

RESOLUTION NUMBER R- 302401

DATE OF FINAL PASSAGE FEB 27 2007

WHEREAS, 47th Street Self-Storage, a California Limited Liability Company, Owner/Permittee, filed an application with the City of San Diego for a Site Development Permit [SDP] No. 260818 and Planned Development Permit [PDP] No. 260654 to construct a 206,155 square-foot self-storage facility known as the 47th Street Self-Storage project, located at 930 47th Street, and legally described as a portion of Lot 61 of Map No. 283, filed March 9, 1878 in the Office of the County Recorder, City of San Diego, County of San Diego, State of California, excepting therefrom certain portions as described in Official Records, in the Southeastern San Diego Community Plan area, in the CSF-3 zone; and

WHEREAS, on January 11, 2007, the Planning Commission of the City of San Diego considered SDP No. 260818 and PDP No. 260654, and pursuant to Resolution No. 4198-PC voted to recommend approval of the Permit; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on FEB 27 2007, 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 it adopts the following findings with respect to SDP No. 260818 and PDP No. 260654:

A. PLANNED DEVELOPMENT PERMIT, FINDINGS FOR PLANNED DEVELOPMENT PERMITS UNDER SAN DIEGO MUNICIPAL CODE [SDMC] SECTION 126.0604:

1. The proposed development will not adversely affect the applicable land use plan.

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an easement abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

The proposed amendment would allow for the provision of a self-storage facility that is currently unavailable within the community and cannot currently be provided within proximity to families and small businesses that require safe and secure storage locations in close proximity to their homes and businesses. The current industrial zones do not meet these needs because of the travel required to reach them and because their industrial locations do not offer the safe environment required by family-oriented users. The proposed amendment would provide for modern storage needs that are more compatible with the new commercial type of storage facility required in today's market.

Public utilities with adequate capacity are available in 47th Street along the frontage of the property. The location is well served by public streets. Public transit is available at Logan Avenue, less than ½ block away.

The proposed development is consistent with the following objectives of the community plan:

° Expanding community-serving commercial activities. The project would improve a commercially infeasible piece of property with needed self-storage facilities. There are currently no self-storage facilities within a three-mile radius of the location, yet demographic and housing trends have created a need for household storage in close proximity to residences in this neighborhood.

° Providing attractive quality community and neighborhood commercial facilities that offer a variety of goods and services to meet community needs. The project would fulfill an

unmet community need for self-storage facilities in proximity to residential users. Architectural features and landscaping would be provided in excess of regulatory requirements and would ensure the attractiveness of the development to complement and enhance the character of the surrounding properties.

° Enhancing the perception of safety through the use of crime-detering materials and design, including the thoughtful use of landscaping, screening materials, lighting and building siting, and parking location. The project would improve a vacant piece of property that is currently an attraction for crime in the community. Crime deterring materials and design have been incorporated into the project, including surveillance cameras, defensible-space landscape design, anti-graffiti wall surfaces, and on-site management, that would convert the property from a crime-supporting location to a crime-detering location.

° Encouraging the consolidation of parcels for commercial development to create more viable businesses to serve the community. The project would consolidate two parcels that, individually, may not support viable businesses to serve the community, and improve them with a community-serving business.

The project also contributes toward meeting these plan objectives by providing a needed commercial facility and by taking advantage of the natural hillside slope to tuck about one-third of the building below grade and providing ample lighting and parking. It is also implementing the community plan design provision to minimize grading and to incorporate natural slopes into the design.

The permit has been conditioned to ensure that the proposed amendment would allow moving and household storage uses only if no outside storage is permitted, hours of operation are limited, commercial businesses are not allowed within individual storage spaces, the development provides appropriate lighting and parking on site, height and bulk are adequately addressed and the development complies with all other applicable recommendations of the community plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the area of Paleontological Resources. Mitigated Negative Declaration No. 82503 was prepared, and finalized on December 11, 2006 in accordance with the State of California Environmental Quality Act [CEQA] Guidelines. A Mitigation, Monitoring, and Reporting Program [MMRP] would be implemented which would reduce, to below a level of significance, the potential environmental impacts identified from the environmental review process for Paleontological Resources.

