement granted to the City of San Diego and recorded on March 27, 1947 (ref. Book 2343 on page 436 of O.R.) is vacated per Section 125.1001 of the Municipal Code.

28. The Owner/Permittee shall provide evidence, satisfactory to the Director of Public Utilities, indicating that each condominium will have its own sewer lateral or provide CC&R's for the operation and maintenance of private sewer facilities that serve more than one ownership.
29. Prior to the issuance of any building permit, the Owner/Permittee shall ensure that any lateral proposed for reuse has been located, internally inspected, and recorded via CCTV by a CA Licensed Plumbing Contractor for the purpose of verifying to the satisfaction of the Director of Public Utilities and the City Engineer that the lateral does not cross any property lines; and, is not being utilized by any other property; and, is properly connected to the sewer main in Bonair Street; and, is in all other ways suitable for reuse by this property.
30. Prior to the issuance of any Certificate of Occupancy, the Owner/Permittee shall ensure that any existing sewer lateral in favor of the project which crosses into a lot not associated with this property is abandoned to the satisfaction of the Director of Public Utilities and the City Engineer (City Sewer Design Guide Sec. 2.5.14); in addition, if the lateral to be abandoned is confirmed to be unused by any other property, then the lateral is to be plugged at the main and slurry sealed as a condition of its abandonment.
31. Prior to the issuance of any Certificate of Occupancy, the Owner/Permittee shall ensure that all water supply systems include a permitted above ground private back flow prevention device (BFPD). Please note that the domestic supply line for a single family homes in which the property's irrigation and fire suppression systems are serviced separately does not require a BFPD (ref. Title 17, Sections 7583 through 7605 of the California Code of Regulations).
32. Prior to the issuance of any Certificate of Occupancy, the Owner/Permittee shall ensure that all public water and sewer facilities necessary to serve the property, including all water services and sewer laterals, are connected and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.
33. All proposed public water and sewer facilities are to be designed in accordance with the most current versions of the City of San Diego's Facility Design Guide, Standard Drawings and Specifications, Information Bulletins, and standards of practice.
34. All proposed private water and sewer facilities are to be designed in accordance with the most current version of the California Uniform Plumbing Code.
35. No trees or shrubs exceeding three feet in height at maturity are to be located within ten feet of any public water and sewer facilities.

GEOLOGY REQUIREMENTS:

36. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

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 November 20, 2013, by Resolution No. _____.

HEARING OFFICER RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT NO. 1093516 AND VARIANCE NO. 1093518
BONAIR RESIDENCES - PROJECT NO. 312633

WHEREAS, Greensticks II, LLC, a California Limited Liability Company, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing duplex and construct, three detached, three-story condominium dwelling units with attached two-car garages, (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1093516 and 1093518, on portions of a 9,225 square-foot property;

WHEREAS, the project site is located at 754 to 758 Bonair Street, in the RM-1-1 Zone, Coastal (non-appealable), Coastal Height Limitation, Parking Impact Overlay Zones within the La Jolla Community Plan area;

WHEREAS, the project site is legally described as the east half of the south half of Lot 14 and the south half of Lot 15, Block D of Starkey's Prospect Park, according to Map No. 1729;

WHEREAS, on November 20, 2013, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1093516 and Variance No. 1093518 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on October 18, 2013, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15303 (New Construction) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

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

That the Hearing Officer adopts the following written Findings, dated November 20, 2013.

FINDINGS:

Coastal Development Permit - Section 126.0708

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

The 9,225 square-foot project site is currently developed with an existing residential duplex located within an established residential neighborhood. The development proposes to demolish the existing duplex, consolidate the existing lot portions into one lot through a Tentative Parcel Map and construct three, three-story, detached residential condominium dwelling units with attached two-car garages. The project site is located approximately four blocks from the coastline

and directly adjacent to the La Jolla Bike Pathway to the east. The proposed development is contained within the lot area, and the lot is not adjacent to an existing public access to the beach, only the north south bike path, nor is it located adjacent to or within an identified public view corridor by the La Jolla Community Plan and Local Coastal Program Land Use Plan. The project site is located at the east terminus of Bonair Street, approximately two blocks east of La Jolla Boulevard and is not identified as being on or adjacent to a public view, as identified within the La Jolla Community Plan and Local Coastal Program Land Use Plan. The public access to the coastline located within Bonair Street, would not be altered or impacted by this development. The proposed three dwelling unit development will not encroach upon, negatively alter or reduce the existing physical access to the coast. The proposed three residential dwelling unit development meets the applicable development regulations required by the Land Development Code, specifically the development regulations of the underlying RM-1-1 Zone, and the proposed structures will not block any identified visual corridor.

