

THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

REPORT NO. HO 15-013

HEARING DATE:	January 28, 2015
ATTENTION:	Hearing Officer
SUBJECT:	SINNOTT RESIDENCE Project No. 374433
LOCATION:	646 San Antonio Avenue
APPLICANT:	Bruce Peeling

SUMMARY

* <u>Issue(s)</u>: Should the Hearing Officer approve a Coastal Development Permit to remodel an existing single family structure with a 732 square foot, single story addition and an expansion of the existing wood deck located at 646 San Antonio Avenue in the RS-1-7 zone of the Peninsula Community Plan Area in Council District 2.

Staff Recommendation(s) - Approve Coastal Development Permit No. 1315680.

<u>Community Planning Group Recommendation</u> - The Peninsula Community Planning Board voted 12:0:0 on September 9, 2014 to recommend approval with one condition. The front deck (should) be architecturally compatible and softened by landscaping.

<u>Environmental Review</u> - The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on December 23, 2014 and the opportunity to appeal that determination ended January 8, 2015.

BACKGROUND

The site is designated for Very Low Density Residential use by the Peninsula Community Plan (Attachment 1). The site is located at 646 San Antonio Avenue (Attachment 2). The site is zoned RS-1-7 for single family development. The site is within the Coastal Overlay Zone. The 6,260 square foot lot is currently developed with a single family structure (Attachment 3). The property

is developed with a one story single family building, one story accessory building, an existing wood deck, retaining walls, patio and landscaping. The existing structure was built in 1938. A portion of the existing non-building site improvements extend into the Qualtrough Street public right-of-way (Attachment 4). The site is a developed suburban property. The site does not contain any environmentally sensitive lands or environmentally sensitive resources.

DISCUSSION

Required Approvals

A Coastal Development Permit is required by the Land Development Code Section 126.0704(a)(2) whenever a project proposes improvements to any structure resulting in an increase of ten percent or more of interior floor area where the structure is within 300 feet of the inland extent of any beach or of the mean high tide line where there is no beach, whichever is the greater distance. The site is approximately 178 feet from the shoreline of San Diego Bay and the proposed project would result in an increase of ten percent or more of interior floor area. The proposed project requires the approval of a Coastal Development Permit.

Project Description

The Sinnott Residence project proposes a 732 square foot, single story addition to an existing single family residence and an expansion of the existing wood deck. Of the 732 square feet to be added to the existing structure, 154 square feet is phantom floor area under a covered walkway connecting the proposed addition and the existing accessory building (Attachment 5). The project would also include other minor changes to the existing site to construct the new additions.

The Project would be developed entirely within the private property and would not encroach upon any existing physical access way legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan in as much as there are no existing physical access ways legally used by the public or any proposed public access ways located on the private property. The Project would be constructed completely within the boundaries of the private property. The proposed coastal development would have no effect upon public views to and/or along the ocean and/or other scenic coastal areas as specified in the Local Coastal Program land use plan. Furthermore, there are no public views to and/or along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan from this site or across this site to these visual resources.

The site is not physically located between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone, yet on Map No. C-731 the site is shown within the area which the map identifies as being within the Beach Impact Area and First Public Roadway (Attachment 6). San Antonio Avenue is the first public roadway and the San Diego Bay and there are properties located between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone, yet this site is not located within this area. The site is on the landward side of San Antonio Avenue. The site is approximately 178 feet from the shoreline of San Diego Bay. As such the Project and approval of the coastal development permit would have no effect upon the public access and public recreation policies of Chapter 3 of the California Coastal Act.

Historic Review

The property located at 646 San Antonio was originally constructed in 1938. The site is not an individually designated resource and is not located within a designated historic district. San Diego Municipal Code Section 143.0212 requires City staff to review all projects impacting a property containing a structure forty-five years old or older to determine whether a potentially significant historical resource exists on site prior to approval of a permit.

City staff reviewed the photographs submitted by the applicant; the Assessor's Building Record; City water and sewer records; a written description of the property and alterations; the chain of title; and a listing of occupants; as well as any available historic photographs; Sanborn maps; and Notices of Completion. In addition, staff considered any input received through applicable public noticing and outreach. The conclusion reached by staff's review is that due to previous alterations, including a front deck, an addition to the front of the building, window and siding replacement, the property does not retain its original integrity and does not meet local designation criteria as an individually significant resource under any adopted Historical Resources Board criteria. Therefore, no historical research report was required for further review of the proposed project.

Conclusion

Staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings to support approval of the project (Attachment 7) and draft conditions of approval (Attachment 8). Staff recommends the Hearing Officer approve the project as proposed.

ALTERNATIVES

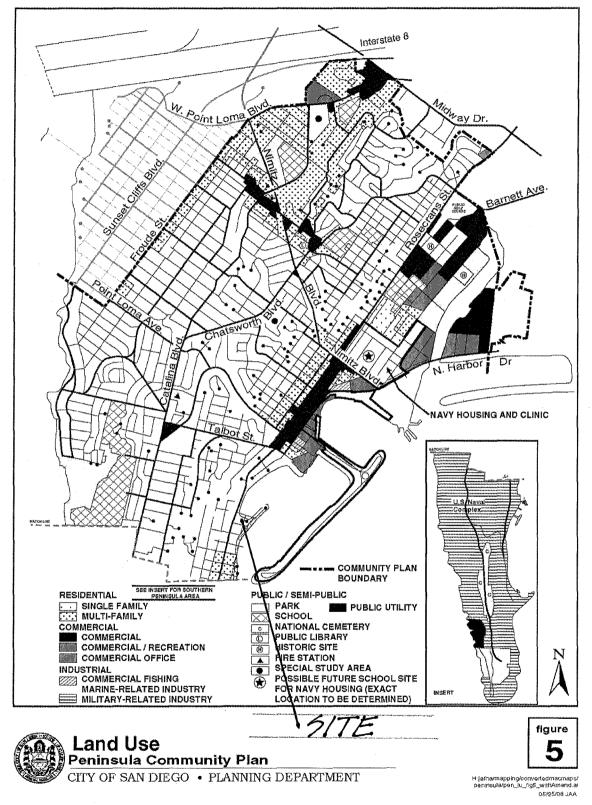
- 1. Approve Coastal Development Permit No. 1315680, with modifications.
- 2. Deny Coastal Development Permit No. 1315680, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

John S. Fisher Development Project Manager

Attachments:

- Community Plan Land Use Map 1.
- Project Location Map Aerial Photograph 2.
- 3.
- Topographic Survey, Sheet 7 of 7 4.
- Project Plans 5.
- Map No. C-731 6.
- Draft Permit Resolution with Findings 7.
- Draft Permit with Conditions 8.
- 9. Environmental Exemption
- Community Planning Group recommendation 10.
- 11. Project Data Sheet

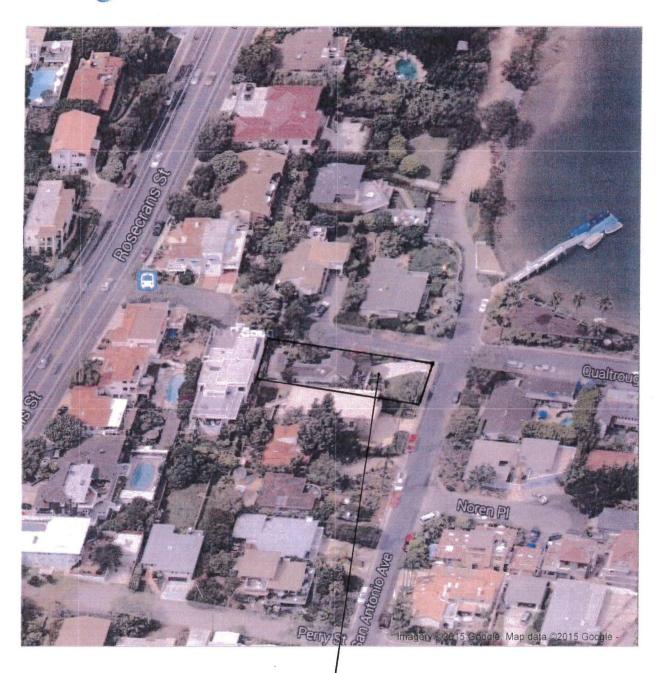


5. Land Use Plan

To see all the details that are visible on the screen, use the "Print" link next to the map.

