

(R-93-806)

RESOLUTION NUMBER R-280918

ADOPTED ON OCTOBER 20, 1992

WHEREAS, Thomas Jensen appealed the decision of the Planning Commission in denying Coastal Development Permit No. 89-0867 submitted by Thomas Jensen, an individual, Owner/Permittee, for the construction of a two-story three-unit development behind an existing single-family residence located at 1956 Pacific Beach Drive and more particularly described as Lots 27 and 28, Block 307, Pacific Beach Map No. 922, in the Pacific Beach Community Plan area, in the R-1500 zone; and

WHEREAS, the matter was set for public hearing on October 20, 1992, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Coastal Development Permit No. 89-0867:

1. The proposed development will not encroach upon any existing physical accessway legally utilized by the public or any proposed public accessway identified in the Pacific Beach Local Coastal Program ("LCP") Land Use Plan; nor will it obstruct views to and along the ocean and other scenic coastal areas from public vantage points.

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2. The proposed development will not adversely affect marine resources, environmentally sensitive areas, or archaeological or paleontological resources. The proposed development is located on a previously-developed lot in an urbanized residential area of Pacific Beach and does not contain marine resources, environmentally sensitive areas or archaeological and paleontological resources.

3. The previously developed site does not contain any biologically sensitive lands or significant prehistoric and historic resources as set forth in the Resource Protection Ordinance (San Diego Municipal Code section 101.0462).

4. The proposed development will not adversely affect recreational or visitor-serving facilities or coastal scenic resources. This area is designed and built as a residential area, therefore, there will be no adverse impacts on recreational, visitor-serving facilities, or coastal scenic resources as identified in the Pacific Beach Local Coastal Program Land Use Plan.

5. The proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreational areas, and will provide adequate buffer areas to protect such resources. The proposed development does not contain any environmentally sensitive habitats or scenic resources, and there are no adjacent parks or recreation areas which would be affected by this project.

6. The proposed development will minimize the alterations of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards. The proposed development is located on a previously graded and currently developed lot. No grading is proposed and this site is not located in a geologic, flood or fire hazard area.

7. The proposed development will be visually compatible with the character of surrounding areas, and where feasible, will restore and enhance visual quality in visually degraded areas. The proposed development is located in an urbanized, residential neighborhood with a mix of older single-family and multifamily residences. The proposed development is designed at a similar size and scale as the adjacent residential developments. The retention of the existing single-family residence on the front of the project site will maintain the property's single-family street facade.


8. The proposed development will conform with the General Plan, the Local Coastal Program, and any other applicable adopted plans and programs. The proposed development complies with the Pacific Beach Community Plan, the General Plan, The Pacific Beach LCP Land Use Plan and all the requirements of the LCP.

The above findings are supported by the minutes, maps and exhibits, all of which are hereby incorporated by reference.

BE IT FURTHER RESOLVED, that the appeal of Thomas Jensen is granted; the decision of the Planning Commission is overruled, and Coastal Development Permit No. 89-0867 is hereby granted to

Thomas Jensen, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By   
\_\_\_\_\_  
Harold O. Valderhaug  
Chief Deputy City Attorney

HOV:lc  
12/14/92  
Or.Dept:Clerk  
R-93-806  
Form=r.permit

COASTAL DEVELOPMENT PERMIT NO. 89-0867  
1956 PACIFIC BEACH DRIVE

CITY COUNCIL

This permit is granted by the Council of The City of San Diego to Thomas Jensen, an individual, Owner/Permittee, pursuant to Section 105.0201 of the Municipal Code of The City of San Diego.

1. Permission is hereby granted to Owner/Permittee to construct a two-story three-unit, approximately 3,782-square-foot coastal development located at 1956 Pacific Beach Drive, described as Lots 27 and 28, Block 307, Map 922, in the Pacific Beach Community Plan area, in the R-1500 zone.
2. The facility shall consist of the following:
  - a. A new two-story three-unit, approximately 3,782-square-foot building, and one existing, approximately 1,146-square-foot single-family residence.
  - b. Landscaping;
  - c. Off-street parking; and
  - d. Incidental accessory uses as may be determined incidental and approved by the Planning Director.
3. Not fewer than nine (9) off-street parking spaces shall be maintained on the property in the location shown on Exhibit "A," dated October 20, 1992, on file in the office of the Planning Department. Parking spaces shall comply with San Diego Municipal Code Chapter X, Article 1, Division 8, and shall be permanently maintained and not converted for any other use. Parking space dimensions shall conform to zoning ordinance standards. Parking areas shall be clearly marked at all times. Landscaping located in any parking area shall be permanently maintained and not converted for any other use.
4. No permit shall be granted nor shall any activity authorized by this permit be conducted on the premises until:
  - a. The Permittee signs and returns the permit to the Planning Department; and
  - b. The coastal development permit is recorded in the office of the County Recorder.
5. Before issuance of any building permits, complete grading and working drawings shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated October 20, 1992, on file in the office of the Planning Department. No change,

modifications or alterations shall be made unless appropriate applications or amendment of this permit shall have been granted.