The proposed project would be served by the San Diego Police Department Southeastern Division located at 7222 Skyline Drive. The Southeastern Division serves a population of 147,156 people and encompasses 16.0 square miles. The average response times for police emergency priority calls in this Southeastern Division of the City of San Diego in 2001 was 7.2 minutes (as compared to a city-wide average of 7.5 minutes) and 6.8 minutes in 2002 (with a city-wide average of 7.4 minutes). The City of San Diego Fire Department has three stations in the project area: Station 12 at 4964 Imperial Avenue (approximately 0.9 mile away) has a response time for this location of 2.4 minutes; Station Number 19 at 3434 Oceanview Boulevard (approximately 1.7 miles away) has a response time for this location of 4.1 minutes; and Station 7 at 944 Crosby Street (approximately 4.1 miles away) has a response time for this location of 5.9 minutes.

Site drainage would be conveyed through a grass-lined swale and hydrocarbon filters, located within each catch basin, before discharge into the existing storm drain system located within the public right-of-way. The proposed landscaping would be in conformance with the City's Landscape Technical Manual. The proposed development would be consistent with all requirements of the Land Development Code and all Building, Fire, and other codes that protect the public health safety, and general welfare. The proposed use would improve two vacant parcels that could be otherwise vulnerable to crime, graffiti, fire, and other nuisances that could impact the health, safety, and welfare of the community. The building and site plan are designed in a manner that improves security of the surrounding community and the property. All proposed construction would comply with state and local codes and regulations for construction. Therefore, the project will not be detrimental to the public health, safety, or welfare of the community.

3. The proposed development will comply with the regulations of the Land Development Code.

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

Deviations to the applicable development regulations are requested to allow the self-storage facility to be sited within the project without regard to the base CSF-3 zone and the Citywide Landscape Regulations, including:

- A Floor Area Ratio [FAR] of 2.0 where 0.50 is allowed.
- A Lot Coverage of 57 percent where 50 percent is allowed.
- Trees within 30 feet of Seventeen of the parking spaces in the Vehicular Use Area [VUA] where trees within 30 feet of all twenty-three proposed parking space where are required.

Floor Area Ratio and Lot Coverage - Self-storage facilities are unique uses not specifically addressed in the SDMC Coverage requirements. Such facilities require a great deal of floor space to be economically feasible. This project is proposing a FAR of 1.99 and a Lot Coverage of 57 percent due to two unique factors: topographic constraints of the property and the use of renewable energy sources. These two factors increase the cost of construction and require additional rental area for economic feasibility. In addition, the Planned District Ordinance's FAR and Lot Coverage limitations are provided to control building bulk and limit traffic impacts on surrounding streets. Thirty percent of the proposed building is tucked into the existing slope, minimizing the bulk of the building. Multiple vertical and horizontal planes and a variety of building materials are incorporated to further reduce the perception of bulk and to complement and enhance the neighborhood. Self-storage use will generate much less traffic than a commercial building with the same floor area. Also, self-storage buildings require less floor height than regular commercial buildings. Thus, a self-storage building can be built to the same mass and bulk of other buildings permitted with nearly half the FAR. Due to the cost of the renewable energy sources and the architectural features that make it a more aesthetically pleasing project that complements and enhances the community, the development could not be designed without the proposed deviations.

