



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: May 20, 2015 REPORT NO. HO 15-061
ATTENTION: Hearing Officer
SUBJECT: OLDENBURG RESIDENCE
PROJECT NUMBER: 366213
LOCATION: 2447 Felton Street
APPLICANT: Susan Richard

SUMMARY

Issues: Should the Hearing Officer approve a Variance to the development regulations and a Neighborhood Development Permit for the construction of a single-family residence located at 2447 Felton Street within the Greater North Park Community Plan Area?

Staff Recommendation:

APPROVE Variance No. 1280892;

APPROVE Neighborhood Development Permit No. 1455654.

Community Planning Group Recommendation: At the August 19, 2014, meeting of the North Park Planning Committee, the project was approved by a vote of 15-0, with no recommendations (Attachment 7).

Environmental Review: The project was determined to be exempt (Attachment 5) pursuant to California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) under CEQA Guideline Section 15303(e), new construction or conversion of small structures. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on March 30, 2015, and the opportunity to appeal that determination ended April 14, 2015.

BACKGROUND

The 0.11-acre vacant lot is located at 2447 Felton Street (Attachment 1) in the RS-1-1 Zone within the Greater North Park Community Plan (Attachment 2). The site is adjacent to single-family residential development to the south and west. To the east and north lies an undeveloped City-owned urban canyon. Felton Street is an unimproved paved road without sidewalks. The project site is not designated as Multi-Habitat Planning Area (MHPA); however the adjacent urban canyon to the east is designated as MHPA land. The property slopes down to the east from Felton Street, ranging in elevation from 260 feet near Felton Street to 225 feet at the eastern property boundary. At the rear property line, a 10-foot utility easement is on the site.

DISCUSSION

Project Description:

The 4,956-square-foot project site proposes a 3000-square-foot, two-story, single-family residence with a basement, an attached two-car garage, and a driveway within the public right-of-way. The overall height is 30 feet and slopes away from Felton Street. The property is set back from Felton Street in order to access the site requires a floating driveway to bridge the steep topography along Felton Street to access the site. Located on a hillside, the building mass is stepped to follow the natural line of the existing topography. The site is steep but does not contain natural slopes under the Environmentally Sensitive Lands Regulations of the San Diego Municipal Code (SDMC). The entire site will be graded with 227 cubic yards of cut and 103 cubic yards of fill. A 22-foot long driveway is proposed within the public right-of-way that leads to a garage and into the second level. The first floor is directly below the second floor and contains the main living area, three bedrooms and an office. Decks are located at the rear of the property overlooking the canyon.

The project proposes a design that is modern in architectural form, simplified with an emphasis on rectangular, horizontal, and vertical lines and a flat roof. The primary wall surface material is stucco; offsets are incorporated into the design to break up building wall mass at the side elevations with various superficial elements such as railing and balconies.

The project requires a Neighborhood Development Permit (NDP) for single dwelling unit development on an individual lot that is less than or equal to 15,000 square-feet and contains sensitive biological resources as described in SDMC Section 143.0110. A NDP is also required for construction of a privately owned structure proposed in the public right-of-way dedicated for a street, where the applicant is the record owner of the underlying fee title as described in SDMC Sections 129.0710(a) and 129.0710(b)(2).

The project requires a Variance for development that does not comply with the development regulations of the Land Development Code for the RS-1-1 zone as further described in the Variance section below.

The applications for the NDP and Variance shall be consolidated for processing and decided in accordance with Process Three, Hearing Officer decision with appeal rights to the Planning Commission.

Variance

A Variance is requested for three deviations to the development regulations including floor area ratio (FAR), front yard setback, and retaining wall heights.

The first Variance is to allow a floor area ratio of .60 where .45 is required in accordance with SDMC Section §131.0446(a)(1). The project site is regulated by the RS-1-1 zone with a maximum permitted FAR of .45 which is applicable for development of a premise with a minimum lot area of 40,000 square feet. The lot is approximately 5,000 square-feet and more closely meets the RS-1-7 regulations than that of the RS-1-1 regulations. The strict application of the RS-1-1 zone would result in a structure smaller than the neighboring homes which were developed according to the FAR of the RS-1-7 zone. The neighboring homes have been developed using a .60 FAR ratio which his consistent with the RS-1-7 zone.

The project site was originally zoned R-1 in 1943 (Conversion to current code is RS-1-7) which regulated the premises until the area was rezoned to the RS-1-1 zone in 1987. Lots were uniformly subdivided with a lot area of approximately 5,000-square-foot as shown on the 100 scale zoning map regulated by the R-1/R-1-5/RS-1-7 zones with a floor area ratio of .60; development of the site is anticipated to be consistent with these standards. The rezoning was not a result of the applicant and therefore the project should develop the vacant site using the .45 FAR consistent with the previous zoning and the size of the lot.

The second Variance is to allow a front yard setback of zero feet where 25 feet is required. The project proposes to place the garage at the front property line. The footprint of the dwelling unit is placed outside of the required yard 30 feet inward from front property line. Situating the structure towards Felton Street allows for minimum disturbance to the sensitive biological resources and respects the contours of the existing grade. Here is a list of surrounding properties which were developed with Variances to the front yard setback:

1. 2435 Felton Street (adjacent to subject site), Variance No. C-16798 granted a zero foot setback at the property line for parking spaces where 15 feet was required. To create a level pad, retaining walls ranging in height from 8 inches to 6 feet were also granted.
2. 2427 Felton Street, Variance C-18766, granted a 1.5-foot, front yard setback.
3. 2419 Felton Street, Hillside Review Permit 96-7867 granted a front yard setback of 7.5 feet where 25 feet was required to develop a 3000-square-foot single-family dwelling unit on a 5000-square-foot lot and a FAR of .60 where .45 is required.
4. 2411 Felton Street, Variance C-20976, regulated by R1-40,000 zone (conversion is equivalent to RS-1-1). The project was granted a 3-foot front yard setback where 15-feet were required.
5. 2405 Felton Street, Variance C-16731 was granted a 3-foot front yard setback where 15-feet were required.

The third Variance is to allow deviations to retaining wall height within the required front and street side yards. Retaining wall height varies up to a maximum height of 5.5 feet where a maximum of 3 feet is required. Due to the steepness of Felton Street leading towards the property, walls exceeding 3 feet are required to retain grade in the public right-of-way and support the driveway which is needed to bridge the steep topography to access the site. Where walls exceed the 3-foot maximum height, the portions of the exposed wall are within the private property and will not create a visual impact from the public right-of-way.

