

APPEAL TO THE CITY OF SAN DIEGO PLANNING COMMISSION OF DSD APPROVAL PRJ-1086681 MAY 23, 2024

PROJECT NUMBER:	PRJ-1086681
PROJECT NAME:	<u>THE POINT</u>
PROJECT TYPE:	COASTAL DEVELOPMENT PERMIT, CEQA EXEMPTION 15332 (IN-FILL DEVELOPMENT), PROCESS TWO
APPLICANT:	GOLBA ARCHITECTURE INC.
COMMUNITY PLAN AREA:	Ocean Beach
COUNCIL DISTRICT:	2
CITY PROJECT MANAGER:	Christian Hoppe, Development Project Manager
PHONE NUMBER/E-MAIL:	(619)-446-5293 CHoppe@sandiego.gov

THE PROBLEM

COMPLETE COMMUNITIES:

TOO MUCH, TOO QUICK – **ONE SIZE DOES NOT FIT COASTAL**

THE PROJECT:

TOO MUCH, TOO QUICK –PROJECT MISMATCH A RESULT OF
QUICK CHANGES TO PROJECT FOR 8-UNITS, PRJ-681097

RESULT:

COMPLETE DISASTER

This appeal requests the Planning Commission to grant the appeal because of appealable deficiencies in the following areas:

1. HISTORICITY
2. ENVIRONMENTAL DETERMINATION
3. CONFLICTS AND ERRORS
4. SEWAGE
5. TRASH
6. COMMERCIAL
7. PARKING, TRANSPORTATION
8. OCEAN BEACH COMMUNITY PLAN AND LOCAL COASTAL PROGRAM COMPLIANCE
9. PUBLIC SAFETY
10. SPECIFIC PROJECT DETAILS
11. LEVEL OF PERMIT

*All topics are considered part of the appeal and are applicable for further action.

The plans and documentation were quickly revised from the 8-unit prior proposal and contain problems for the 20 units now proposed.

SUNSET CLIFFS NATURAL PARK – 1.5 BLOCKS DOWNHILL FROM THE PROJECT: LIQUID FLOWS DOWNHILL



DRAINAGE, WATER, AND SEWAGE SYSTEM

When it rains, it pours.



RELEVANT DOCUMENTS

Referenced in Approval:

DATE OF NOTICE: MAY 23, 2024 NOTICE OF DECISION DEVELOPMENT SERVICES
DEPARTMENT PROJECT NUMBER: PRJ-1086681 PROJECT NAME: THE POINT
PROJECT TYPE: COASTAL DEVELOPMENT PERMIT, CEQA EXEMPTION 15332 (IN-
FILL DEVELOPMENT), PROCESS TWO APPLICANT: GOLBA ARCHITECTURE INC.

This Notice states:

“The project is being processed as an Expedite Program project for Affordable/In-Fill Housing and is eligible based on Council Policy 600-27 and San Diego Municipal Code (SDMC) Section 143.0915.

This project was determined to be categorically exempt from the California Environmental Quality Act pursuant to Section 15332 (In-Fill Development) on April 10, 2024, and the opportunity to appeal that determination ended April 24, 2024.”

Other Documents are also applicable to Complete Communities and are referenced in the Appeal Addendum, including objections also based on the above statements.

APPLICANT:

GOLBA ARCHITECTURE INC.

PROJECT DOES NOT CONFORM TO THE FOLLOWING APPROVED COMMUNITY PLANS:

- OCEAN BEACH Community Plan and Local Coastal Program, November 9, 2015, Certified by the California Coastal Commission on January 7, 2016. Golba Chaired the Planning Commission that approved the Ocean Beach Plan. Peninsula Community Plan and Local Coastal Program Land Use Plan, July 14, 1987, Adopted May 6, 1997

OCEAN BEACH

Community Plan and
Local Coastal Program

November 9, 2015

PLANNING COMMISSION

Tim Golba, Chairperson

Doug Austin

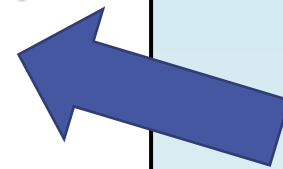
Stephen Haase

Theresa Quiroz

Susan Peerson

Anthony Wagner

Jim Whalen



HISTORICITY, IS IT, IS IT NOT?

“Notice of Environmental Determination” says (before OB Planning Board meeting):

- “Project Description: ... request for a COASTAL DEVELOPMENT PERMIT to demolish an existing commercial structure and construct a three-story multi-family residential structure. ... (NAS North Island, Review Area 2), the Federal Aviation Administration Part 77 Noticing Area (NAS North Island), Ocean Beach Cottage Emerging District, Mobility Zone 2, and the Transit Priority Area (TPA). Council District 2.”

“Notice of Determination to Approve” says (after OB Planning Board meeting):

- “ ... APPROVED an application to demolish an existing commercial structure and build a new 20-unit, three story multi-dwelling unit complex ... in the CC-4-2-Zone, ... Parking Impact Overlay Zone (Coastal), Transit Priority Area, Airport Land Use Compatibility Overlay Zone (NAS North Island and SDIA), Airport Influence Area (Review Area 2 SDIA and NAS), FAA Part 77 Noticing Area, of the Ocean Beach Community Plan Area.”