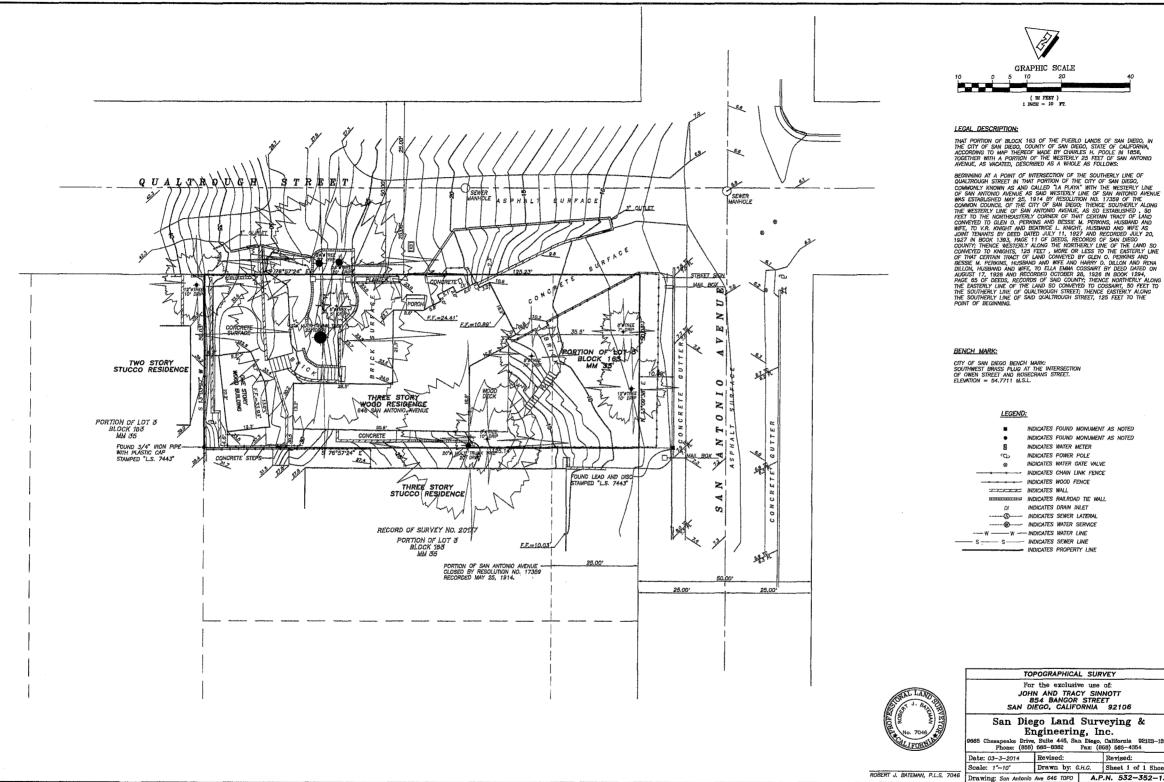


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Google



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	INDICATES	FOUND MONUMENT AS NOTED
	INDICATES	WATER METER
	INDICATES	POWER POLE
	INDICATES	WATER GATE VALVE
	INDICATES	CHAIN LINK FENCE
	INDICATES	WOOD FENCE
z	INDICATES	WALL
m	INDICATES	RAILROAD THE WALL
	INDICATES	DRAIN INLET
	INDICATES	SEWER LATERAL
	INDICATES	WATER SERVICE
	- INDICATES	WATER LINE
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Prepared By:

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Fax #:	619-224-8718
omaile	hosia@cov net

Project Address 646 SAN ANTONIO AVE SAN DIECO, CA 92106

Project Name: SINNOTT ADDITION

Sheet Title: TOPOGRAPHIC SURVEY





Revision 5:	
Revision 4:	
Revision 3:	
Revision 2:	
Revision 1:	AUGUST 01, 2014
Original Date	e: JUNE 05, 2014
Sheet	7 OF 7
DEP #	

ATTACHMENT

ARCHITECT Bruce Peeling

bpala@cox.net 3538 Inez Street San Diego, Ca. 92106 Pi 615-224-8575 Pi 619-224-8718

SINNOTT

ADDITION

ISED ARCA

No. C13645 EN. 08-31-1 4

- 1. "THE HIGHEST POINT OF THE ROOF, EQUIPMENT, OR ANY VENT, PIPE, ANTENNA OR OTHER PROJECTION, SHALL NOT EXCEED 30' ABOVE GRADE"
- 2. CONTRACTOR TO VERIFY ALL DIMENSIONS & CONDITIONS IN THE FIELD & NOTIFY ARCHITECT OF ANY DISCREPANCIES
- 3. A MINIMUM CEILING HEIGHT FOR KITCHENS, HALLS, CORRIDORS, LAUNDRY ROOMS & BATHROOMS IS 7'-0". A MINIMUM CEILING HEIGHT FOR ALL OTHER HABITABLE ROOMS SHALL BE 7'-6".
- 4. PERMANENT VACCUM BREAKERS SHALL BE INCLUDED WITH ALL NEW HOSE BIBS
- PROVIDE ULTRA LOW FLUSH TOIL FTS, & MAX. 2.2 GPM FLOW ON FAUCETS.
- 6. SHOWERHEADS TO HAVE A MAX, 2.5 CPM FLOW
- 7. 5 AIR CHANGES PER HOUR FOR BATHROOM AND LAUNDRY VENTILATION.
- 8. STATE HEALH & SAFETY CODE SEC. 17921.9 BANS THE USE OF CHLORINATED POLYVINYL CHLORIDE (CPVC) FOR INTERIOR WATER-SUPPLY PIPING
- 9. THERE ARE NO BUS/TRANSIT STOPS EXISTING OR PROPOSED.
- 10. BUILDING ADDRESS NUMBERS, WILL BE VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY
- 11. PRIOR TO BUILDING OCCUPANCY, THE APPLICANT SHALL CONFORM TO SECTION 62.0203 OF THE MUNICIPAL CODE. "PUBLIC IMPROVEMENT SUBJECT TO DESUETUDE OR DAMAGE." IF REPAIR OR REPLACEMENT OF SUCH PUBLIC IMPROVEMENTS IS REQUIRED, THE OWNER SHALL OBTAIN THE REQUIRED PERMITS FOR WORK IN THE PUBLIC RIGHT-OF-WAY, SATISFACTORY TO THE PERMIT-ISSUING AUTHORITY
- 12. ALL FENCES AND WALLS SHALL CONFORM TO THE HEIGHT AND OCATION CRITERIA AS REGULATED IN SDMC CHAPTER 14 ARTICLE 2 DIVISION 3.
- CHIMNEY, FLUE, OR STOVEPIPE ATTACHED TO ANY FIREPLACE, STOVE, BARBEQUE, OR OTHER SOLID OR LIQUID FUEL BURNING EQUIPMENT AND DEVICES SHALL BE EEQUIPPED WITH AN APPROVED SPARK ARRESTED
- 14. ALL ABS AND PVC PIPING AND FITTINGS SHALL BE ENCLOSED WITHIN WALLS AND FLOORS COVERED WITH "TYPE X GYPSUM BOARD" OR SIMILAR ASSEMBLIES THAT PROVIDE THE SAME LEVEL OF FIRE PROTECTION. PROTECTION OF MEMBRANE PENETRATIONS IS NOT REQUIRED.
- 15. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT THE OWNER/ PERMITTEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCP THE WCPC SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN APPENDIX E OF THE CITY'S STORM WATER STANDARDS.
- 16. 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 (CRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.
- 17. 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.