Tree Spacing - The purpose of the requirements for trees in the VUA is to provide shade over pavement. The proposed building is located west of the parking areas and provides shade over pavement for the areas that are not within 30 feet of a shade tree. The San Diego Municipal Code permits the requirement for trees in the VUA to be met by planting the required trees within 5 feet of the edge of the parking area when the parking area is less than 6,000 square feet. Each of the three proposed parking areas is approximately 3,600 square feet. Within 5 feet of each proposed parking area are two 36-inch box canopy trees (exceeding the minimum requirement of one 24-inch box tree) and four palms with 12-foot brown trunk height (exceeding the minimum of 8-foot brown trunk height). The project would exceed the plant point requirements for the VUA with the enhanced tree planting. Shade over pavement is achieved because of the tree planting on the eastern side of the VUA and the building itself on the western side of the VUA. It is for this reason that the purpose and intent of the Landscape Regulations would be met for the tree spacing requirements in the VUA.

Each of the requested deviations are appropriate for this location and would result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone. The proposed development has otherwise been

designed and conditioned to ensure conformance to the requirements of the City of San Diego Land Development Code. Therefore, the proposed use will comply with the applicable regulations of the San Diego Municipal Code in effect for this site.

4. The proposed development, when considered as a whole, will be beneficial to the community.

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

The proposed development will provide a necessary self-storage facility that is currently unavailable within the community. The proposed development will provide safe and secure storage locations in close proximity to homes and businesses. Current industrial zones do not meet these needs because of the travel required to reach them, and because industrial locations do not offer the safe environment needed for family-oriented users. The proposed development would provide for modern storage needs that are more compatible with the new commercial type of storage facility required in today's market.

The permit has been conditioned to ensure that the proposed amendment would allow moving and household storage uses only if no outside storage is permitted, hours of operation are limited, commercial businesses are not allowed within individual storage spaces, the development provides appropriate lighting and parking on site, height and bulk are adequately addressed and the development complies with all other applicable recommendations of the community plan. Therefore, the proposed development, when considered as a whole, will be beneficial to the community.

5. Any proposed deviations pursuant to San Diego Municipal Code section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system

consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

Self-storage facilities are a unique use not specifically addressed in the Southeastern San Diego Planned District Ordinance. Such facilities require sufficient floor space to be economically feasible. The SDMC allows flexibility in the application of development regulations (deviations) for sustainable developments where strict application of the base zone development regulations would restrict design options and result in a less desirable project, through the processing of a Site Development Permit.

Deviations to the applicable development regulations are requested to allow the self storage facility to be sited within the project without regard to all requirements of the base CSF-3 zone and the Citywide Landscape Regulations, including:

- A FAR of 2.0 where 0.50 is allowed.
- A Lot Coverage of 57 percent where 50 percent is allowed.
- Trees within 30 feet of seventeen of the parking spaces in the VUA where trees within 30 feet of all twenty-three proposed parking space where are required.

Floor Area Ratio and Lot Coverage - Self-storage facilities are unique uses not specifically addressed in the SDMC Coverage requirements. Such facilities require a great deal of floor space to be economically feasible. This project is proposing a FAR of 1.99 and a Lot Coverage of 57 percent due to two unique factors: topographic constraints of the property and the use of renewable energy sources. These two factors increase the cost of construction and require additional rental area for economic feasibility. In addition, the Planned District Ordinance's FAR and Lot Coverage limitations are provided to control building bulk and limit traffic impacts on surrounding streets. Thirty percent of the proposed building is tucked into the existing slope, minimizing the bulk of the building. Multiple vertical and horizontal planes and a variety of building materials are incorporated to further reduce the perception of bulk and to complement and enhance the neighborhood. Self-storage use will generate much less traffic than a commercial building with the same floor area. Also, self-storage buildings require less floor height than regular commercial buildings. Thus, a self-storage building can be built to the same mass and bulk of other buildings permitted with nearly half the FAR. Due to the cost of the renewable energy sources and the architectural features that make it a more aesthetically pleasing project that complements and enhances the community, the development could not be designed without the proposed deviations.