Neighborhood Development Permit

A NDP is required for construction of a privately owned structure in the public right-of-way dedicated for a street, where the applicant is the record owner of the underlying fee title as described in SDMC Sections 129.0710(a) and 129.0710(b)(2). The proposed driveway and necessary retaining walls are within the public right-of-way as described in the third paragraph of the Variance section above. As a condition of the permit, the project is required to obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the private driveway improvements in the Felton Street Right-of-Way.

The project also requires a Neighborhood Development Permit (NDP) for single dwelling unit development on an individual lot that is less than or equal to 15,000 square feet and contains sensitive biological resources (Non-Native Grasslands) as described in San Diego Municipal Code (SDMC) Section 143.0110. The impact to sensitive biological resources was 0.03-acres and according to the City of San Diego's Significance Determination Guidelines, impacts of less than 0.1-acre are not considered significant and do not require mitigation. The project site does not contain steep hillsides or wetlands as defined in the SDMC Section 143.0110. The project complies with all other applicable regulations in regards to parking, building height, brush management and design standards of the San Diego Municipal Code.

Community Plan Analysis

The Greater North Park Community Plan Area designates the site for Very Low Residential land use at a recommended density of 0-5 dwelling units per acre. The project proposes 1 dwelling unit on a 0.11-acre site considered previously conforming for minimum lot area as a result of a rezone to RS-1-1 on November 2, 1987 (Adopted by Ordinance 16973). Prior to this zone designation, the project site was designated R-1 (Conversion is RS-1-7).

The Urban Design Element of the General Plan (GP) encourages residential design that is sensitive to the existing character of a neighborhood. The General Plan welcomes change through innovation demonstrated by high-quality architectural design that is compatible with the surrounding neighborhood. Change is incremental and is accomplished, in part, through Citywide zoning which strives to create a "coherent image of the City as a whole." The Greater North Park Community Plan (GNPCP) identifies the subject site within the boundaries of Area 2, a neighborhood lying south of Redwood Street within a geographical setting of canyons and hillsides. The goals and objectives of the GNPCP as they relate to design and neighborhood character are, in part, to "enhance the unique character and community image

of Greater North Park; preserve the architectural variety and residential character of Greater North Park; and ensure that development in the community conforms with the Greater North Park Community Plan Urban Design Element."

To the south of the project site, along Felton Street, the existing homes are primarily two-story with a low profile (single story) facing the street. There is one exception, adjacent to the subject site is a dwelling unit which is set back nearly out of view, however, shows a parking space/driveway in alignment with the four other residences along the same side of the street.

The architectural design of these homes are similar with the prominent feature the garage door; all front entries are uniformly set back away from the street. Roof forms are the second prominent feature; visible from the street are typically roofs with a single ridge line at the front elevation constructed of asphalt shingles with some homes demonstrating a mixture of gables and hips and roof slopes of at least a 2:1 pitch. The homes are largely constructed of stucco exteriors.

The project proposes a design that is modern in architectural form, simplified with an emphasis on rectangular, horizontal, and vertical lines and a flat roof. The primary wall surface material is stucco; offsets are incorporated into the design to break up building wall mass at the side elevations with various superficial elements such as railing and balconies. Located on a hillside, the building mass is stepped to follow the natural line of the existing topography. The submitted design concept, as shown on elevations, is consistent with the architectural values of adjoining neighbors in the immediate vicinity and meets the goals and objectives of the Community Plan and General Plan.

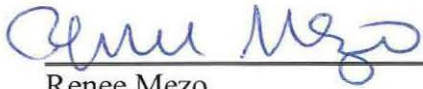
Conclusion

Staff has reviewed the request for the development of a single-family home with Variances to development regulations and a Neighborhood Development Permit. Staff has found the project to be in conformance with the applicable sections of the San Diego Municipal Code other than the proposed variances and believes the required findings can be approved. Therefore, staff recommends the Hearing Officer approve Variance No. 1280892 and Neighborhood Development Permit No. 1455654 (Attachments 3 and 4).

ALTERNATIVES

- 1. Approve Variance No. 1280892 and Neighborhood Development Permit No. 1455654, with modifications.**
- 2. Deny Variance No. 1280892 and Neighborhood Development Permit No. 1455654, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Renee Mezo
Project Manager
Development Services Department

WESTLAKE/RM

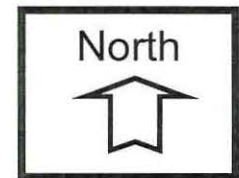
Attachments:

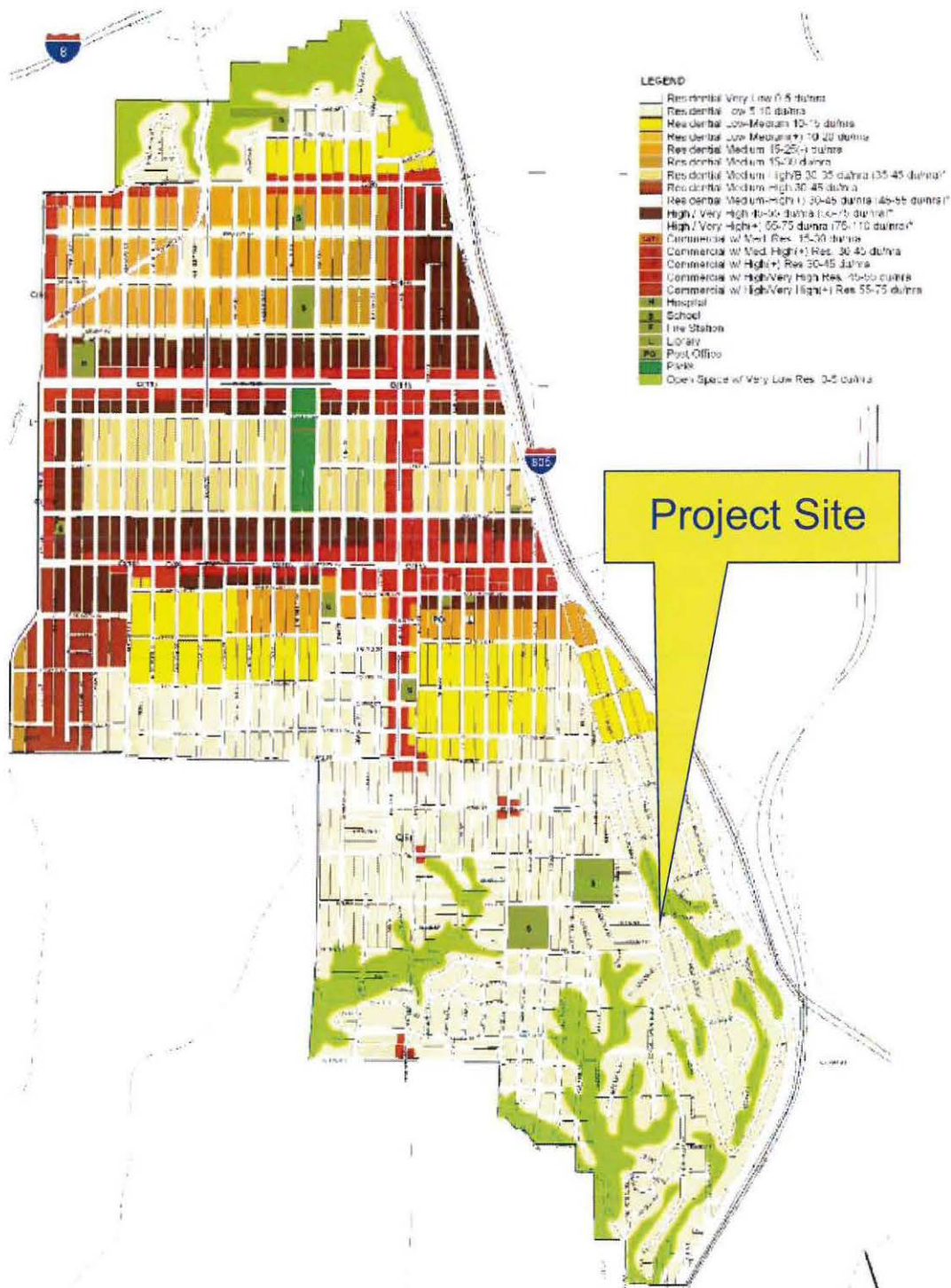
1. Aerial Photograph
2. Community Plan Land Use Map
3. Draft Variance and Permit Conditions and Resolution
4. CEQA Exemption
5. Project Plans
6. Community Planning Group Recommendation
7. Ownership Disclosure Statement
8. Photos



Location Aerial Photo

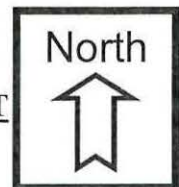
Oldenburg Residence Variances – 2447 Felton Street
PROJECT NO. 366213





Land Use Map

**OLDENBURG RESIDENCE VARIANCES – 2447 FELTON STREET
PROJECT NO. 366213**



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

PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24004587

VARIANCE NO. 1280892
NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1455654
OLDENBURG RESIDENCE PROJECT NO. 366213
HEARING OFFICER
DRAFT

This Variance No. 1280892 and Neighborhood Development Permit No. 1455654 is granted by the Hearing Officer of the City of San Diego to Steven Oldenburg, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0801, 126.0402, and 143.0110. The 0.11-acre site is located at 2447 Felton Street in the RS-1-1 Zone of the Greater North Park Community Plan area. The project site is legally described as: Lot 6 in Block 45, Eastern Addition to New San Diego, Map No. 295.

Subject to the terms and conditions set forth in this Permit, permission is granted to Steven Oldenburg, Owner/Permittee to construct a 3,000-square-foot, two-story single-family residence described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 20, 2015, on file in the Development Services Department.

The project shall include:

- a. Construction of a 3,000-square-foot, two-story single-family residence with basement and attached garage;
- b. Floor Area Ratio(FAR) of .60 where .45 is required;
- c. Zero-foot front yard setback where 25 feet is required;
- d. Retaining wall heights within the front and side yard setbacks as depicted on the approved Exhibit 'A';
- e. Construction of retaining walls within the public right-of-way dedicated for a street;

- e. Construction of retaining walls within the public right-of-way dedicated for a street;
- f. Brush Management;
- g. Off-street parking;
- h. 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 June 4, 2018.
2. 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.
3. 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.
4. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
5. 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.).
6. 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.
7. 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.

8. 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.

9. 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:

10. The project proposes to export 124 cubic yards of material from the project site. All excavated material listed to be 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.

11. The drainage system proposed for this development, as shown on the site plan [Exhibit 'A'], is private and subject to approval by the City Engineer.

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

13. 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 driveway improvements in the Felton Street Right-of-Way.
14. 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 storm drain connection into the Public storm drain system in the Felton Street Right-of-Way.
15. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to construct a current City standard curb and gutter from the proposed driveway to 15 feet north of the north side property line extended which will join the existing edge of pavement in Laurel Street, satisfactory to the City Engineer.
16. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to remove portions of the existing Public storm drain system and construct a current City standard public storm drain system including D-10 cleanout and Type A curb inlet per approved Exhibit 'A', in the Felton Street Right-of-Way, satisfactory to the City Engineer.
17. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMP's) 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.
20. Prior to the issuance of any construction permit the Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, consistent with the approved Water Quality Technical Report.
21. 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 Felton Street and Laurel Street Right-of-Way.
22. Any party, on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within 90 days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code 66020.

LANDSCAPE REQUIREMENTS:

23. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Stormwater Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' on file in the Office of the Development Services Department.

24. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development / Brush Management Plan, on file in the Office of the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per LDC 142.0403(b)(5).

25. 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 becomes the responsibility of a Landscape Maintenance District or other approved entity.

26. 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.

27. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Final Inspection.

BRUSH MANAGEMENT PROGRAM REQUIREMENTS:

28. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit 'A' Landscape Development / Brush Management Plan on file in the Office of the Development Services Department.

29. The Brush Management Program shall consist of a Modified Zone One of 5 feet to 59 feet extending out from the structure to side and rear property lines and 38 feet to the front property line at the northwest corner of the lot. There shall be no Zone Two. To compensate for the lack of full defensible space, the following Alternative Compliance measure shall be implemented under authority of the Fire Marshall: Openings on north and east facing walls along with a 10-foot perpendicular return along adjacent wall faces shall be upgraded to Dual-Glazed, Dual Tempered Panes.

30. Prior to issuance of any Building Permits, a complete set of Landscape Development / Brush Management Plans shall be submitted for approval to the Development Services Department. The construction documents shall be in substantial conformance with Exhibit 'A' and shall comply with the Landscape Standards and Brush Management Regulations as set forth under Land Development Code Section 142.0412.

31. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted while accessory structures of non-combustible, one-hour fire-rated, and/or heavy timber construction may be approved within the designated Zone One area subject to Fire Marshal's approval.