GRADING DATA

TOTAL AMOUNT OF SITE TO BE GRADED: 600 S F PERCENT OF TOTAL SITE GRADED: 10 % AMOUNT OF SITE WITH 25% SLOPES OR CREATER 300 S F PERCENT OF SITE WITH 25% SLOPES OR GREATER 5% AMOUNT OF CUT: 4 CUBIC YARDS (FOOTINGS) AMOUNT OF FILL: 4 CUBIC YARDS MAXIMUM HEIGHT OF FILL SLOPES: O FEET MAXIMUM HEIGHT OF CUT SLOPES: 0 FEET AMOUNT OF IMPORT SOIL: 0 CUBIC YARDS AMOUNT OF EXPORT SOIL: 0 CUBIC YARDS SITE RETAINING WALLS: 15 LINEAL FEET UNDER DECK EXTENSION

DRAINAGE NOTES

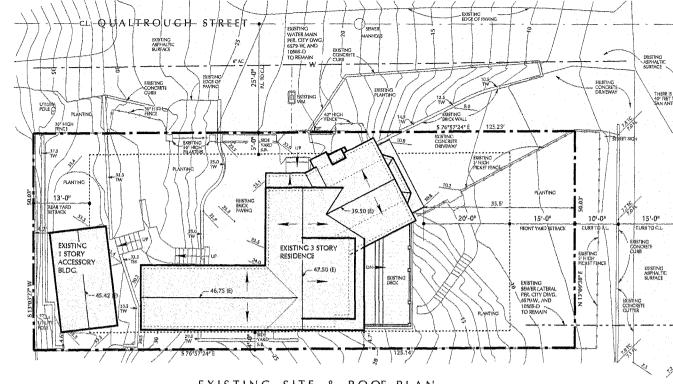
THE DRAINAGE PATTERN WILL NOT BE SIGNIFICANTLY MODIFIED. THE SITE SLOPES WEST TO EAST TO THE R.O.W. AT BOTH QUALTROUGH AND SAN ANTONIO, MOSTLY PASSING THROUGH LAWN AND/OR PRIMEABLE GROUNDCOVER.

THE STRUCTURE WILL BE LOCATED ENTIRELY UNDISTURBED NATIVE SOIL

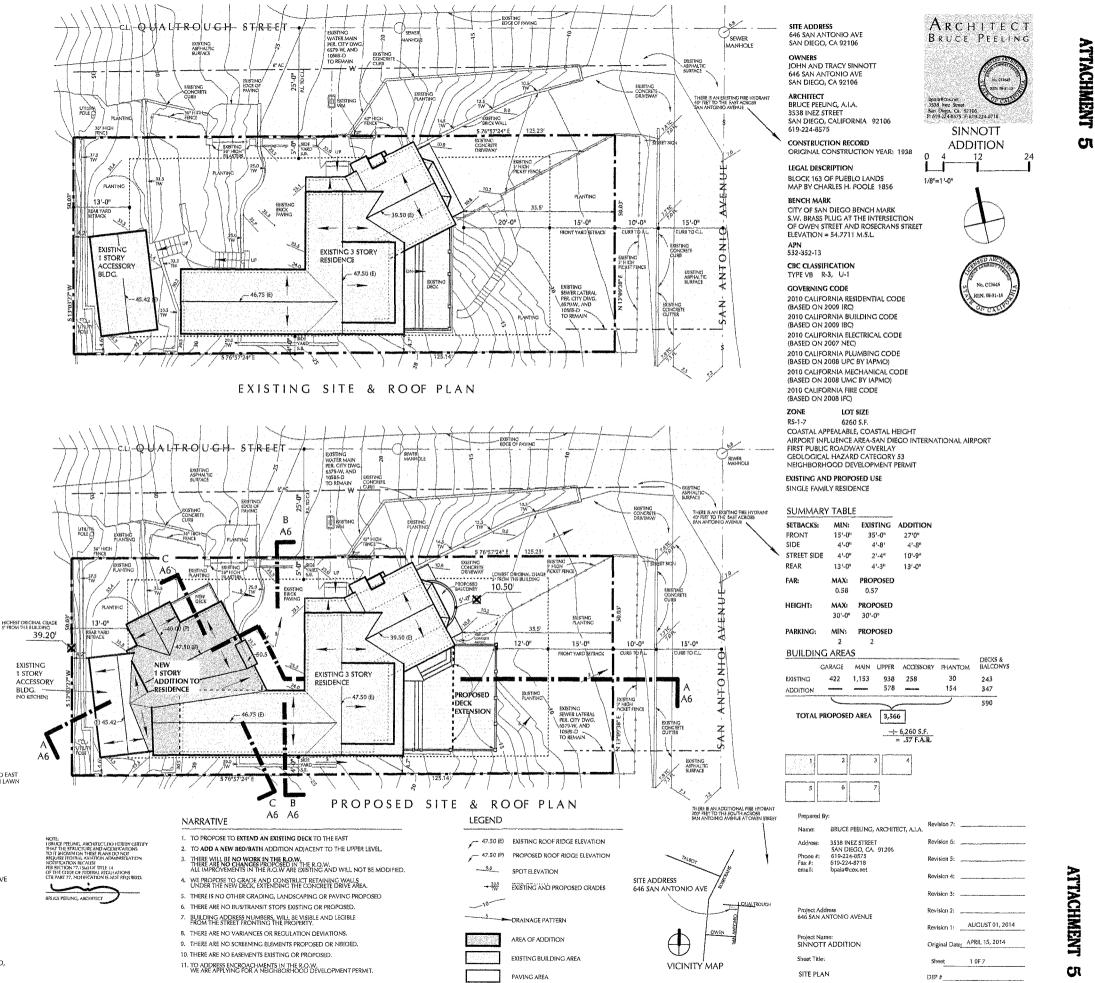
AS A CALIFORNIA LICENSED ARCHITECT, I HAVE CLASSIFIED THE UNDISTURBED NATIVE SOLLS TO BE_q=1500 psf. AND PRE TABLE 1804.2 OF THE DRUGSIONED ANTIVE SOLLS TO BE_q=1500 psf. AND PRE TABLE 1804.2 OF THE 2007 CBC 1 HAVE ASSIGNED A FOUNDATION PRESSURE OF_1500 PSF FOR THE DESIGN OF FOUNDATIONS RELATED TO THIS PROJECT.