Tree Spacing - The purpose of the requirements for trees in the VUA is to provide shade over pavement. The proposed building is located west of the parking areas and provides shade over pavement for the areas that are not within 30 feet of a shade tree. The San Diego Municipal Code permits the requirement for trees in the VUA to be met by planting the required trees within 5 feet of the edge of the parking area when the parking area is less than 6,000 square feet. Each of the three proposed parking areas is approximately 3,600 square feet. Within 5 feet of each proposed parking area are two 36-inch box canopy trees (exceeding the minimum requirement of one 24-inch box tree) and four palms with 12-foot brown trunk height (exceeding

the minimum of 8-foot brown trunk height). The project would exceed the plant point requirements for the VUA with the enhanced tree planting. Shade over pavement is achieved because of the tree planting on the eastern side of the VUA and the building itself on the western side of the VUA. It is for this reason that the purpose and intent of the Landscape Regulations would be met for the tree spacing requirements in the VUA.

The deviation requests to the regulations governing FAR and Lot Coverage are due to two unique factors: topographic constraints of the property and the use of renewable energy sources. These two factors increase the cost of construction and require additional rental area for economic feasibility. Multiple vertical and horizontal planes and a variety of building materials are incorporated to make it a more aesthetically pleasing project that complements and enhances the community. Due to the cost of the renewable energy sources and these architectural features the development could not be designed without the proposed deviations.

Each of the requested deviations are appropriate for this location and would result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone. The proposed development has otherwise been designed and conditioned to ensure conformance to the requirements of the City of San Diego Land Development Code. Therefore, proposed deviations pursuant to San Diego Municipal Code section 126.0602(b) (1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

B. SITE DEVELOPMENT PERMIT , SDMC SECTION 126.0504(a):

1. Findings for all Site Development Permits:

- a. The proposed development will not adversely affect the applicable land use plan.**

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit Site Development Permit, and Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

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modern storage needs that are more compatible with the new commercial type of storage facility required in today's market.

Public utilities with adequate capacity are available in 47th Street along the frontage of the property. The location is well served by public streets. Public transit is available at Logan Avenue, less than ½ block away.

The proposed development is consistent with the following objectives of the community plan:

° Expanding community-serving commercial activities. The project would improve a commercially infeasible piece of property with needed self-storage facilities. There are currently no self-storage facilities within a 3 mile radius of the location, yet demographic and housing trends have created a need for household storage in close proximity to residences in this neighborhood.

° Providing attractive quality community and neighborhood commercial facilities that offer a variety of goods and services to meet community needs. The project would fulfill an unmet community need for self-storage facilities in proximity to residential users. Architectural features and landscaping would be provided in excess of regulatory requirements and would ensure the attractiveness of the development and complement and enhance the character of the surrounding properties

° Enhancing the perception of safety through the use of crime-detering materials and design, including the thoughtful use of landscaping, screening materials, lighting and building siting, and parking location. The project would improve a vacant piece of property that is currently an attraction for crime in the community. Crime deterring materials and design have been incorporated into the project, including surveillance cameras, defensible-space landscape design, anti-graffiti wall surfaces, and on-site management, that would convert the property from a crime-supporting location to a crime-detering location.

° Encouraging the consolidation of parcels for commercial development to create more viable businesses to serve the community. The project would consolidate two parcels that, individually, may not support viable businesses to serve the community, and improve them with a community-serving business.

The project also contributes toward meeting these plan objectives by providing a needed commercial facility and by taking advantage of the natural hillside slope to tuck about 1 third of the building below grade and providing ample lighting and parking. It is also implementing the community plan design provision to minimize grading and to incorporate natural slopes into the design.