32. The following note shall be provided on the Brush Management Construction Documents: 'It shall be the responsibility of the Owner/Permittee to schedule a pre-construction meeting on site with the contractor and the Development Services Department to discuss and outline the implementation of the Brush Management Program.'

33. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Landscape Standards.

PLANNING/DESIGN REQUIREMENTS:

34. 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.

35. 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.

36. 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.

GEOLOGY REQUIREMENTS:

37. 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.

38. 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.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

39. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

40. The Owner/Permittee shall be responsible for any damage caused to City of San Diego water and sewer facilities in the vicinity of the project site, due to the construction activities associated with this project, in accordance with Municipal Code section 142.0607. In the event that any such facility loses integrity then, the Owner/Permittee shall repair or reconstruct any damaged public water and sewer facility in a manner satisfactory to the Public Utilities Director and the City Engineer.

41. The Owner/Permittee shall process encroachment maintenance and removal agreements, for all acceptable encroachments into the sewer easement, including but not limited to structures, enhanced paving, or landscaping. No structures or landscaping shall be installed in or over the sewer easement that would inhibit vehicular access to replace a section of main or provide access to any appurtenance or isolated section of main.

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

43. The Owner/Permittee shall design and construct all proposed public water and sewer facilities, in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

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 May 20, 2015 and Resolution No. XXXX.

HEARING OFFICER RESOLUTION NO. XXXX
VARIANCE NO. 1280892
NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1455654
OLDENBURG RESIDENCE PROJECT NO. 366213
DRAFT

WHEREAS, Steven Oldenburg, Owner/Permittee, filed an application with the City of San Diego to construct a 3000-square-foot, two-story, single-family residence with a basement and an attached garage (as described in and by reference to the approved Exhibit "A" and corresponding conditions of approval for the associated Variance No. 1280892 and Neighborhood Development Permit No. 1455654), on portions of a 0.11-acre site;

WHEREAS, the project site is located at 2447 Felton Street in the RS-1-1 Zone of the Greater North Park Community Plan area;

WHEREAS, the project site is legally described as Lot 6 in Block 45, Eastern Addition to New San Diego, Map No. 295;

WHEREAS, on May 20, 2015, the Hearing Officer of the City of San Diego considered Variance No. 1280892 and Neighborhood Development Permit No. 1455654 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on March 30, 2015, 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(e), 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;

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 May 20, 2015.

FINDINGS:

Variance Findings, 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.**

The 0.11-acre vacant lot is located at 2447 Felton Street in the RS-1-1 Zone within the Greater North Park Community Plan. The site is adjacent to single-family residential development to the south and west. To the east and north lies and undeveloped City-owned urban canyon. Felton Street is an unimproved paved road without sidewalks. The project site is not designated as Multi-Habitat Planning Area (MHPA); however the adjacent urban canyon to the east is designated as MHPA land. The property slopes down to the east from Felton Street, ranging in elevation from

260 feet near Felton Street to 225 feet at the eastern property boundary. At the rear property line, a 10-foot utility easement is on the site.

A Variance is requested for three deviations to the development regulations including floor area ratio (FAR), front yard setback, and retaining wall heights.

The first Variance is to allow a floor area ratio of .60 where .45 is required in accordance with SDMC Section §131.0446(a)(1). The project site is regulated by the RS-1-1 zone with a maximum permitted FAR of .45 which is applicable for development of a premise with a minimum lot area of 40,000 square-feet. The lot is approximately 5,000 square-feet and more closely meets the RS-1-7 regulations than that of the RS-1-1 regulations. The strict application of the RS-1-1 zone would result in a structure smaller than the neighboring homes which were developed according to the FAR of the RS-1-7 zone. The neighboring homes have been developed using a .60 FAR ratio which his consistent with the RS-1-7 zone.

The project site was originally zoned R-1 in 1943 (Conversion to current code is RS-1-7) which regulated the premises until the area was rezoned to the RS-1-1 zone in 1987. Lots were uniformly subdivided with a lot area of approximately 5,000-square-foot as shown on the 100 scale zoning map regulated by the R-1/R-1-5/RS-1-7 zones with a floor area ratio of .60; development of the site is anticipated to be consistent with these standards. The rezoning was not a result of the applicant and therefore the project should develop the vacant site using the .45 FAR consistent with the previous zoning and the size of the lot.

The second Variance is to allow a front yard setback of zero feet where 25 feet is required. The project proposes to place the garage at the front property line. The footprint of the dwelling unit is placed outside of the required yard 30 feet inward from front property line. Situating the structure towards Felton Street allows for minimum disturbance to the sensitive biological resources and respects the contours of the existing grade. Here is a list of surrounding properties which were developed with Variances to the front yard setback:

1. 2435 Felton Street (adjacent to subject site), Variance No. C-16798 granted a zero foot setback at the property line for parking spaces where 15 feet was required. To create a level pad, retaining walls ranging in height from 8 inches to 6 feet were also granted.
2. 2427 Felton Street, Variance C-18766, granted a 1.5-foot, front yard setback.
3. 2419 Felton Street, Hillside Review Permit 96-7867 granted a front yard setback of 7.5 feet where 25 feet was required to develop a 3000-square-foot single-family dwelling unit on a 5000-square-foot lot and a FAR of .60 where .45 is required.
4. 2411 Felton Street, Variance C-20976, regulated by R1-40,000 zone (conversion is equivalent to RS-1-1). The project was granted a 3-foot front yard setback where 15-feet were required.
5. 2405 Felton Street, Variance C-16731 was granted a 3-foot front yard setback where 15-feet were required.

The third Variance is to allow deviations to retaining wall height within the required front and street side yards. Retaining wall height varies up to a maximum height of 5.5 feet where a maximum of 3 feet is required. Due to the steepness of Felton Street leading towards the property, walls exceeding 3 feet are required to retain grade in the public right-of-way and support the driveway which is needed to bridge the steep topography to access the site. Where walls exceed

the 3-foot maximum height, the portions of the exposed wall are within the private property and will not create a visual impact from the public right-of-way.

The zoning of the site and the steepness of the lot are 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.

- 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 0.11-acre vacant lot is located at 2447 Felton Street in the RS-1-1 Zone within the Greater North Park Community Plan. The site is adjacent to single-family residential development to the south and west. To the east and north lies and undeveloped City-owned urban canyon. Felton Street is an unimproved paved road without sidewalks. The project site is not designated as Multi-Habitat Planning Area (MHPA); however the adjacent urban canyon to the east is designated as MHPA land. The property slopes down to the east from Felton Street, ranging in elevation from 260 feet near Felton Street to 225 feet at the eastern property boundary. At the rear property line, a 10-foot utility easement is on the site.