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

The 9,225 square-foot project site is currently developed with a duplex, which is proposed to be demolished. The property has been previously disturbed and was not found to contain any sensitive biological resources on site. The proposed three detached dwelling units are to be located within the existing fully disturbed portion of the property. The environmental review determined that the project was categorically exemption under Section 15303 (new construction) of the California Environmental Quality Act (CEQA). Thus, the proposed three dwelling unit project will not adversely affect environmentally sensitive lands.

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

The proposed consolidation of existing lot portions into one lot through a Tentative Parcel Map and construction of three, three-story-detached residential condominium dwelling units with attached two-car garages is located on a site approximately four blocks from the ocean and coastline. The site has a Residential – Low Medium Density (9-15 DU/AC) land use designation by the La Jolla Community Plan and Local Coastal Program Land Use Plan. During environmental review, it was determined that the project was categorically exemption under Section 15303 (new construction) of the California Environmental Quality Act (CEQA). The proposed lot consolidation and three residential condominium dwelling unit development will not encroach upon, negatively alter or reduce the existing physical access or visual access to the coast. The project site is not located adjacent to an identified visual access corridor as identified within the La Jolla Community Plan and Local Coastal Program Land Use Plan. Due to these factors the proposed three residential dwelling unit development with an attached two-car garages was found to be in compliance with the City of San Diego adopted La Jolla Community Plan and Local Coastal Program Land Use Plan.

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

The 9,225 square foot site is currently developed with an existing duplex and is located approximately four blocks from the coastline and approximately three blocks east of the First public roadway. The project site is located east of La Jolla Boulevard and is not located between the first public road and the sea or coastline. The proposed development will be fully within the private property and will not negatively impact or encroach on any coastal resources identified by the La Jolla Community Plan and Local Coastal Program Land Use Plan. The project site is located directly adjacent to the La Jolla Bike Path along the project's eastern side; however, the proposed project does not encroach or negatively impact this public pathway. The project site is not located in or adjacent to an area identified as a public view corridor, as identified within the La Jolla Community Plan and Local Coastal Program Land Use Plan. The proposed three dwelling unit residential project is designed to take access off the existing public streets, Bonair Street, with adequate off street parking. The existing character and pedestrian design of the street will remain open and improved to maintain public access.

Variance - Section 126.0805

1. There are special circumstances or conditions applying to the land or premises for which the variance is sought that are peculiar to the land or premises and do not apply generally to the land or premises in the neighborhood, and these conditions have not resulted from any act of the applicant after the adoption of the applicable zone regulations;

Currently, Bonair Street's eastern terminus abruptly dead ends towards the eastern edge of this project's street frontage with no form or area for a standard cul-de-sac. This project's proposed design includes adding a 20 foot public turn around area within the public right-of-way at this eastern terminus of Bonair Street. Since the street frontage is less than 100 feet, the project site has varied topography, and there is an additional reduction in available street frontage for driveways due to the required turn around, special circumstances or conditions exist to support the variance request for the ability to maintain the current two driveway design with narrower driveways. The project site has two existing driveways. The topography of the site is fairly flat with the exception of an approximate 10 foot drop in elevation located on the western front portion of the project site. The applicant provided an illustration of a one driveway design serving all three proposed units, however with this 10 foot drop in elevation the western most unit would have a driveway gradient of over 20% grade, which exceeds the maximum allowed gradient for a driveway.

The variance request is to maintain two driveways where only one driveway would be allowed, additionally the driveway design includes a reduced minimum driveway width to 16 feet where 20 feet is required and reduced minimum distance between driveways to 26 feet where 45 feet is required. The applicant requested the variance due to the current driveway design, and the varied topography of the site together with the design objective to create a detached dwelling unit design to match the existing detached single dwelling unit character of the existing neighborhood. The surrounding zoning is RM-1-1 to the west and north, with RS-1-1 to the east and a mix of RM-1-1 and RS-1-5 to the south. However, the project site is one of the largest lots in the neighborhood, with much of the surrounding properties being zoned RM or multi-family. In addition, a majority of the lot sizes range between 4,000 to 5,000 square feet and do not appear to be developable for multi-family units unless lots are consolidated in the future. Due to this existing single dwelling

unit pattern of development and the single dwelling unit structural massing, the proposed three detached dwelling unit design of this project was highly valued by the project review team.