SIGNATURE--ARCHITECT

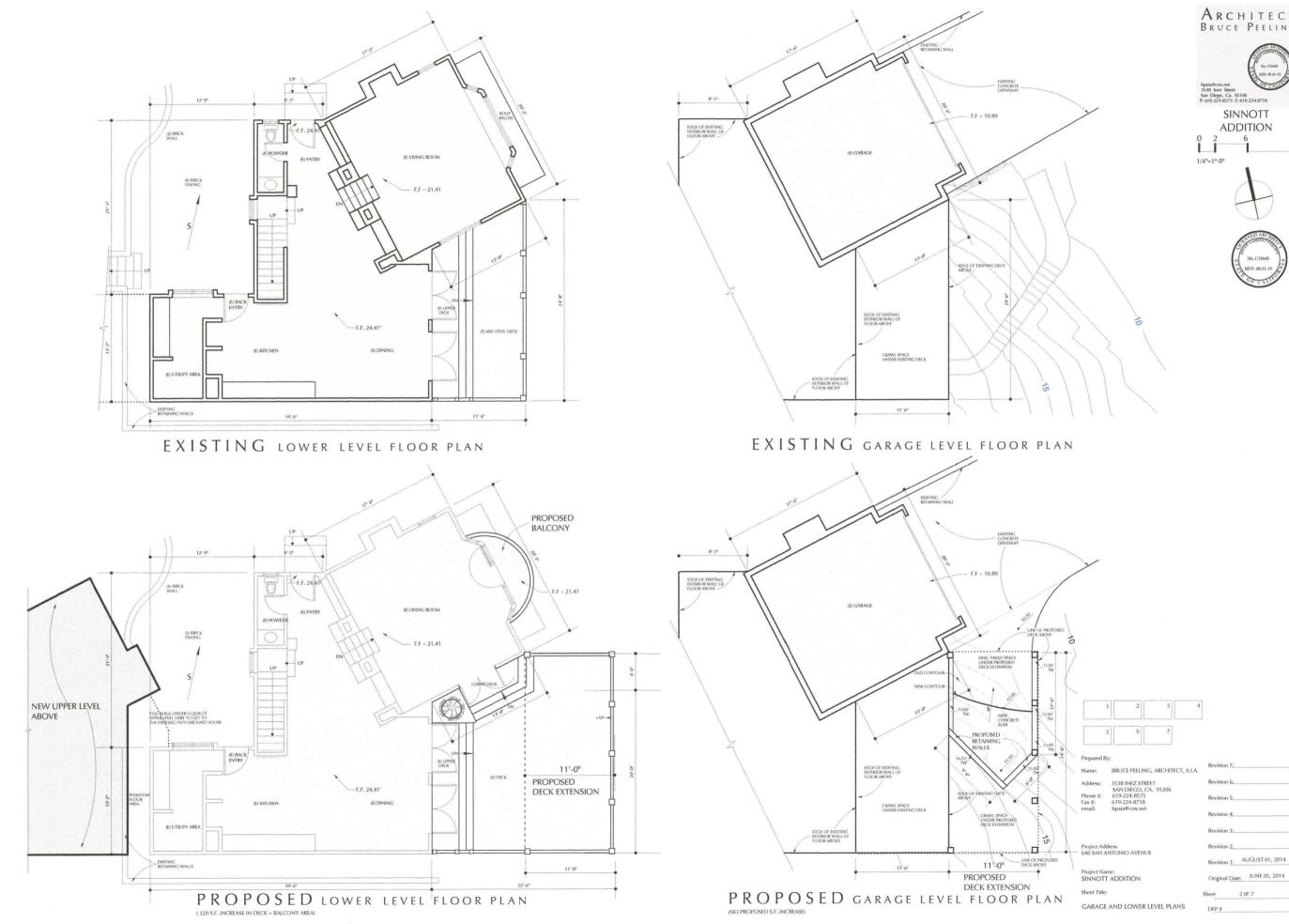
IF THE BUILDING INSPECTOR SUSPECTS FILL, EXPANSIVE SOILS OR ANY ECOLOGICAL INSTABILITY BASED UPON OBSERVATION OF THE FOUNDATION EXCAVATION, A SOILS REPORT, AND RESUBNITTAL OF PLANS TO PLAN CHECK TO VERIFY THAT THE REPORT RECOMMENDATIONS HAVE BEEN INCORPORATED, MAY BE REOUIRED.



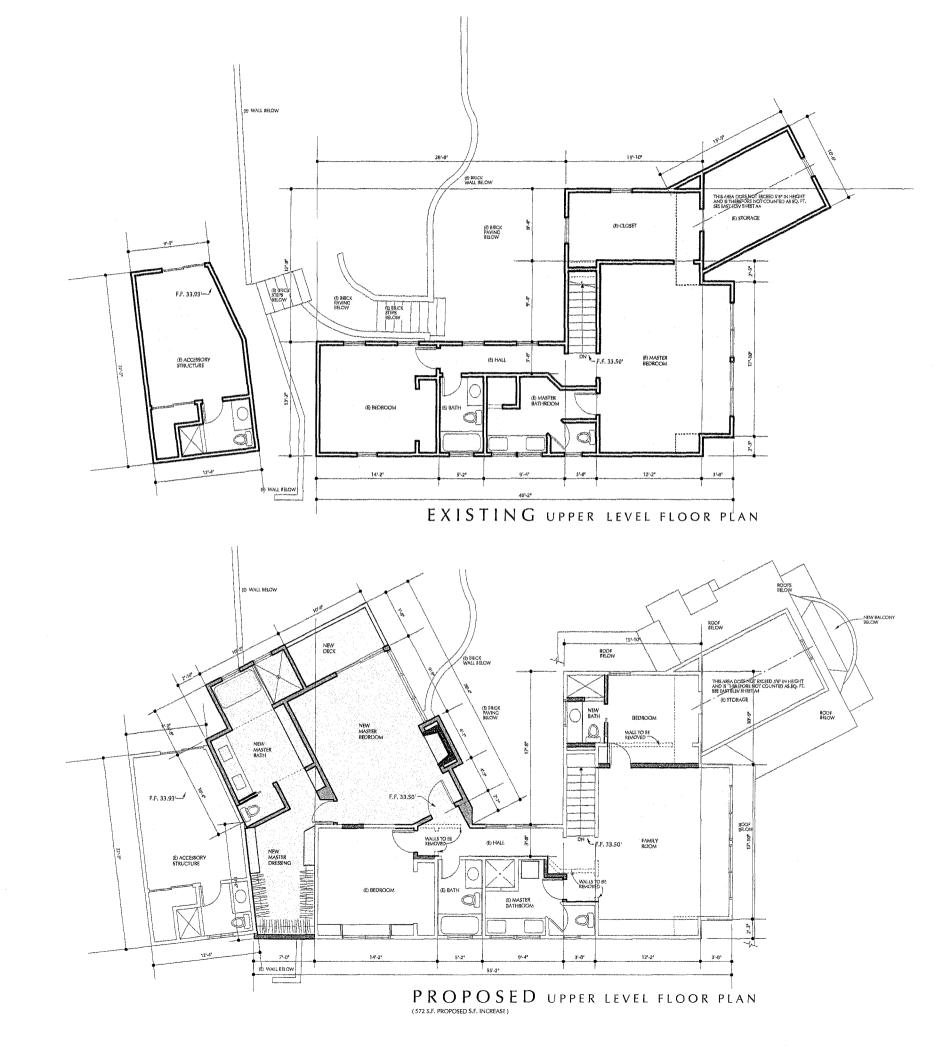




PROPERTY LINE











Prepared By:

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Phone #: Fax #: email:

3538 INEZ STREET SAN DIEGO, CA. 91206 619-224-8575 619-224-8718 bpaia@cox.net

Project Address 646 SAN ANTONIO AVE SAN DIEGO, CA 92106

Project Name: SINNOTT ADDITION

Sheet Title:

UPPER LEVEL PLANS

 Revision Z:

 Revision 6:

 Revision 4:

 Revision 3:

 Revision 2:

 Revision 2:

 Revision 1:

 AUGUST 01, 2014

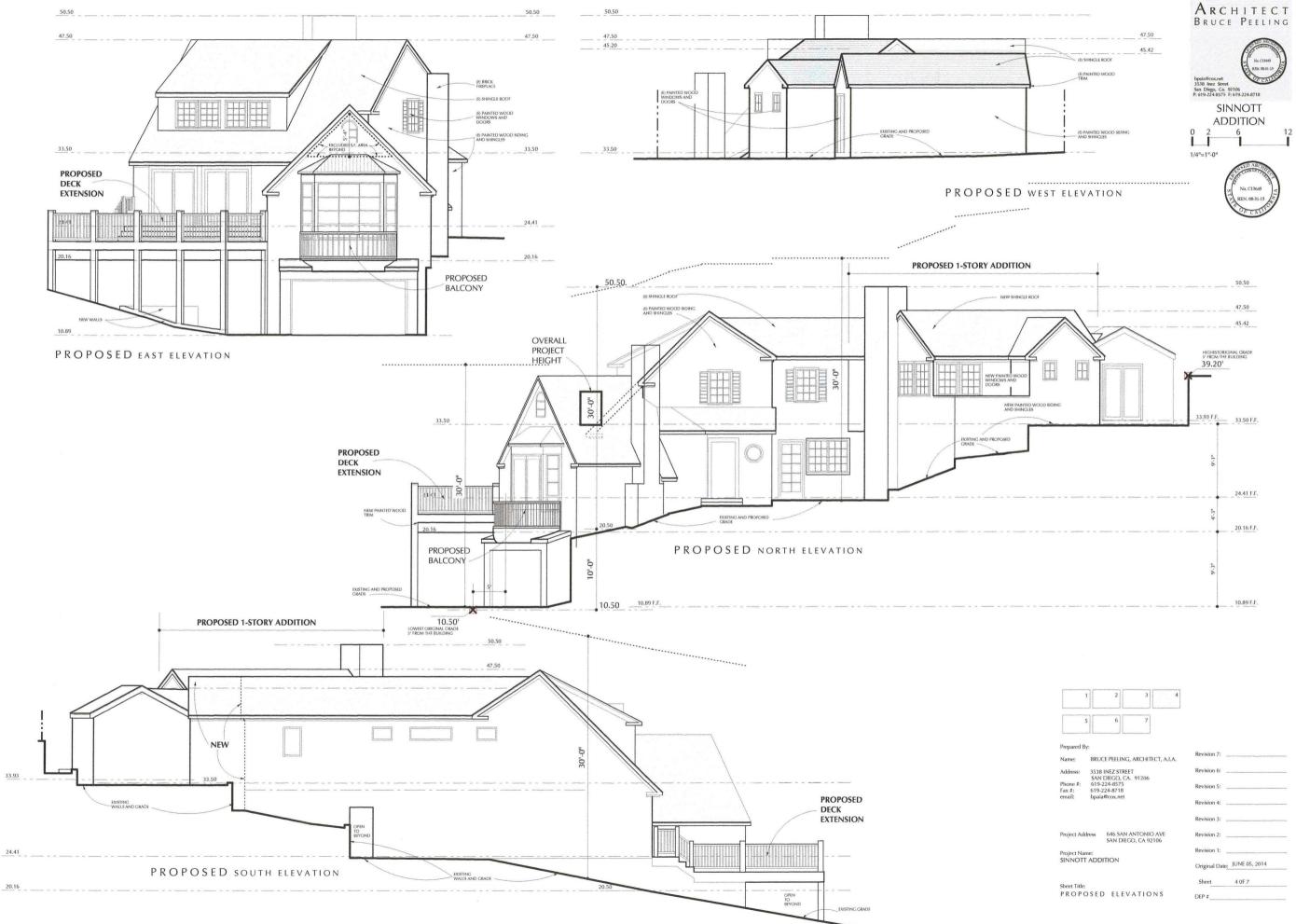
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 JUNE 05, 2014