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The project site was originally zoned R-1 in 1943 (Conversion to current code is RS-1-7) which regulated the premises until the area was rezoned to the RS-1-1 zone in 1987. Lots were uniformly subdivided with a lot area of approximately 5,000-square-foot as shown on the 100 scale zoning map regulated by the R-1/R-1-5/RS-1-7 zones with a floor area ratio of .60; development of the site is anticipated to be consistent with these standards. The rezoning was not a result of the applicant and therefore the project should develop the vacant site using the .45 FAR consistent with the previous zoning and the size of the lot.

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The third Variance is to allow deviations to retaining wall height within the required front and street side yards. Retaining wall height varies up to a maximum height of 5.5 feet where a maximum of 3 feet is required. Due to the steepness of Felton Street leading towards the property, walls exceeding 3 feet are required to retain grade in the public right-of-way and support the driveway which is needed to bridge the steep topography to access the site. Where walls exceed the 3-foot maximum height, the portions of the exposed wall are within the private property and will not create a visual impact from the public right-of-way.

The neighboring homes have been developed using a .60 FAR ratio which his consistent with the RS-1-7 zone. The strict application of the RS-1-1 zone would result in a structure smaller than the neighboring homes which were developed according to the FAR of the RS-1-7 zone.

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.

The 0.11-acre vacant lot is located at 2447 Felton Street in the RS-1-1 Zone within the Greater North Park Community Plan. The site is adjacent to single-family residential development to the south and west. To the east and north lies and undeveloped City-owned urban canyon. Felton Street is an unimproved paved road without sidewalks. The project site is not designated as Multi-Habitat Planning Area (MHPA); however the adjacent urban canyon to the east is designated as MHPA land. The property slopes down to the east from Felton Street, ranging in elevation from 260 feet near Felton Street to 225 feet at the eastern property boundary. At the rear property line, a 10-foot utility easement is on the site.

The 4,956-square-foot project site proposes a 3000-square-foot, two-story, single-family residence with a basement, an attached two-car garage, and a driveway within the public right-of-way. The overall height is 30 feet and slopes away from Felton Street. The property is set back from Felton Street in order to access the site requires a floating driveway to bridge the steep topography along Felton Street to access the site. Located on a hillside, the building mass is stepped to follow the natural line of the existing topography. The site does not contain natural slopes and the entire site will be graded with 227 cubic yards of cut and 103 cubic yards of fill. A 22-foot long driveway is proposed within the public right-of-way that leads to a garage and into the second level.

The project proposes a design that is modern in architectural form, simplified with an emphasis on rectangular, horizontal, and vertical lines and a flat roof. The primary wall surface material is stucco; offsets are incorporated into the design to break up building wall mass at the side elevations with various superficial elements such as railing and balconies.

A Variance is requested for three deviations to the development regulations including floor area ratio (FAR), front yard setback, and retaining wall heights.

The project also requires a Neighborhood Development Permit (NDP) for single dwelling unit development on an individual lot that is less than or equal to 15,000 square feet and contains sensitive biological resources (Non-Native Grasslands) as described in San Diego Municipal Code (SDMC) Section 143.0110. The impact to sensitive biological resources was 0.03-acres and according to the City of San Diego's Significance Determination Guidelines, impacts of less than 0.1-acre are not considered significant and do not require mitigation. The project site does not contain steep hillsides or wetlands as defined in the SDMC. The project complies with all other applicable regulations in regards to parking, building height, brush management and design standards of the San Diego Municipal Code.

All Uniform Building, Fire, Plumbing, Electrical and Mechanical Code regulations and permitting requirements governing the construction and continued operation of the development apply to this project. Therefore, as proposed, the project would be in harmony with the general purpose and intent of the regulations and will not be in harmony with the general purpose and intent of the regulations and will not be detrimental to the to the public health, safety, or welfare.

- 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 0.11-acre vacant lot is located at 2447 Felton Street in the RS-1-1 Zone within the Greater North Park Community Plan. The site is not within the coastal overly zone. The site is adjacent to single-family residential development to the south and west. To the east and north lies and undeveloped City-owned urban canyon.

The 4,956-square-foot project site proposes a 3000-square-foot, two-story, single-family residence with a basement, an attached two-car garage, and a driveway within the public right-of-way. The overall height is 30 feet and slopes away from Felton Street. The property is set back from Felton Street in order to access the site requires a floating driveway to bridge the steep topography along Felton Street to access the site. Located on a hillside, the building mass is stepped to follow the natural line of the existing topography. The site does not contain natural slopes and the entire site will be graded with 227 cubic yards of cut and 103 cubic yards of fill. A 22-foot long driveway is proposed within the public right-of-way that leads to a garage and into the second level. The first floor is directly below the second floor and contains the main living area, three bedrooms and an office. Decks are located at the rear of the property overlooking the canyon.

The project proposes a design that is modern in architectural form, simplified with an emphasis on rectangular, horizontal, and vertical lines and a flat roof. The primary wall surface material is

stucco; offsets are incorporated into the design to break up building wall mass at the side elevations with various superficial elements such as railing and balconies.

The Greater North Park Community Plan Area designates the site for Very Low Residential land use at a recommended density of 0-5 dwelling units per acre. The project proposes 1 dwelling unit on a 0.11-acre site considered previously conforming for minimum lot area as a result of a rezone to RS-1-1 on November 2, 1987 (Adopted by Ordinance 16973). Prior to this zone designation, the project site was designated R-1 (Conversion is RS-1-7).

The Urban Design Element of the General Plan (GP) encourages residential design that is sensitive to the existing character of a neighborhood. The General Plan welcomes change through innovation demonstrated by high-quality architectural design that is compatible with the surrounding neighborhood. Change is incremental and is accomplished, in part, through Citywide zoning which strives to create a "coherent image of the City as a whole." The Greater North Park Community Plan (GNPCP) identifies the subject site within the boundaries of Area 2, a neighborhood lying south of Redwood Street within a geographical setting of canyons and hillsides. The goals and objectives of the GNPCP as they relate to design and neighborhood character are, in part, to "enhance the unique character and community image of Greater North Park; preserve the architectural variety and residential character of Greater North Park; and ensure that development in the community conforms with the Greater North Park Community Plan Urban Design Element."

To the south of the project site, along Felton Street, the existing homes are primarily two-story with a low profile (single story) facing the street. There is one exception, adjacent to the subject site is a dwelling unit which is set back nearly out of view, however, shows a parking space/driveway in alignment with the four other residences along the same side of the street.