BEFORE THE OCEAN BEACH PLANNING BOARD MEETING, STILL IN THE MC:

FROM THE MUNICIPAL CODE AND THE WEBSITE:

§143.1002 (0-2021-53) Application of Complete Communities Housing Solutions Regulations

(b) The regulations in this Division shall not apply to the following types of development:

(6) Development located within a **designated historical district** or subject to the Old Town San Diego Planned District.

CALIFORNIA HISTORICAL RESOURCES INVENTORY DATABASE

City of San Diego

the property thumbnail image or the address.

[Search](#) > [Results](#) > [District](#) >

Search by District

[District:](#) ▼

[National Register of Historic Places Status Code:](#) ▼

Search Results:

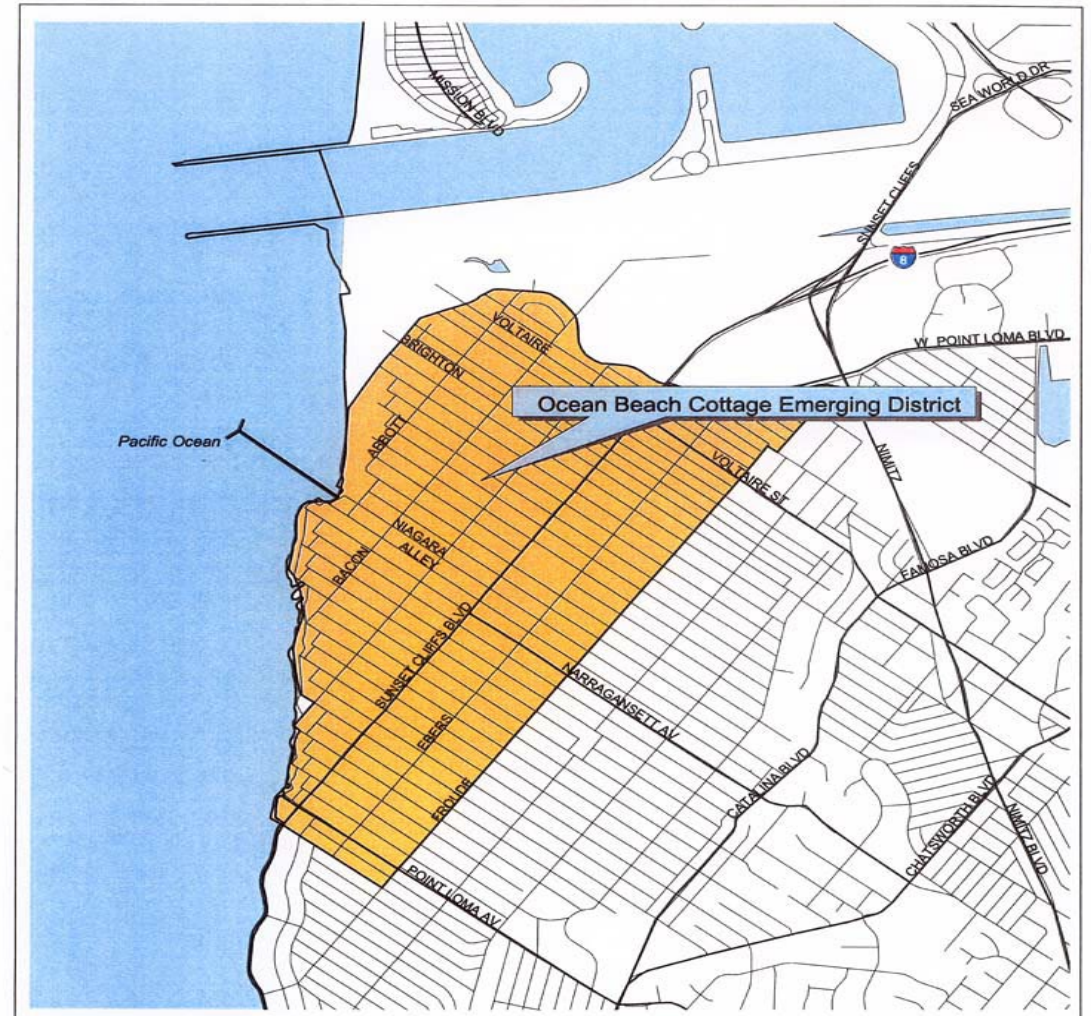
Search Date: 05/10/2024

Detail	Historic Name	Year Built	Common Name	Location
	Ocean Beach Cottage Emerging District	1887-1931		Ocean Beach

**FROM THE STATE OF CALIFORNIA WEB SITE AS OF
5/10/2024**

THIS MAP WAS REMOVED FROM THE CITY OF SAN DIEGO WEB SITE AFTER THE OCEAN BEACH PLANNING BOARD MEETING:

City of San Diego Historical Districts Ocean Beach



THIS IS THE FORMAL HISTORICAL DESIGNATION – THIS IS IT - EXPIRED

Site Development Plans PRJ-1086681.pdf

DSD-Historic

Andrew Wood
adwood@sandiego.gov

[Comment 00043 | Sheet TS1]

- The property at **4705 Point Loma Av, 1378 Ebers St APN 448-342-1100** was previously reviewed on **4/17/2018** in accordance with SDMC Section 143.0212 under PTS 602616 and was determined not eligible for designation under any HRB criteria. That determination is good for **5 years** from the **4/17/2018** review date unless new information is provided that speaks to the building's eligibility for designation. No new information has been provided and the property is not subject to Historic review at this time.