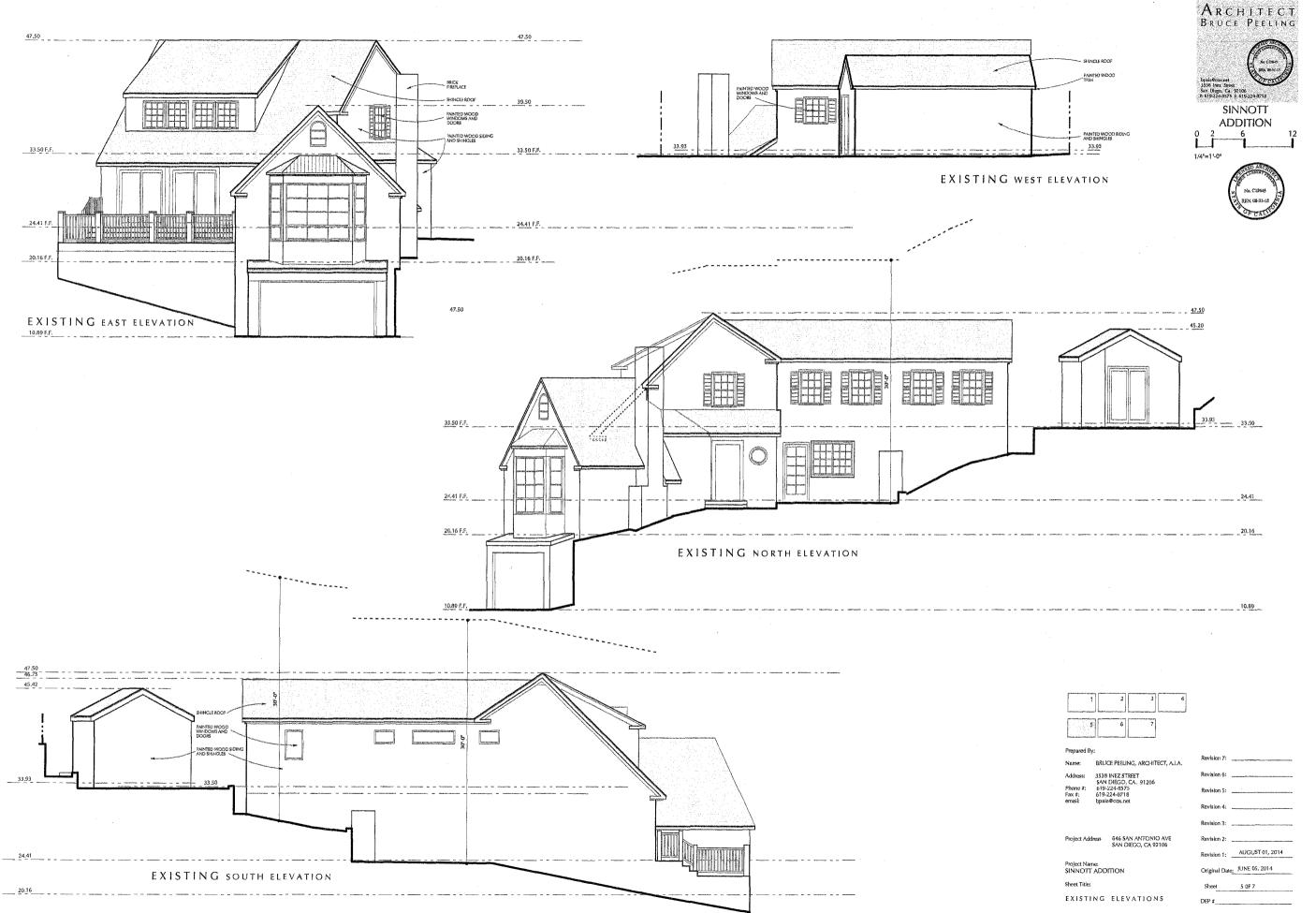
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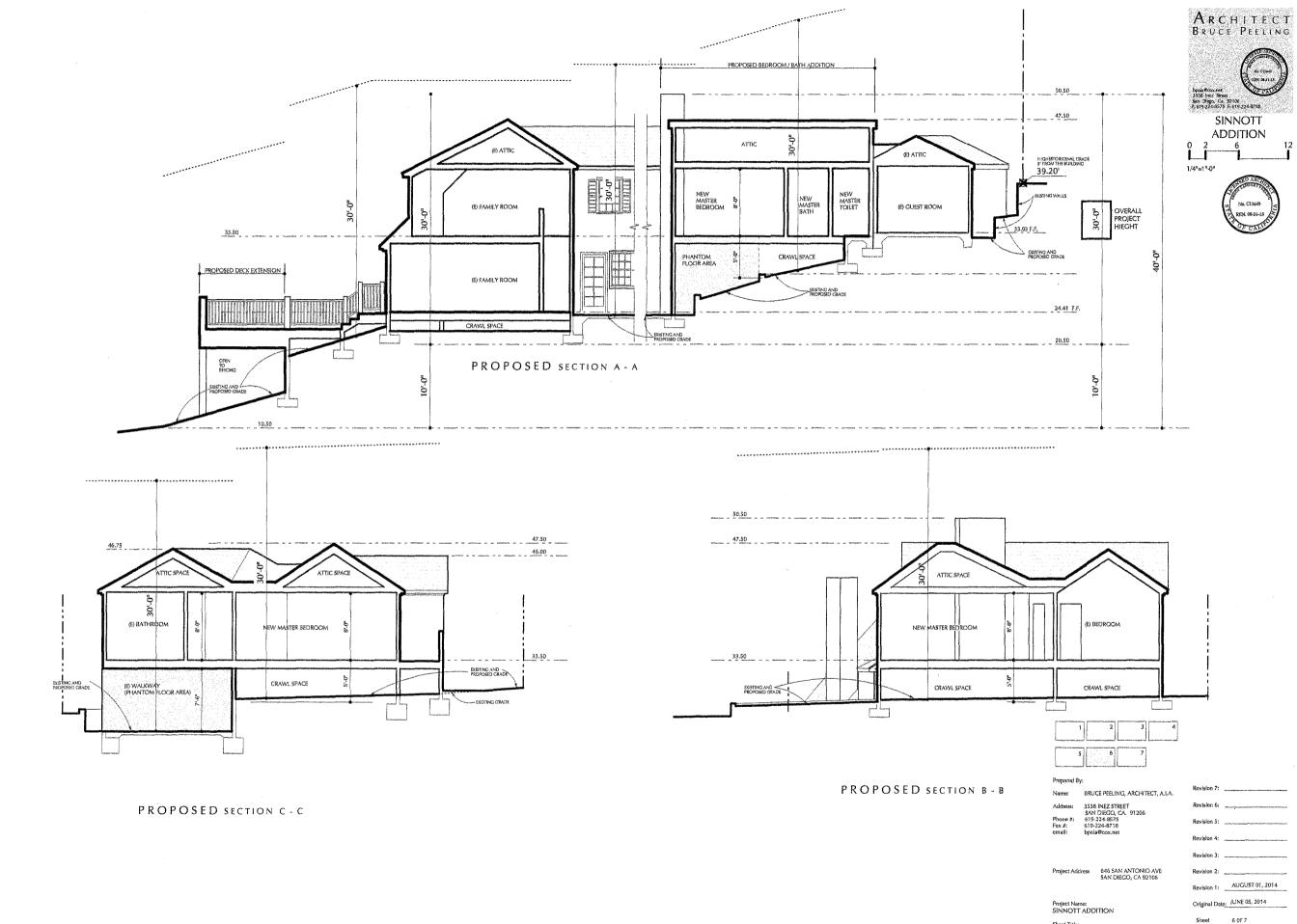
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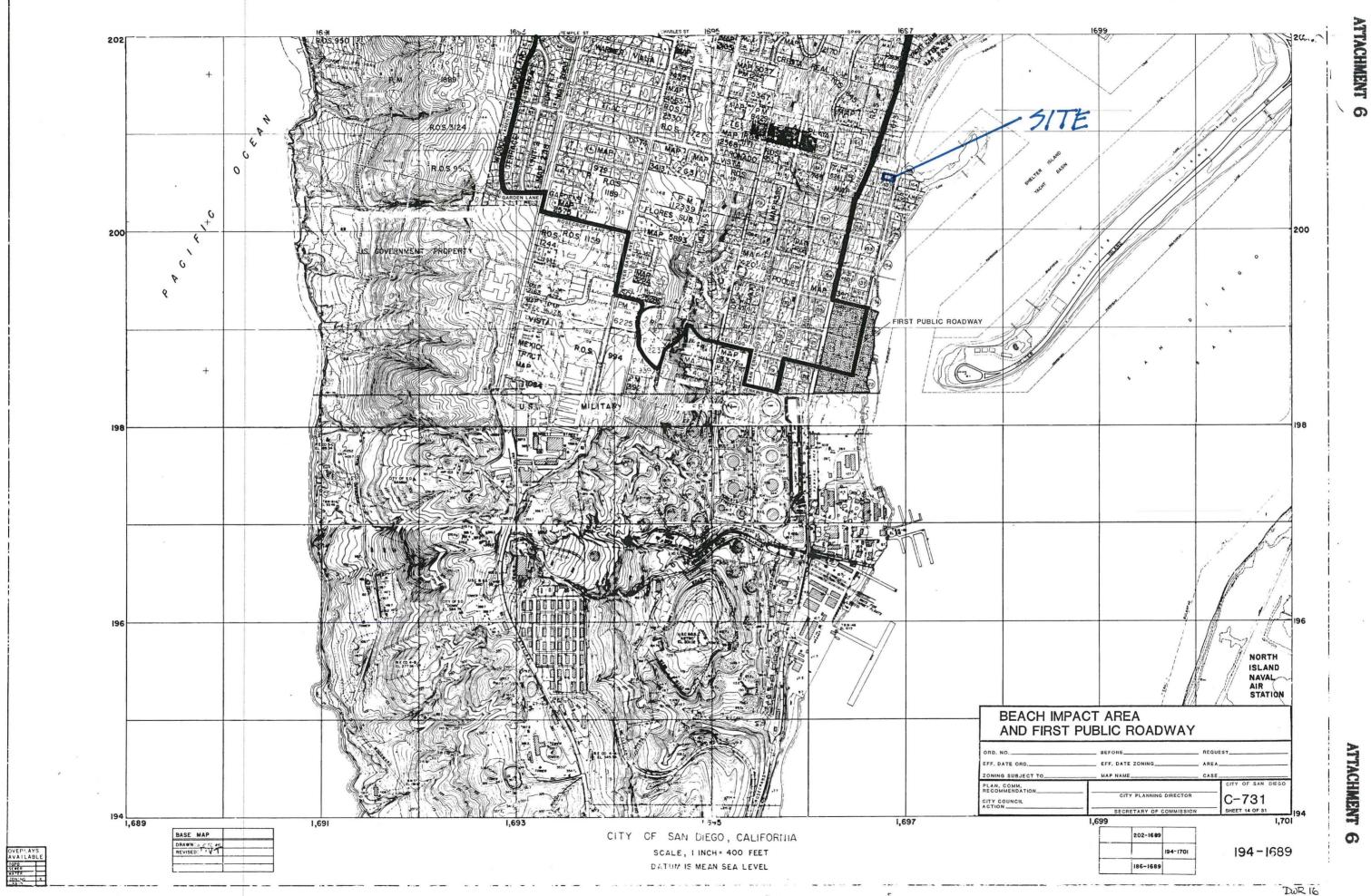