The permit has been conditioned to ensure that the proposed amendment would allow moving and household storage uses only if no outside storage is permitted, hours of operation are limited, commercial businesses are not allowed within individual storage spaces, the development provides appropriate lighting and parking on site, height and bulk are adequately addressed and the development complies with all other applicable recommendations of the

community plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

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The proposed project would be served by the San Diego Police Department Southeastern Division located at 7222 Skyline Drive. The Southeastern Division serves a population of 147,156 people and encompasses 16.0 square miles. The average response times for police emergency priority calls in this Southeastern Division of the City of San Diego in 2001 was 7.2 minutes (as compared to a city-wide average of 7.5 minutes) and 6.8 minutes in 2002 (with a city-wide average of 7.4 minutes). The City of San Diego Fire Department has three stations in the project area: Station 12 at 4964 Imperial Avenue (approximately 0.9 mile away) has a response time for this location of 2.4 minutes; Station Number 19 at 3434 Oceanview Boulevard (approximately 1.7 miles away) has a response time for this location of 4.1 minutes; and Station 7 at 944 Crosby Street (approximately 4.1 miles away) has a response time for this location of 5.9 minutes.

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Therefore, the project will not be detrimental to the public health, safety, or welfare of the community.

c. The proposed development will comply with the applicable regulations of the Land Development Code.

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

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Each of the requested deviations are appropriate for this location and would result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone. The proposed development has otherwise been designed and conditioned to ensure conformance to the requirements of the City of San Diego Land Development Code. Therefore, the proposed use will comply with the applicable regulations of the San Diego Municipal Code in effect for this site.

2. SUPPLEMENTAL FINDINGS FOR ENVIRONMENTALLY SENSITIVE LANDS, SDMC SECTION 126.0504(B)

- a. **The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.**

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the area of Paleontological Resources. Mitigated Negative Declaration No. 82503 was prepared, and finalized on December 11, 2006 in accordance with the State CEQA Guidelines. A MMRP would be implemented which would reduce, to below a level of significance, the potential environmental impacts identified from the environmental review process for Paleontological Resources.

A review of biological resource maps and a site visit by City staff determined that the subject property contains sensitive biological resources, and therefore, the submittal of a biological survey report was required. The biology report, prepared by RC Biological Consulting and entitled "47th Street Self Storage - Biological Report (June 2006)," details the presence of 0.97-acre of Tier IV ruderal habitat of which 0.97-acre would be impacted through site development, and 0.90-acre of Tier IIIB non-native annual grassland of which 0.90-acre would be impacted through site development. Impacts to non-native grassland habitat totaling less than 1.0-acre that are completely surrounded by existing urban development and are not mapped in close proximity to other habitats are not considered significant and do not require mitigation. Therefore the site is physically suitable for the design and siting of the proposed development and the development would result in minimum disturbance to environmentally sensitive lands.

b. The proposed development will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

Elevations on site vary from a high of approximately 120 feet above mean sea level AMSL at the northwest corner of the site to a low of approximately 74 feet AMSL at the southeast corner of the site. The project area is underlain by the Bay Point Formation which has high paleontological resource potential. Because more than 1,000 cubic-yards of excavation at a depth of ten feet or greater would be required to construct the project, the potential exists for significant adverse impacts to paleontological resources. Therefore, implementation of the MMRP, contained in Section V of the Mitigated Negative Declaration, would mitigate potentially significant paleontological resource impacts to below a level of significance.

According to the City of San Diego Seismic Safety Study Maps, the project site is assigned a Geologic Hazard Rating of 52 (favorable geologic structure; low to moderate risk). Proper engineering design of the self storage facility would ensure that the potential for geologic impacts from on-site and regional hazards would be less than significant.

No earthquake faults have been mapped on or immediately adjacent to the site. The project would not result in fire hazards. The project has been designed to meet all fire and life safety codes. The project design minimizes impacts to natural land forms. Therefore, the proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

c. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the area of Paleontological Resources. Mitigated Negative Declaration No. 82503 was prepared, and finalized on December 11, 2006 in accordance with the State CEQA Guidelines. A MMRP would be implemented which would reduce, to below a level of significance, the potential environmental impacts identified from the environmental review process for Paleontological Resources.