2. The circumstances or conditions are such that the strict application of the regulations of the Land Development Code would deprive the applicant of reasonable use of the land or premises and the variance granted by the City is the minimum variance that will permit the reasonable use of the land or premises;

The project site is located at the eastern terminus of Bonair Street. Bonair Street's eastern terminus abruptly dead ends towards the eastern edge of this project's street frontage without a standard cul-de-sac. The public street is a one block long segment east of a controlled intersection and dead ends just east of where the project site is located with vehicular traffic speeds at approximately five to fifteen miles per hour. The terminus or dead end of the street does not have a standard cul-de-sac, which is in part the reason for the requested variance. Just east of the project site there is a public access bike path running north and south of the project site, making this terminus area a key area for vehicular and pedestrian traffic movements. This project's design proposes a variance request to maintain two driveways where only one driveway would be allowed, the driveway design includes a reduced minimum driveway width to 16 feet where 20 feet is required and reduced minimum distance between driveways to 26 feet where 45 feet is required. Under these circumstances the applicant could design the driveway to meet the 20 foot minimum driveway width, but the intent of the requirement to increase available on-street parking and increase pedestrian safety would not be provided. The proposed 16 foot width is fairly conventional to other driveway designs throughout the City. By allowing this variance to maintain a two driveway design with a narrower driveway width while still maintaining the minimum parking requirement on-site and providing an on-street turnaround, should decrease the probability that any of this project's parking demand would ever locate on the street. Thus, the two driveway design and decreased driveway widths would provide a conventional design and still allow reasonable use of the land.

3. The granting of the variance will be in harmony with the general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare; and

The intent of the regulation to allow one drive per a minimum of 100 feet of street frontage is to increase the distance and provide adequate distance between driveways for a multi-family development for safety concerns. In this instance, the project site is located at the eastern terminus of Bonair Street. Bonair Street's eastern terminus abruptly dead ends towards the eastern edge of this project's street frontage without a cul-de-sac or turn around area. The public street is a one block long segment east of a controlled intersection and dead ends just east of where the project site is located with expected vehicular traffic speeds at or below approximately five to fifteen miles per hour. The terminus of the street does not have a conventional cul-de-sac or other form of turnaround area. Just east of the project site there is a public access bike path to community areas north and south of the project site, making this terminus area moderately congested for bike and pedestrian traffic movements. The regulations require strict adherence to the minimum number of driveways, the minimum width of a driveway and the minimum distance between driveways. The granting of the variance will allow proposed conditions to provide function that is the intent of the regulations and will not be detrimental to public health, safety, or welfare. The La Jolla Community Planning Association has recommended approval of the project. By allowing

this variance to maintain the two-driveway design, the project's detached single dwelling design, the "single family look" can be accommodated on this site. This driveway design, with the added vehicular turn-around area, appears to be desirable for vehicular, bike and pedestrian movements at the terminus of Bonair Street, since the detached dwelling unit design is intended to match the existing pattern and structural massing of development was viewed by City Staff and the La Jolla Community Planning Association as a public benefit.

4. The granting of the variance will not adversely affect the applicable land use plan. If the variance is being sought in conjunction with any proposed coastal development, the required finding shall specify that granting of the variance conforms with, and is adequate to carry out, the provisions of the certified land use plan.

The granting of the Variance will not adversely affect the applicable land use plan and will conform with, and is adequate to carry out the provisions of the La Jolla Community plan and the Certified Land Use Plan. The proposed project will provide six off-street parking spaces. The project site is designated for Low Medium Density Residential Land Use and the proposed three residential dwelling unit development is consistent with that land use. In addition, the proposed design to maintain a two-driveway design is similar to what currently exists on the property today. The variance would allow for the same amount of on-street parking and would increase the level of pedestrian movement along the project's street frontage. Therefore, the granting of this variance will not adversely affect the La Jolla Community Plan and Local Coastal Land Use Plan.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 1093516 and Variance No. 1093518 are hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 1093516 and 1093518, a copy of which is attached hereto and made a part hereof.