The architectural design of these homes are similar with the prominent feature the garage door; all front entries are uniformly set back away from the street. Roof forms are the second prominent feature; visible from the street are typically roofs with a single ridge line at the front elevation constructed of asphalt shingles with some homes demonstrating a mixture of gables and hips and roof slopes of at least a 2:1 pitch. The homes are largely constructed of stucco exteriors.

The project proposes a design that is modern in architectural form, simplified with an emphasis on rectangular, horizontal, and vertical lines and a flat roof. The primary wall surface material is stucco; offsets are incorporated into the design to break up building wall mass at the side elevations with various superficial elements such as railing and balconies. Located on a hillside, the building mass is stepped to follow the natural line of the existing topography. The submitted design concept, as shown on elevations, is consistent with the architectural values of adjoining neighbors in the immediate vicinity and meets the goals and objectives of the Community Plan and General Plan.

The project site is would be developed a single-family use, which implements the Community Plan and General Plan as described above and therefore, would not adversely affect the applicable land use plan.

Neighborhood Development Permit Findings, Section 126.0404**1. The proposed development will not adversely affect the applicable land use plan.**

The 0.11-acre vacant lot is located at 2447 Felton Street in the RS-1-1 Zone within the Greater North Park Community Plan. The site is adjacent to single-family residential development to the south and west. To the east and north lies and undeveloped City-owned urban canyon.

The 4,956-square-foot project site proposes a 3000-square-foot, two-story, single-family residence with a basement, an attached two-car garage, and a driveway within the public right-of-way. The overall height is 30 feet and slopes away from Felton Street. The property is set back from Felton Street in order to access the site requires a floating driveway to bridge the steep topography along Felton Street to access the site. Located on a hillside, the building mass is stepped to follow the natural line of the existing topography. The site does not contain natural slopes and the entire site will be graded with 227 cubic yards of cut and 103 cubic yards of fill. A 22-foot long driveway is proposed within the public right-of-way that leads to a garage and into the second level. The first floor is directly below the second floor and contains the main living area, three bedrooms and an office. Decks are located at the rear of the property overlooking the canyon.

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The project proposes a design that is modern in architectural form, simplified with an emphasis on rectangular, horizontal, and vertical lines and a flat roof. The primary wall surface material is stucco; offsets are incorporated into the design to break up building wall mass at the side elevations with various superficial elements such as railing and balconies. Located on a hillside, the building mass is stepped to follow the natural line of the existing topography. The submitted design concept, as shown on elevations, is consistent with the architectural values of adjoining neighbors in the immediate vicinity and meets the goals and objectives of the Community Plan and General Plan.

The project site is would be developed a single-family use, which implements the Community Plan and General Plan as described above and therefore, would not adversely affect the applicable land use plan.

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

The 4,956-square-foot project site proposes a 3000-square-foot, two-story, single-family residence with a basement, an attached two-car garage, and a driveway within the public right-of-way. The overall height is 30 feet and slopes away from Felton Street. The property is set back from Felton Street in order to access the site requires a floating driveway to bridge the steep topography along Felton Street to access the site. Located on a hillside, the building mass is stepped to follow the natural line of the existing topography. The site does not contain natural slopes and the entire site will be graded with 227 cubic yards of cut and 103 cubic yards of fill. A 22-foot long driveway is proposed within the public right-of-way that leads to a garage and into the second level. The first floor is directly below the second floor and contains the main living area, three bedrooms and an office. Decks are located at the rear of the property overlooking the canyon.

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The project also requires a Neighborhood Development Permit (NDP) for single dwelling unit development on an individual lot that is less than or equal to 15,000 square feet and contains sensitive biological resources (Non-Native Grasslands) as described in San Diego Municipal Code (SDMC) Section 143.0110. The impact to sensitive biological resources was 0.03-acres and according to the City of San Diego's Significance Determination Guidelines, impacts of less than 0.1-acre are not considered significant and do not require mitigation. The project site does not contain steep hillsides or wetlands as defined in the SDMC. The project complies with all other applicable regulations in regards to parking, building height, brush management and design standards of the San Diego Municipal Code.

A Variance is requested for three deviations to the development regulations including floor area ratio (FAR), front yard setback, and retaining wall heights.

All Uniform Building, Fire, Plumbing, Electrical and Mechanical Code regulations and permitting requirements governing the construction and continued operation of the development apply to this project. Therefore, as proposed, the project would be in harmony with the general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare.

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

The 0.11-acre vacant lot is located at 2447 Felton Street in the RS-1-1 Zone within the Greater North Park Community Plan. The site is adjacent to single-family residential development to the south and west. To the east and north lies and undeveloped City-owned urban canyon. Felton Street is an unimproved paved road without sidewalks. The project site is not designated as Multi-Habitat Planning Area (MHPA); however the adjacent urban canyon to the east is designated as MHPA land. The property slopes down to the east from Felton Street, ranging in elevation from 260 feet near Felton Street to 225 feet at the eastern property boundary. At the rear property line, a 10-foot utility easement is on the site.

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The project site was originally zoned R-1 in 1943 (Conversion to current code is RS-1-7) which regulated the premises until the area was rezoned to the RS-1-1 zone in 1987. Lots were uniformly subdivided with a lot area of approximately 5,000-square-foot as shown on the 100 scale zoning map regulated by the R-1/R-1-5/RS-1-7 zones with a floor area ratio of .60; development of the site is anticipated to be consistent with these standards. The rezoning was not a result of the applicant and therefore the project should develop the vacant site using the .45 FAR consistent with the previous zoning and the size of the lot.

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respects the contours of the existing grade. Here is a list of surrounding properties which were developed with Variances to the front yard setback:

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Other than the proposed Variances which are allowed through this discretionary process, the proposed development will comply with all other applicable regulations of the Land Development Code.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Variance No. 1326147 and Neighborhood Development Permit No. 1455654 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Variance No. 1280892 and Neighborhood Development Permit No. 1455654, a copy of which is attached hereto and made a part hereof.