A review of biological resource maps and a site visit by City staff determined that the subject property contains sensitive biological resources, and therefore, the submittal of a biological survey report was required. The biology report, prepared by RC Biological Consulting and entitled "47th Street Self Storage - Biological Report (June 2006)," details the presence of 0.97-acre of Tier IV ruderal habitat of which 0.97 acre would be impacted through site development, and 0.90-acre of Tier IIIB non-native annual grassland of which 0.90-acre would be impacted through site development. Impacts to non-native grassland habitat totaling less than 1.0-acre that are completely surrounded by existing urban development and are not mapped in close proximity to other habitats are not considered significant and do not require mitigation.

The project would be constructed in accordance with engineering standards and Best Management Practices to create a safe and stable site. The proposed project conforms to the development regulations for storm water quality standards. Therefore, the proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

d. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking

lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

The project is not located in the City's Multiple Habitat Planning Area, so there would be no impacts. Therefore, the proposed development will be consistent with the City of San Diego's MSCP Subarea Plan.

e. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

The proposed project is not located on a beach or bluffs and will not contribute to the erosion of public beaches. The San Diego Bay is approximately two and half miles from the project site. A Water Quality Technical Report, dated June 2, 2006, was prepared for the project by Partners Planning and Engineering. The project design requires that site drainage would be conveyed through a grass-lined swale and hydrocarbon filters, located within each catch basin, before discharge into the existing storm drain system located within the public right-of-way. Therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

f. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the area of Paleontological Resources. Mitigated Negative Declaration No. 82503 was prepared, and finalized on December 11, 2006 in accordance with the State CEQA Guidelines. A MMRP would be implemented which would reduce, to below a level of significance, the potential environmental impacts identified from the environmental review process for Paleontological Resources. Therefore, the nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

C. SUPPLEMENTAL SITE DEVELOPMENT PERMIT FINDINGS – DEVIATIONS FOR SUSTAINABLE BUILDINGS SDMC SECTION 126.0504(M):

- 1. The proposed development will materially assist in accomplishing the goal of providing affordable housing opportunities in economically balanced communities throughout the City, and/or the proposed development will materially assist in reducing impacts associated with fossil fuel energy use by utilizing alternative energy resources, self-generation and other renewable technologies (e.g. photovoltaic, wind, and/or fuel cells) to generate electricity needed by the building and its occupants.**

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

The project design would include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption. The proposed building construction relies heavily on sustainable/recyclable building resources like steel and concrete. Therefore, proposed development will materially assist in accomplishing the goal of providing affordable housing opportunities in economically balanced communities throughout the City, and/or the proposed development will materially assist in reducing impacts associated with fossil fuel energy use by utilizing alternative energy resources, self-generation and other renewable technologies (e.g. photovoltaic, wind, and/or fuel cells) to generate electricity needed by the building and its occupants.

2. The development will not be inconsistent with the purpose of the underlying zone.

Deviations to the applicable development regulations are requested to allow the self storage facility to be sited within the project without regard to the base CSF-3 zone and the Citywide Landscape Regulations, including:

- A FAR of 2.0 where 0.50 is allowed.
- A Lot Coverage of 57 percent where 50 percent is allowed.
- Trees within 30 feet of 17 of the parking spaces in the VUA where trees within 30 feet of all twenty-three proposed parking space where are required.