Glenn R. Gargas, AICP
Development Project Manager
Development Services

Adopted on: November 20, 2013

Job Order No. 24003559

HEARING OFFICER RESOLUTION NUMBER R-_____

TENTATIVE PARCEL MAP NO. 1118123
BONAIR RESIDENCES - PROJECT NO. 312633

WHEREAS, Greensticks II, LLC, a California Limited Liability Company, Subdivider, and John D. Leppert, Leppert Engineering, Engineer, submitted an application to the City of San Diego for a tentative parcel map, (Tentative Parcel Map No. 1118123) for a one lot consolidation parcel map, development of three detached residential condominium dwelling units with attached two-car garages and to waive the requirement to underground existing offsite overhead utilities. The project site is located at the eastern terminus of Bonair Street, on the north side of the street, east of Draper Avenue, at 754 – 756 Bonair Street, in the La Jolla Community Plan area. The property is legally described as the east half of the south half of Lot 14 and the south half of Lot 15, Block D of Starkey's Prospect Park, according to Map No. 1729; and

WHEREAS, the Map proposes the Subdivision of a 0.2118 acre-site into one lot for a three unit condominium development; and

WHEREAS, on October 18, 2013, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act [CEQA] (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15303 (New Construction or Conversion of Small Structures); and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; and

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

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 1351 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is (3) three; and

WHEREAS, the request to waive the requirement to underground existing offsite overhead utilities, qualifies under the guidelines of Council Policy No. 600-25 *Underground Conversion of Utility Lines at Developers Expense* in that the conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility; and

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Tentative Parcel Map No. 1118123:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (San Diego Municipal Code § 125.0440(a) and Subdivision Map Action §§ 66473.5, 66474(a), and 66474(b)).

The proposed one lot (consolidation) subdivision, for a three detached dwelling unit condominium development, of a 0.2118-acre property would provide for a balanced community and equitable development within the community through the provision of housing that provides varying levels of architectural styles, size and affordability through residential development. The proposed three detached dwelling unit style was designed to better match the existing pattern of development and structural massing characteristics of the adjacent single dwelling unit neighborhood to the west of the project site. The proposed subdivision is consistent with the recommended residential land use and density of 9 to 15 units per net acre prescribed in the La Jolla Community Plan. Therefore, the proposed subdivision and its design or improvement would be consistent with the policies, goals, and objectives of the applicable land use plan.

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 proposed one lot subdivision for three condominium dwelling units would comply with the development regulations of the underlying RM-1-1 Zone and all of the applicable development regulations of the Land Development Code, except as detailed in the variance request for the proposed two driveway design. No other deviations are proposed with this project. The proposed project was determined to be consistent with the purpose and intent of the RM-1-1 Zone together with the residential density, purpose and intent of the La Jolla Community Plan.

3. The site is physically suitable for the type and density of development (San Diego Municipal Code § 125.0440(c) and Subdivision Map Act §§ 66474(c) and 66474(d)).

The proposed one lot residential subdivision for a three detached dwelling unit condominium development is consistent with the recommended residential land use of Low Medium Density Residential Land Use and density range of 9 to 15 units per net acre as identified by the La Jolla Community Plan and would comply with the applicable development of the underlying RM-1-1 Zone and the design goals and recommendations of the La Jolla Community Plan. Therefore, the bulk, scale and siting of the proposed development would be compatible with the existing and future surrounding land uses and the site is physically suitable for the type and density of the proposed development.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (San Diego Municipal Code § 125.0440(d) and Subdivision Map Act § 66474(e)).

This proposed one lot subdivision for three detached dwelling unit condominium development was reviewed by the Environmental Analysis Section which determined that the project is exempt from the California Environmental Quality Act [CEQA] (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15303 (New Construction or Conversion of Small Structures). Therefore, 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.

5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare (San Diego Municipal Code § 125.0440(e) and Subdivision Map Act § 66474(f)).

The proposed one lot subdivision and improvements have been designed to comply with all applicable Federal, State and local land use policies including the California State Map Act and the City of San Diego Land Development Code, except as detailed in the

variance request for a two driveway design. Further, the proposed subdivision and improvements would be permitted, constructed and inspected in accordance with the California Building Code. Therefore, the design of the subdivision or the proposed improvements would 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 (San Diego Municipal Code § 125.0440(f) and Subdivision Map Act § 66474(g)).

The proposed subdivision would maintain and, as required, improve the existing public rights-of-ways and general utility easements. Therefore, the design of the subdivision and the associated improvements would not conflict with easements acquired by the public at large for access through or use of 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 (San Diego Municipal Code § 125.0440(g) and Subdivision Map Act § 66473.1).