6. Before issuance of any grading or building permits, a complete landscape plan, including a permanent irrigation system, shall be submitted to the Planning Director for approval. The plans shall be in substantial conformity to Exhibit "A," dated October 20, 1992, on file in the office of the Planning Department, and any other related conditions of approval for this permit. Approved planting shall be installed before issuance of any occupancy permit on any building. Such planting shall not be modified or altered unless this permit has been amended and is to be maintained in a disease, weed and litter free condition at all times.
7. The property included within this permit shall be used only for the purposes and under the terms and conditions set forth in this permit unless authorized by the Planning Director or the permit has been revoked by The City of San Diego.
8. This permit may be canceled or revoked if there is a material breach or default in any of the conditions of this permit. Cancellation or revocation may be instituted by The City of San Diego or Permittee.
9. This permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this permit and all referenced documents.
10. The use of texture or enhanced paving shall be permitted only with the approval of the City Engineer and Planning Director, and shall meet standards of these departments as to location, noise and friction values, and any other applicable criteria.
11. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind per the approved plans.
12. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the replacement of sidewalk on Pacific Beach Drive adjacent to this site, in a manner satisfactory to the City Engineer.
13. Prior to the issuance of any building permits, the applicant shall show on the landscape plan:
  - a. Irrigation to existing plants and lawn area.

- b. Separations between all shrub areas and lawn areas.
  - c. Proposed concrete in the public right-of-way will be permitted only if deemed consistent with adjacent and neighboring properties.
  - d. Cocos plumosa in the public right-of-way must have a minimum brown trunk height of 7 (seven) feet.
  - e. In order to meet minimum point requirements, one 24-inch-box tree must be provided in the street yard (front yard) area.
  - f. Provide a tree, other than a palm, in the east side yard to help mitigate the scale of the proposed structure from the existing residence on the site and the adjacent neighboring residence.
14. The new two-story structure must maintain a minimum distance of at least six (6) feet from existing one-car garage. This will be measured at any point on the existing garage to any point on the new structure. Prior to the issuance of building permits, new second-floor floor plans and elevations showing this change shall be submitted to the Planning Department.
15. Unless appealed this coastal development permit shall become effective on the eleventh working day following receipt by the Coastal Commission of the Notice of Final Action.
16. This permit must be utilized within 36 months after the effective date. Failure to utilize the permit within 36 months will automatically void the permit unless an extension of time has been granted as set forth in San Diego Municipal Code section 105.0216.
17. In the event that 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.

APPROVED by the Council of The City of San Diego on October 20, 1992, by Resolution No. R-280918.



AUTHENTICATED BY:

SUSAN GOLDING, Mayor  
The City of San Diego

CHARLES G. ABDELNOUR, City Clerk  
The City of San Diego

STATE OF CALIFORNIA )  
                                  ) ss.  
COUNTY OF SAN DIEGO )

On this \_\_\_\_\_ day of \_\_\_\_\_, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared CHARLES G. ABDELNOUR, known to me to be the City Clerk of The City of San Diego, the municipal corporation that executed the within instrument, and known to me to be the person whose name is subscribed to the within instrument, as a witness thereto, who being by me duly sworn, deposes and says that he was present and saw MAUREEN O'CONNOR, known to him to be the Mayor of The City of San Diego, and known to him to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same, and that said affiant subscribed his name to the within instrument as a witness.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the County of San Diego, State of California, the day and year in this certificate first above written.

\_\_\_\_\_  
Notary Public in and for the County  
of San Diego, State of California

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

THOMAS JENSEN  
Owner/Permittee

By \_\_\_\_\_

By \_\_\_\_\_

NOTE: Notary acknowledgments  
must be attached per Civil  
Code Section 1180, et seq.  
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Passed and adopted by the Council of The City of San Diego on OCT 20 1992  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By Mary Cepeda Deputy.

Office of the City Clerk, San Diego, California

Resolution R-280918      OCT 20 1992  
 Number ..... Adopted .....