Sheet Title: PROPOSED SECTIONS

DEP #_____







HEARING OFFICER RESOLUTION NO. COASTAL DEVELOPMENT PERMIT NO. 1315680 SINNOTT RESIDENCE PROJECT NO. 374433

WHEREAS, SINNOTT FAMILY TRUST dated February 13, 2013, Owner/Permittee, filed an application with the City of San Diego for a permit to remodel an existing single family structure with a 732 square foot, single story addition and an expansion of the existing wood deck. Of the 732 square feet to be added to the existing structure, 154 square feet is phantom floor area under a covered walkway connecting the proposed addition and the existing accessory building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1353913), on portions of a 0.14 acre site;

WHEREAS, the project site is located at 646 San Antonio Avenue in the RS-1-7 zone of the Peninsula Community Plan area;

WHEREAS, the project site is legally described as that portion of Lot 3, Block 163, according to Map thereof made by Charles H. Poole in 1856 together with a portion of the westerly twenty-five feet of San Antonio Avenue, as vacated, in the San Diego County Recorder's Office;

WHEREAS, on V13 - DATE, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1353913 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on December 23, 2014, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15301 (Existing Facilities) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

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 V19 - DATE.

FINDINGS:

Coastal Development Permit - Section 126.0708

A.

1. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan. The Sinnott Residence project (Project) will remodel an existing single family structure with a 732 square foot, single story addition and an expansion of the existing wood deck. Of the 732 square feet to be added to the existing structure, 154 square feet is phantom floor area under a covered walkway connecting the proposed addition and the existing accessory building. The 6,260 square foot lot, located at 646 San Antonio Avenue, is in the RS-1-7 zone of the Peninsula Community Plan area.

The Project will be developed entirely within the private property and will not encroach upon any existing physical access way legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan in as much as there is no existing physical access way legally used by the public or any proposed public accessways located on the private property. The Project will be constructed completely within the boundaries of the private property. The proposed coastal development will have no effect upon public views to and/or along the ocean and/or other scenic coastal areas as specified in the Local Coastal Program land use plan. Furthermore, there are no public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal erogram land use plan from this site or across this site to these visual resources. As such the Project will have no effect upon any existing physical access way legally used by the public or any proposed public accessway and will have no affect on public views to and along the ocean.

2. The proposed coastal development will not adversely affect environmentally sensitive lands. The Sinnott Residence project (Project) will remodel an existing single family structure with a 732 square foot, single story addition and an expansion of the existing wood deck. Of the 732 square feet to be added to the existing structure, 154 square feet is phantom floor area under a covered walkway connecting the proposed addition and the existing accessory building. The 6,260 square foot lot, located at 646 San Antonio Avenue, is in the RS-1-7 zone of the Peninsula Community Plan area. The site is a developed suburban property. The site does not contain any environmentally sensitive lands or environmentally sensitive resources and as such the proposed coastal development will not adversely affect any 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 Sinnott Residence project (Project) will remodel an existing single family structure with a 732 square foot, single story addition and an expansion of the existing wood deck. Of the 732 square feet to be added to the existing structure, 154 square feet is phantom floor area under a covered walkway connecting the proposed addition and the existing accessory building. The 6,260 square foot lot, located at 646 San Antonio Avenue, is in the RS-1-7 zone of the Peninsula Community Plan area. The adopted Peninsula Community Plan designates this site for residential use and the Project is consistent with this use. The Project complies with all regulations of the certified Implementation Program for the adopted Peninsula Community 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 Sinnott Residence project (Project) will remodel an existing single family structure with a 732 square foot, single story addition and an expansion of the existing wood deck. Of the 732 square feet to be added to the existing structure, 154 square feet is phantom floor area under a covered walkway connecting the proposed addition and the existing accessory building. The 6,260 square foot lot, located at 646 San Antonio Avenue, is in the RS-1-7 zone of the Peninsula Community Plan area. The site is not located between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone. The site is approximately 178 feet from the shoreline of San Diego Bay. As such the Project and approval of the coastal development permit will have no effect upon the public access and public recreation policies of Chapter 3 of the California Coastal Act.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 1315680 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1315680, a copy of which is attached hereto and made a part hereof.

John S. Fisher Development Project Manager Development Services

Adopted on: V27 - DATE OF APPROVAL

Job Order No. 24005047

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: 24005047

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 1315680 SINNOTT RESIDENCE PROJECT NO. 374433 HEARING OFFICER

This Coastal Development Permit No. 1315680 is granted by the Hearing Officer of the City of San Diego to SINNOTT FAMILY TRUST dated February 13, 2013, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0708. The 0.14-acre site is located at 646 San Antonio Avenue in the RS-1-7 zone of the Peninsula Community Plan area. The project site is legally described as that portion of Lot 3, Block 163, according to Map thereof made by Charles H. Poole in 1856 together with a portion of the westerly twenty-five feet of San Antonio Avenue, as vacated, in the San Diego County Recorder's Office.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to remodel an existing single family structure with a 732 square foot, single story addition and an expansion of the existing wood deck. Of the 732 square feet to be added to the existing structure, 154 square feet is phantom floor area under a covered walkway connecting the proposed addition and the existing accessory building described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated [INSERT Approval Date], on file in the Development Services Department.

The project shall include:

- a. A 732 square foot, single story addition to an existing single family residence and an expansion of the existing wood deck. Of the 732 square feet to be added to the existing structure, 154 square feet is phantom floor area under a covered walkway connecting the proposed addition and the existing accessory building;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking; and

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 [ENTER DATE including the appeal time].

2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.

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

a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and

b. The Permit is recorded in the Office of the San Diego County Recorder.

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

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

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

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

8. 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.

9. 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.

10. 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.

11. 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.