The proposed subdivision of a 0.2118-acre parcel into one lot and the construction of three detached condominium dwelling units for residential development will not impede or inhibit any future passive or natural heating and cooling opportunities. The design of the subdivision has taken into account the best use of the land to minimize grading to the extent feasible, preserving the existing neighbor character and existing development pattern. The proposed structures in the proposed project will have the opportunity through building materials, architectural treatments, placement and selection of plant materials to provide to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (San Diego Municipal Code § 125.0440(h) and Subdivision Map Act § 66412.3).

The proposed project is the subdivision of a 0.2118-acre parcel into one lot for a three detached residential unit condominium development. The La Jolla Community Plan requires new development to provide housing to accommodate the needs of low income households, as certified by the San Diego Housing Commission. The applicant has chosen the option of paying an in-lieu fee to the City's Affordable Housing Trust Account to meet their affordable housing requirement rather than provide the dwelling units. The La Jolla Community Plan allows an in-lieu fee option in the amount equivalent to the cost of achieving the level of affordability required by the La Jolla affordable housing program, as determined by the San Diego Housing Commission. Balanced needs for public facilities were taken into consideration with the development of the La Jolla Community Plan and the projected build-out with the applied zone designations. The subdivision of this parcel into one residential lot with three detached condominium

dwelling units is consistent with what was anticipated in the community plan. The decision maker has reviewed the administrative record including the project plans, technical studies, environmental documentation and heard public testimony to determine the effects of the proposed subdivision on the housing needs of the region and those needs are balanced against the needs for public services and the available fiscal and environmental resources. The addition of one residential lot with three detached dwelling units for private development is consistent with the housing needs anticipated for the La Jolla Community Planning 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 Parcel Map No. 1118123, is hereby granted to Greensticks II, LLC subject to the attached conditions which are made a part of this resolution by this reference.

By _____
Glenn R. Gargas, AICP
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24003559

HEARING OFFICER
CONDITIONS FOR TENTATIVE PARCEL MAP NO. 1118123

BONAIR RESIDENCES - PROJECT NO. 312633

ADOPTED BY RESOLUTION NO. R-_____ ON _____

GENERAL

1. This Tentative Parcel Map will expire on December 5, 2016.
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 Parcel Map, unless otherwise noted.
3. Prior to the Tentative Parcel Map expiration date, a Parcel Map to consolidate the existing lots into one lot shall be recorded in the Office of the San Diego County Recorder.
4. Prior to the recordation of the Parcel Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
5. The Tentative Parcel Map shall conform to the provisions of Coastal Development Permit No. 1093516 and Variance No. 1093518.
6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

Project No. 312633
TPM No. 1118123

ENGINEERING

7. 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.
8. Prior to foundation inspection, the subdivider shall submit a building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying the pad elevation based on USGS datum is in accordance with the approved tentative parcel map.
9. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
10. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Tentative Parcel Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

11. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
12. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
13. The Parcel Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet

thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.

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

WATER & WASTEWATER

15. Prior to the approval of the Tentative/Parcel Map, the Subdivider shall ensure that the private sewer lateral easement granted to the City of San Diego and recorded on March 27, 1947 (ref. Book 2343 on page 436 of O.R.) is vacated per Section 125.1001 of the Municipal Code.
16. All proposed public water and sewer facilities are to be designed in accordance with the most current versions of the City of San Diego's Facility Design Guide, Standard Drawings and Specifications, Information Bulletins, and standards of practice.
17. All proposed private water and sewer facilities are to be designed in accordance with the most current version of the California Uniform Plumbing Code.
18. No trees or shrubs exceeding three feet in height at maturity are to be located within ten feet of any public water and sewer facilities.

TRANSPORTATION

19. A turnaround area at the end of Bonair Street shall be maintained as shown on Tentative Parcel Map (Sheet 1 of 1) and Title Sheet (Sheet T) of the project's Exhibit "A," and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Director.