Renee Mezo
Development Project Manager
Development Services

Adopted on: May 20, 2015

SAP or WBS Number: 24004587

NOTICE OF EXEMPTION

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

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

PROJECT NO.: 366213

PROJECT TITLE: **Oldenburg Residence Variances**

PROJECT LOCATION-SPECIFIC: 2447 Felton Street, San Diego, CA 92104

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

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: **NEIGHBORHOOD DEVELOPMENT PERMIT (NDP) and a VARIANCE** to allow for the construction of a 3,000-square-foot, 2-story single-family residence with basement and attached garage on a vacant 4,956-square-foot lot. The project requires an NDP to allow for the construction of a retaining wall within the public right-of-way (PROW) and for containing Environmentally Sensitive Lands (sensitive biological resources). The applicant requests a variance to the floor area ratio (FAR), front yard setback and retaining wall heights within the front and street side yards.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Steven Oldenburg,
 4878 Ronson Court, Suite K
 San Diego, CA, 92111
 (619) 890-0704

Exempt Status: (CHECK ONE)

- Ministerial (Sec. 21080(b)(1); 15268);
 Declared Emergency (Sec. 21080(b)(3); 15269(a));
 Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
 Categorical Exemption: CEQA Exemption 15303 (a)-(New Construction of Conversion of Small Structures)
 Statutory Exemptions:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15303(a) which allows for the construction of one single family residence, or a second dwelling unit in a residential zone. The exceptions listed in CEQA Section 15300.2 would not apply.

LEAD AGENCY CONTACT PERSON: Rhonda Benally

TELEPHONE: (619) 446-5468

IF FILED BY APPLICANT:

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

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



 SIGNATURE/DEPUTY DIRECTOR

MARCH 30, 2015
 DATE

CHECK ONE:

- SIGNED BY LEAD AGENCY
 SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:



NORTH PARK PLANNING COMMITTEE
 Draft Minutes: August 19, 2014 – 6:30 PM
www.northparkplanning.org
info@northparkplanning.org

Like us: NorthParkPlanning Follow us: @NPPlanning

I. Call to order: 6:33 pm

II. Attendance Report:

Member	Robert Barry	Roger Morrison	Dionne Carlson	Daniel Gebreselassie	Vicki Granowitz	Peter Hill	Brandon Hilpert	Rachel Levin	Carl Moczydlowsky	Lucky Morrison	Dang Nguyen	Kevin Clark	Rick Pyles	Sarah McAlear	Steve Codraro
Attendance	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Late															
Absences		1						2	1					2	

III. Modifications to and Adoption of the 08/19/14 Agenda

a. Motion to Approve McAlear/Pyles 15-0-0

IV. Consent Agenda: Items on the Consent Agenda were heard & voted on at an NPPC subcommittee; are not considered controversial. Items on the Consent Agenda can be moved to Action for full discussion by any member of the Board or Public;

a. **Oldenburg Residence Project # 366213 , 2447 Felton St.** Project requires a Neighborhood Development Permit (NDP) for construction of a 3000 sf residence, on a 4,965 sf lot & a privately owned structure including retaining walls exceeding 3' in height proposed in the public right-of-way dedicated for a St, where the applicant is the owner of record. (see Addendum #3 below for photo) Variance/Deviations to allow a floor area ratio (FAR) of .60 where .45 is required & a front setback deviation from the required minimum of twenty-five ft (25') to zero ft (0') front setback. All NDP & variances requests are consistent with adjacent residences. **MOTION: To recommend approval of Project # 366213 the Oldenburg Residence at 2447 Felton St including a NDP for a 3000 sf single dwelling including construction of a privately owned structure & retaining walls exceeding 3' in height proposed in the public right-of-way dedicated for a St, and two variances/deviations: 1. To allow an FAR of .60 where .45 is required; 2. To allow a Front Setback deviation from the required minimum front setback of twenty-five ft (25') to a zero ft (0') front setback.** Nguyen/UDPR 15-0-0 (on consent)

Proposed Parking Conversions from Parallel to Head-in & from Diagonal to Head-in parking along the 3900 block of Arizona, Louisiana, Illinois, Iowa, Idaho, and Mississippi Streets. Only streets that met the minimum 75% support (via city noticing/balloting) are including, only one person showed up to oppose. Of the 500 residents/property owner balloted only 23 opposed.

MOTION: To support:

- i. The conversion from parallel parking to head-in parking on the:
 - 1. West side of Arizona St from Lincoln Ave to University Ave
 - 2. East side of Louisiana St from Lincoln Ave to University Ave
 - ii. The conversion from angle parking to head-in parking on the:
 - 1. East side of Illinois St from Lincoln Ave to University Ave
 - 2. West side of Iowa St from Lincoln Ave to University Ave
 - 3. East side of Idaho St from Lincoln Ave to University Ave
 - 4. East side of Mississippi St from Lincoln Ave to University Ave
- Nguyen/PFPA 15-0-0 (on consent)

MOTION: To support parking conversions from Parallel to Head-in & from Diagonal to Head-in parking along several Sts along the first block north of University Ave and to recommend the following conditions:

- i. *Either add signage in order to forbid oversized vehicles from being parked in the head-in parking spaces or add striping at the edge of proposed head-in parking spaces to delineate the length parked vehicles are not supposed to exceed and prevent oversized vehicles from parking within the traveled way*
 - iii. *Add striping to delineate the centerline of the St where appropriate*
 - iv. *Place handicapped (ADA) parking spaces at the St corners where currently there are no handicapped parking spaces*
 - v. *Designate dedicated parking spaces for car sharing programs*
 - vi. *Increase traffic enforcement in the area Ngyuen/PFPA 15-0-0 (on consent)*
- c. **Proposal to Remove Median Chokers at Madison & Utah St; Background:** Petition language. Remove the Median Chokers at Madison & Utah Streets" signed by residents on all 4 corners and many surrounding homes worded as follows: "WE, THE UNDERSIGNED PROPERTY OWNERS/MANAGERS/TENANTS hereby request the removal of the Median Chokers at the intersection of Madison & Utah Streets because a) they are ineffective as a traffic calming device, b) they remove too much needed parking, c) they do not provide a pedestrian/Bike/ADA safe environment in this intersection, d) they cannot be seen at night, e) they are unsightly, f) they are unsafe due to speeding traffic"
Motion: To Remove Median Chokers at Madison and Utah Sts & explore alternative traffic calmer alternatives. Ngyuen/PFPA 15-0-0 (on consent)

MOTION TO APPROVE CONSENT AGENDA: Ngyuen/UDPR/PFPA 15-0-0

V. Approval of Previous Minutes

- a. **MOTION TO APPROVE 7/15/14 Minutes as Modified Hilpert/Nguyen 13-0-2 (Morrison/Levin abstain for absences)**
- b. **MOTION TO APPROVE 5/20/14 Minutes Pyles/McAlear 15-0-0**

VI. Treasurer's Report

- a. Brandon Hilpert – current balance \$739.77

VII. Social Media Report, Brandon Hilpert

- a. No updates.
- b. Need additional resources.