ENGINEERING REQUIREMENTS:

Any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.
 The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

14. Prior to foundation inspection, the Owner/Permittee 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 consistent with Exhibit "A", satisfactory to the City Engineer.

15. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the private curbs, non-City Standard driveway and three foot high walls and fences encroaching into the Qualtrough Street and San Antonio Avenue right-of-way.

16. Prior to the issuance of any building permit, the Owner/Permittee shall enter into an agreement to indemnify, protect and hold harmless the City, its officials and employees from any and all claims, demands, causes or action, liability or loss because of, or arising out of surface drainage entering into the property from the Public right-of-way due to the design of the private encroachments.

17. 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.

18. 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 San Diego Municipal Code, into the construction plans or specifications.

19. 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.

PLANNING/DESIGN REQUIREMENTS:

20. Owner/Permittee shall maintain a minimum of two 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.

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[**INSERT Approval Date**] by Hearing Officer Resolution No. HO-XX-CCC.

Permit Type/PTS Approval No.: Coastal Development Permit No. 1315680 Date of Approval:

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

John S. Fisher 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.

SINNOTT FAMILY TRUST dated February 13, 2013 Owner/Permittee

> John G. Sinnott Trustee

SINNOTT FAMILY TRUST

dated February 13, 2013 Owner/Permittee

By

By

Tracy D. Sinnott Trustee

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

NOTICE OF EXEMPTION

(Check one or both)

TO:

X RECORDER/COUNTY CLERK P.O. BOX 1750, MS A-33 1600 PACIFIC HWY, ROOM 260 SAN DIEGO, CA 92101-2422 FROM: CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT 1222 FIRST AVENUE, MS 501 SAN DIEGO, CA 92101

ATTACHMENT 9

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

PROJECT NO.: 374433

PROJECT TITLE: Sinnott Residence

<u>PROJECT LOCATION-SPECIFIC:</u> The project is located at 646 San Antonio Avenue within the Peninsula Community Plan area.

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

<u>DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT</u>: A Coastal Development Permit (CDP) to construct a 578 square foot addition to an existing single family residence along with 347 square feet of decks and balconies on a 6,260 square foot lot. The proposed addition complies with height and bulk regulations and is located on a project site that is currently developed with existing public utilities to serve the residence.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Bruce Peeling, 3538 Inez Street San Diego, CA 92106. (619) 224-8575.

EXEMPT STATUS: (CHECK ONE)

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

<u>REASONS WHY PROJECT IS EXEMPT</u>: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities) which allows for the addition of up to 10,000 square-feet in areas where all public services and facilities are available and where the project would not be located on a site containing sensitive resources. Since the project is located in an area where public services exist and is devoid of sensitive resources the project qualifies to be categorical exempt from CEQA and the exceptions listed in CEQA Section 15300.2 would not apply.

LEAD AGENCY CONTACT PERSON: JEFFREY SZYMANSKI

<u>TELEPHONE:</u> 619 446-5324

IF FILED BY APPLICANT:

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

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

Emaryl' STENIOR PLANNER TURE/TITLE

<u>12/23/14</u> DATE

CHECK/ONE: V (X) SIGNED BY LEAD AGENCY () SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

City of San Diego **Community Planning Development Services** 1222 First Ave., MS-302 **Committee** San Diego, CA 92101 THE CITY OF SAN DIEGO **Distribution Form Part 1 Project Name: Project Number: Distribution Date:** SINNOT RESIDENCE ADDITION 3744 3 **Project Scope/Location:** 646 SAN ANTONIO 578 SF ADDITION TO (REAR) OF RESIDENCE ON 6,260 SF PLUS DECK TO FRONT RESIDENCE -----Applicant Name: **Applicant Phone Number:** YEELING RUCE Phone Number: E-mail Address: **Project Manager: Fax Number:** (619) 321-3200 Project Issues (To be completed by Community Planning Committee for initial review): ARCHITECTURALLY DISTINCTIVE HOUSE. FRONT APPEARANCE CAN BE RUINED IF DECK IS NOT COMPATIBLE AND SOFTENED (HIDDEN) BY -ANDSCAPINC-Attach Additional Pages If Necessary. Please return to: **Project Management Division** City of San Diego **Development Services Department** 1222 First Avenue, MS 302 San Diego, CA 92101 Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services. Upon request, this information is available in alternative formats for persons with disabilities.

(01-13)

	City of San Diego Vevelopment Services 222 First Ave., MS-302 an Diego, CA 92101					nmunity Planning Committee ution Form Part 2
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Project Scope/Location: 646 SAN A	NJONIO					
Applicant Name: BRUCIS PR	ELING				Applicant I	Phone Number:
Project Manager:		Pho	one Number:	Fa	K Number:	E-mail Address:
				(61	9) 321-3200	
Committee Recommend APPROVE W CDMATIBLE	ations (To he completed for TH HOOSN C 7 44005N B	r Initi そこ イ	al Review): (KAR LAND	chi Sci	1607UR APINC	ALLY
Vote to Approve		-	Members Y		Iembers No	Members Abstain
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Vote to Approve With Non-Binding Recommendations Listed Below		Members Y	'es N	fembers No	Members Abstain	
Uvote to Deny		Members Y	es N	lembers No	Members Abstain	
D No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)						
CONDITIONS: FRONT DECK BE ARCHITECTURALLY						
COMPATIBLE & SOFTENED BY LAND SCAPING						
NAME: JON SEVRENS TITLÉ: SECRETARY			SECRETARY			
SIGNATURE.	2. Serrens				DATE: OC	9/22/14.
Attach Additional Pages I) (]] ;	Please return f Project Manag City of San Di Development S 1222 First Ave San Diego, CA site at www.sa	ement go ervices nue, M 92101	Department 5 302	t-services
	Printed on recycled paper. Visit our web site at <u>www.sandiego.gov/development-services</u> . Upon request, this information is available in alternative formats for persons with disabilities.					

PROJECT DATA SHEET

PROJECT NAME:	Sinnott Residence			
PROJECT DESCRIPTION:	Remodel existing structure with a 732 sq.ft., single story addition & expand existing wood deck			
COMMUNITY PLAN AREA:	Peninsula			
DISCRETIONARY ACTIONS:	Coastal Development Permit			
COMMUNITY PLAN LAND USE DESIGNATION:	Very Low Density Residential			

ZONING INFORMATION:

ZONE: RS-1-7

HEIGHT LIMIT: 30 foot maximum height limit

LOT SIZE: 5,000 square-foot minimum lot size

FLOOR AREA RATIO: 0.6

FRONT SETBACK: 10 feet

SIDE SETBACK: 0.08 of lot width

STREETSIDE SETBACK: 0.10 of lot width

REAR SETBACK: 13 feet

PARKING: 2 parking spaces required

<u>ADJACENT</u> <u>PROPERTIES</u> :	LAND USE DESIGNATION & ZONE	EXISTING LAND USE		
NORTH:	Single Family / RS-1-7	Single Family		
SOUTH:	Single Family / RS-1-7	Single Family		
EAST:	Single Family / RS-1-7	Single Family		
WEST:	Single Family / RS-1-7	Single Family		
DEVIATIONS OR VARIANCES REQUESTED:	None required, none requested			
COMMUNITY PLANNING GROUP RECOMMENDATION:	The Peninsula Community Planning Board voted 12:0:0 on September 9, 2014 to recommend approval with one condition. The front deck (should) be architecturally compatible and softened by landscaping.			