INFORMATION:

- The approval of this Tentative Map by the Hearing Officer of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited

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.
- This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
- This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by Education Code Section 17620, in accordance with procedures established by the Director of Building Inspection.
- Subsequent applications related to this Tentative Parcel Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Parcel Map, may protest the imposition within ninety days of the approval of this Tentative Parcel Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 24003559

Project No. 312633
TPM No. 1118123



P.O. BOX 889
• LA JOLLA •
CALIFORNIA 92038

LA JOLLA COMMUNITY PLANNING ASSOCIATION

P.O. Box 889 La Jolla CA 92038 Ph 858.456.7900

<http://www.LaJollaCPA.org> Email: Info@LaJollaCPA.org

Regular Meeting – 5 September 2013

Attention: Glenn Gargas, PM
City of San Diego

Project: Bonair Residence
754-758 Bonair St.
PN: 312633

Motion: That the findings can be made for a Coastal Development
Permit, Tentative Map and Variance.

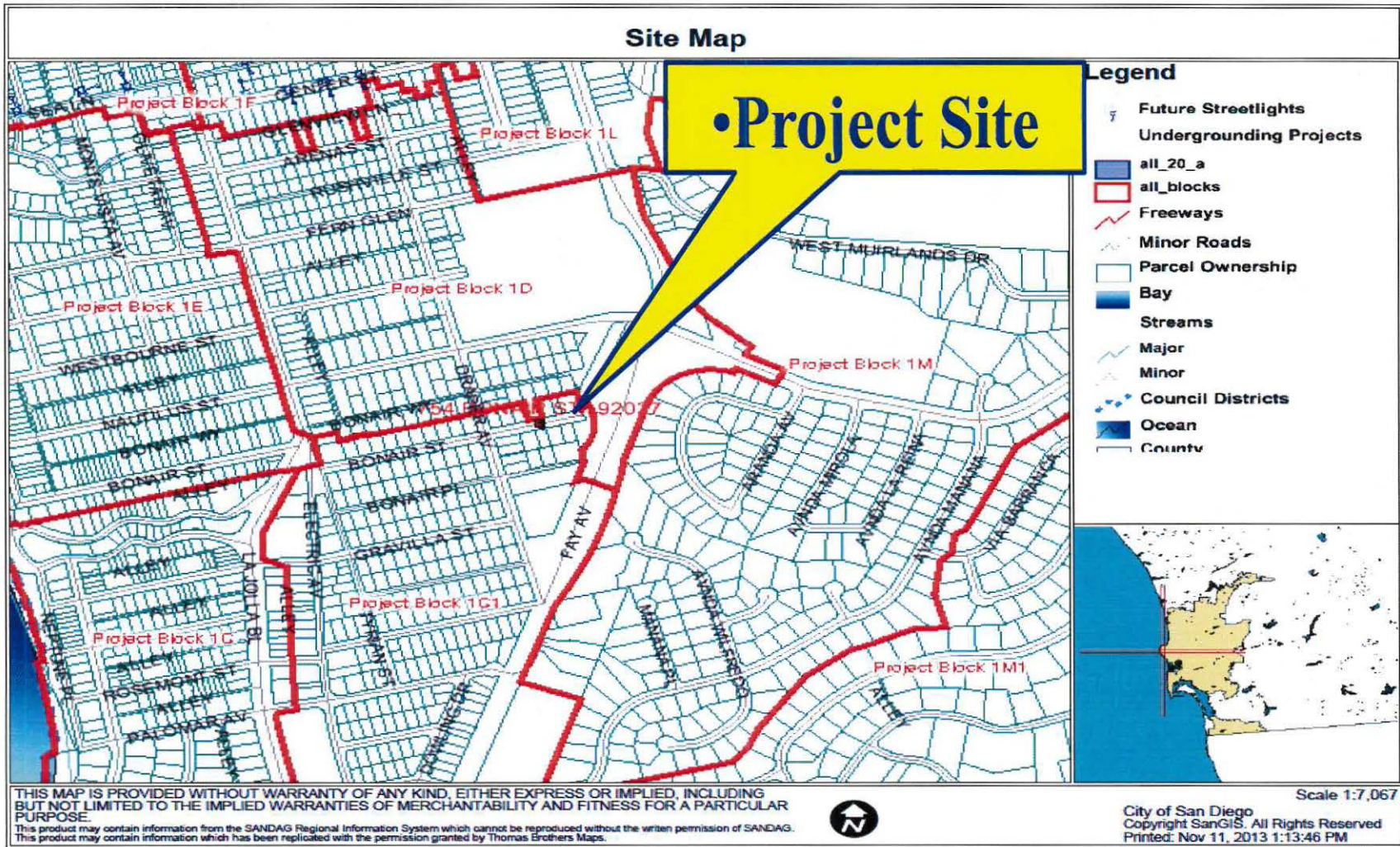
Vote: 11-4-1

A handwritten signature in black ink, appearing to read "Tony Crisafi".