VIII. Chairs Report/CPC

- a. 1 Board Vacancy to be filled by a vote of the Board at the September meeting.
 - i. Howard Blackson has volunteered for a nomination.
- b. Balboa Golf Course meeting with staff regarding the requests in our letter; also spoke briefly with Stacey LoMedico former Director Parks & Rec Department, currently assistant Chief Operating Officer.
- c. HUD 2010 Maps out, per the cd3 map no real change, in where the poverty is located in the annexation area. Over all Uptown doesn't have any of the kind of dense multifamily we have.
- d. PSA requests from community, feeling disenfranchised will be heard – referred to Dionne
- e. AD HOC COMMITTEE Admin Guideline & Bylaws for CPC and 600-24
 - i. Last Ad Hoc meeting on the Admin Guidelines in Sept, should go to CC in Oct
 - ii. Need to reconvene the bylaws ad hoc committee after that.
 - iii. A lot came out in a variety of area that will effect on our bylaws
 - iv. The Secretary position & Minutes got a lot of attention
 1. CPG Chairs all thought the city requirement where too much for any of our secretaries to do & that something needed to be done. Minutes –
 2. Changing Secretary Provision
 3. Using VC to help Secretary
 4. Requirements for submitting minutes
 5. Corrected minutes must be in within 14 days

IX. Planner's Report - Marlon Pangilinan, 619.235.5293; mpangilinan@sandiego.gov

- a. Plan update during the action item. Bill Fulton leaving for the Kinder Institute in Houston. Nationwide search underway. Equivalencies issue does include the option for input but planning director meeting with internal staff set to discuss.

X. Non Agenda Public Comment

- a. **Stephen Hon NPHS Car Show** September 6th – 10-2 at Balboa Park Tennis club, still looking for car entries and looking to place posters. Arcadia book coming out in late September.
- b. **Jeff Kirschbaum OLP** – construction and adaptive reuse completed before the 1st day of school. Community gathering for the end of summer. Hosting the society for Hispanic engineers on the 5th of September – open to all middle and high school girls.
- c. **Conni Musser Graffiti** – Western Dental has had graffiti on the building for 2 years without removal, would like to see it removed. Angie Landsberg from NP Main Street has been providing resources to Western Dental without success. Target property for removal.

XI. Announcements

- a. **Utility Undergrounding Advisory Committee**, Friday, August 15, 2014, 8:30 am to 10:30 am 202 C St, Committee Rm on the 12th floor
- b. **NP Nursery** is moving from 32nd & Thorn to the south/west corner of University & Texas
- c. **Toni Atkins Office** – Community office hours in NP. Wed Aug 27th, Wed Sept 10, Wed Sept 24 all at the library
- d. **The HUD 2010 Census Maps are out**

XII. Elected Official's Report

- a. **Gavin Deeb, Hon. Susan Davis, US Congressional District 53**, 619.208.5353 Gavin.Deeb@mail.house.gov - Retirement workshop at Grossmont College on August 27th 6-8 pm. Mail cluster boxes opposition is in full swing. Event tomorrow at 10am next Wednesday to show support.

XIII. Subcommittee Reports:

- a. **Urban Design/Project Review, Peter Hill-Rachel Levin - NP Adult Community Center, 6:00pm 1st Monday. Next meeting September 8, 2014 (due to labor day – also at 404 Idaho)**
 - i. **August Meeting:** looked at other community plans and looked for opportunities to share ideas on several concepts.
 - ii. **Future Agenda:** Indiana street project, craft market concept, KTUA urban design element.
- b. **Public Facilities/Public Art, Dionne Carlson-Roger Morrison – NP Adult Community Center, 6:00 pm, 2nd Wednesday. Next meeting September 10, 2014**
 - i. **July Meeting:** See the consent agenda.
 - ii. **Future Agenda:** SANDAG Bike routes, Orange/Howard alignment as well as problematic intersections on the SANDAG plan.

XIV. Liaisons Reports

- a. **Balboa Park Committee, Rob Steppe:** New Vice Chair Ken Davenport appointed by Mayor Falconer, trial memberships to park museums, cameras and fiber optic networks, zoo entrance improvements for the centennial entrance walkway projects, celebration breakfast for the merger with Balboa Park Central and the Conservancy
- b. **Maintenance Assessment District, Peter Hill:** No Meeting in August
- c. **North Park Main Street, Kevin Clark:** Taste of NP October 11. Movie night October 3rd behind the theatre. Jillian Wolter - graduated from UCSD in Urban Studies and Planning replacing Kevin Clark. Farewell on Saturday from 6-8 at Toronado then, Bar Pink.
- d. **NP Mid-City Regional Bike Corridors, Dionne Carlson:** On the PF agenda.
- e. **Adams Ave BIA, Dionne Carlson:** 27th of September: Adams Ave Street Fair. Funding issues for improvements to 805 bridge.
- f. **El Cajon BIA, Vicki Granowitz:** Did not attend.
- g. **Utility Undergrounding, Vicki Granowitz:** Met on Friday with the cities undergrounding department, boxes unrelated to overhead undergrounding was not included.

XV. Discussion/Action Items

- a. **Community Plan Update:** Recreation Element Discussion – Preparation for September meeting
 - i. Urban Design Element – KTUA
 - 1. CPOZ – lots of focus by KTUA,
 - a. Current zoning might change some of the character, CPOZ to preserve character issues.
 - b. Tandem parking discussion is needed (Dionne Carlson)
 - i. Front vs rear and curb cuts.
 - c. Where are we going to add density?
 - d. How are we going to get buildings we like along the nodes?
 - e. How are we going to preserve people's homes while bringing new homes to the community
 - f. How are we going to change the land development code to prevent buildings we don't like – post office redevelopment as an example.
 - 2. KTUA is a little behind on the production of the element.
 - 3. Revised draft is proposed for UD subcommittee.



THE CITY OF SAN DIEGO

City of San Diego
 Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other _____

Project Title

OLDENBURG RESIDENCE

Project No. For City Use Only

366213

Project Address:

2447 Felton Street, San Diego, CA 92104

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):

Steven Oldenburg

Owner Tenant/Lessee Redevelopment Agency

Street Address:

4878 Ronson CT STE K

City/State/Zip:

San Diego, CA 92111

Phone No:

619-890-0704

Fax No:

619-330-2556

Signature:

Date: 3/13/2014

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

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