ENVIRONMENTAL DETERMINATION – The Environmental Determination should be revised.

The proximity to the Pacific Ocean is covered by the California Coastal Commission-approved Ocean Beach and the Peninsula Community Plans –

The Environmental Determination should be reissued or its Documented Historical Determination be upheld.

CATEGORICALLY EXEMPTING FROM CEQA WITHOUT REGARD TO THE SENSITIVE NATURE OF THE CLIFFS AND EROSION FROM RUNOFF FROM IMPROPERLY DESIGNED STRUCTURES, ESPECIALLY DURING THIS TIME OF CLIMATE CHANGE, IS IRRESPONSIBLE IF NOT ILLEGAL.

EXAMPLES OF CONFLICTS AND ERRORS

- The project was originally proposed for 8 units. The transition used and modified that original definition for 20 units. Many of the plan items and other details were never modified from the 8 units. Example: The plans contain historical items of significance, never reviewed for Complete Communities.
- The special reports were changed only with new cover letter for 20 units instead of the original 8.
- The CAP check list, so important in this beach community, was NO for every question. This new project cannot ignore the prior Commercial history and the ESL and coastal bluff impacts for this project.
- PRA Request Data and Accela Data are not consistent.

SEWER DETAILS– DEFERRED

What is proposed?

- This site transitions from one toilet flushing during business hours to 20 toilets supporting 3.5 persons per unit, with varying totals on different reports, but 70 total on the Sewage Report.
- The people who live nearby know what it is like now.
- The sewage report uses numbers to come to a conclusion with 70 year old pipes. The sewage system is over-extended now. Next is a Maintenance Assessment District Tax to cover new pipes.

Example of major issues deferred by City to Building Permit Phase:

- All proposed private water and sewer facilities located within a single lot are to be designed to meet the requirements of the California Plumbing Code and **will be reviewed as part of the building permit plan check.** (From Cycle 3)
- **Prior to the issuance of any building permits,** the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the public right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer. (From Cycle 3)
- **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) [BFPDs], on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. (From Cycle 3)

COMMERCIAL

The city is targeting small commercial sites. Originally NC (Neighborhood Commercial). It was retitled CC (Community Commercial) by the City. This site was formerly a neighborhood grocery store until after 2010.

Instead of the 1945 single-car families who could walk to the grocery store, now residents will have to be reached by the bus or ride their bicycles to improve the climate.

TRASH

The project description does not cover changes in Trash pickup/disposal from Commercial to Residential. Because of potential changes from free City trash pickup, a Study is currently underway.

PARKING/TRANSPORTATION

You can count on lots being full when the surf is up or summer sun is shining. Protected by the Sunset Cliffs Natural Park Master Plan. The NEW proposed Master Plan is not yet approved.



SUNSET CLIFFS PARKING TODAY – THAT PESKY PARKING/TRANSPORTATION ISSUE. BICYCLES?



HONOLULU TODAY, OCEAN BEACH TOMORROW?



SUNSET CLIFFS OR WAIKIKI? OCEAN BEACH OR HONOLULU?

OB Residents are:

- ✓ *ACTIVISTS
 - ✓ *COMPASSIONATE
 - ✓ *TENACIOUS
-
- ✓ **DEDICATED TO PROTECTING THE INTEGRITY OF THEIR HISTORIC, COASTAL COMMUNITY AND THEIR HOMES.**

The RUSH to build using “Complete Communities” resulted in the following:

- Impacted neighbors were not notified
- Impacted neighbors did not have enough time to prepare for OBPB meeting or CEQA appeal (California Environmental Quality Act)
- SUNSET CLIFFS NATURAL PARK is located one block southwest from the project at 4705 Point Loma Ave.

SUNSET CLIFFS – PROTECTED BY THE SUNSET CLIFFS NATURAL PARK MASTER PLAN, THE OCEAN BEACH AND PENINSULA COMMUNITY PLANS, AND THE CALIFORNIA COASTAL COMMISSION.



SUMMARY

The project does not support approval. The Revision from 8-units was flawed in detail. This new project cannot ignore this site's Commercial history, the Historical District, and its ESL and coastal bluff impacts as it applies to CEQA and other discrepancies. The project could correct the flaws and resubmit plans.

Please uphold the Appeal as meeting DS-3031 requirements.

This project was chosen by the city as an example for your approval. The adjacent property owners and everyone in the city of San Diego will live with your decisions for their lifetimes if this and others are built in Ocean Beach and everywhere else.