05 Sept. 2013

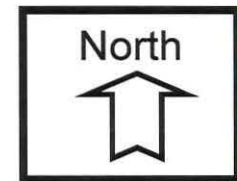
Submitted by: Tony Crisafi, President
La Jolla CPA

Date



Undergrounding Master Plan Map

**BONAIR RESIDENCES – 754 -758 BONAIR STREET
PROJECT NO. 312633**





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 VARIANCE

Project Title BONAIR RESIDENCES Project No. For City Use Only 312633

Project Address: 754, 756 & 758 BONAIR ST.

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

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

Additional pages attached Yes No

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Project Title:	Project No. (For City Use Only)
----------------	---------------------------------

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):
GREENSTICKS II, LLC

Owner Tenant/Lessee

Street Address:
241 KOLMAR ST

City/State/Zip:
LA JOLLA CA 92037

Phone No: _____ Fax No: _____

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

Title (type or print):
GENERAL PARTNER

Signature : [Signature] Date: 2/13/13

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: _____



THE CITY OF SAN DIEGO

DATE OF NOTICE: November 5, 2013

NOTICE OF PUBLIC HEARING HEARING OFFICER

DEVELOPMENT SERVICES DEPARTMENT

DATE OF HEARING:	November 20, 2013
TIME OF HEARING:	8:30 A.M.
LOCATION OF HEARING:	Council Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego, California 92101
PROJECT TYPE:	COASTAL DEVELOPMENT PERMIT, TENTATIVE PARCEL MAP & VARIANCE, CEQA CATAGIORICAL EXEMPTION, PROCESS 3
PROJECT NO:	<u>312633</u>
PROJECT NAME:	<u>BONAIR RESIDENCES</u>
APPLICANT:	Dan Linn
COMMUNITY PLAN AREA:	La Jolla
COUNCIL DISTRICT:	District One
CITY PROJECT MANAGER:	Glenn Gargas, Development Project Manager
PHONE NUMBER/E-MAIL:	(619) 446-5142 / ggargas@sandiego.gov

As a property owner, tenant, or person who has requested notice, please be advised that the Hearing Officer will hold a public hearing to approve, conditionally approve, or deny an application for a Coastal Development Permit, Tentative Parcel Map and Variance (Process 3) to demolish an existing duplex and construct three, three-story, detached dwelling units, ranging from 1,929 square feet to 2,185 square feet in size, with attached two car garages. The total gross floor area proposed is 6,846 square feet on a 9,225 square foot property. The variance request is to maintain two driveways, where only one driveway would be allowed, this driveway design also includes a reduced minimum driveway width of 16 feet, where 20 feet is required and reduced minimum distance between driveways to 26 feet, where 45 feet is required. The proposed Tentative Parcel Map is a one lot consolidation map for three condominium dwelling units, and includes a request to waive the requirement to underground overhead utilities. The project site is located at 754-758 Bonair Street, in the RM-1-1 Zone, Coastal (non-appealable), Coastal Height Limitation, Parking Impact Overlay Zones and within the La Jolla Community Plan area. This application was submitted on March 22, 2013.

The decision of the Hearing Officer is final unless appealed to the Planning Commission. In order to appeal

the decision you must be present at the public hearing and file a speaker slip concerning the **ATTACHMENT 12** have expressed interest by writing to the Hearing Officer before the close of the public hearing. The appeal must be made within 10 working days of the Hearing Officer's decision. Please do not e-mail appeals as they will not be accepted. See Information Bulletin 505 "Appeal Procedure", available at www.sandiego.gov/development-services or in person at the Development Services Department, located at 1222 First Avenue, 3rd Floor, San Diego, CA 92101

The decision made by the Planning Commission is the final decision by the City.

This project was determined to be categorically exempt from the California Environmental Quality Act on October 18, 2013, and the opportunity to appeal that determination ended on November 1, 2013.

The final decision by the City of San Diego is not appealable to the California Coastal Commission. If you want to receive a Notice of Final Action, you must submit a written request to the City Project Manager listed above.

If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing. If you have any questions after reviewing this notice, you can call the City Project Manager listed above.

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call Support Services at

(619) 321-3208 at least five working days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.

Internal Order Number: 24003559.

Revised 04/08/10 HRD