Floor Area Ratio and Lot Coverage - Self-storage facilities are unique uses not specifically addressed in the SDMC Coverage requirements. Such facilities require a great deal of floor space to be economically feasible. This project is proposing a FAR of 1.99 and a Lot Coverage of 57 percent due to two unique factors: topographic constraints of the property and the use of renewable energy sources. These two factors increase the cost of construction and require additional rental area for economic feasibility. In addition, the Planned District Ordinance's FAR and Lot Coverage limitations are provided to control building bulk and limit traffic impacts on surrounding streets. Thirty percent of the proposed building is tucked into the existing slope, minimizing the bulk of the building. Multiple vertical and horizontal planes and a variety of building materials are incorporated to further reduce the perception of bulk and to complement and enhance the neighborhood. Self-storage use will generate much less traffic than a commercial building with the same floor area. Also, self-storage buildings require less floor height than regular commercial buildings. Thus, a self-storage building can be built to the same mass and bulk of other buildings permitted with nearly half the FAR. Due to the cost of the renewable energy sources and the architectural features that make it a more aesthetically pleasing project that complements and enhances the community, the development could not be designed without the proposed deviations.

Tree Spacing - The purpose of the requirements for trees in the VUA is to provide shade over pavement. The proposed building is located west of the parking areas and provides shade over pavement for the areas that are not within 30 feet of a shade tree. The San Diego Municipal Code permits the requirement for trees in the VUA to be met by planting the required trees within 5 feet of the edge of the parking area when the parking area is less than 6,000 square feet. Each of the three proposed parking areas is approximately 3,600 square feet. Within 5 feet of each proposed parking area are two 36-inch box canopy trees (exceeding the minimum requirement of one 24-inch box tree) and four palms with 12-foot brown trunk height (exceeding the minimum of 8-foot brown trunk height). The project would exceed the plant point requirements for the VUA with the enhanced tree planting. Shade over pavement is achieved because of the tree planting on the eastern side of the VUA and the building itself on the western side of the VUA. It is for this reason that the purpose and intent of the Landscape Regulations would be met for the tree spacing requirements in the VUA.

Each of the requested deviations are appropriate for this location and would result in a more desirable project than would be achieved if designed in strict conformance with the

development regulations of the applicable zone. The proposed development has otherwise been designed and conditioned to ensure conformance to the requirements of the City of San Diego Land Development Code. Therefore, the development will not be inconsistent with the purpose of the underlying zone.

The San Diego Municipal Code describes the purpose and intent of the CSF (Commercial Strip) Zone Regulations within the Southeastern San Diego Planned District Ordinance [SSDPDO] as intended to allow commercial strip development with parking in the front or side of the building. The focus is on automobile-oriented establishments where the primary commercial function is geared to a single-stop activity. The proposed self-storage use is an automobile-oriented use usually associated with one stop as users pick up or deliver their personal goods to their storage unit. Therefore, the development will not be inconsistent with the purpose of the underlying zone.

3. Any proposed deviations are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit Site Development Permit, and Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

Self-storage facilities are a unique use not specifically addressed in the Southeastern San Diego Planned District Ordinance. Such facilities require sufficient floor space to be economically feasible. The SDMC allows flexibility in the application of development regulations (deviations) for sustainable developments where strict application of the base zone development regulations would restrict design options and result in a less desirable project, through the processing of a Site Development Permit. Deviations to the applicable development regulations are requested to allow the self storage facility to be sited within the project without regard to all requirements of the base CSF-3 zone and the Citywide Landscape Regulations, including:

- A FAR of 2.0 where 0.50 is allowed.
- A Lot Coverage of 57 percent where 50 percent is allowed.
- Trees within 30 feet of 17 of the parking spaces in the VUA where trees within 30 feet of all twenty-three proposed parking space where are required.

Floor Area Ratio and Lot Coverage - Self-storage facilities are unique uses not specifically addressed in the SDMC Coverage requirements. Such facilities require a great deal of floor space to be economically feasible. This project is proposing a FAR of 1.99 and a Lot

Coverage of 57% due to two unique factors: topographic constraints of the property and the use of renewable energy sources. These two factors increase the cost of construction and require additional rental area for economic feasibility. In addition, the Planned District Ordinance's FAR and Lot Coverage limitations are provided to control building bulk and limit traffic impacts on surrounding streets. Thirty percent of the proposed building is tucked into the existing slope, minimizing the bulk of the building. Multiple vertical and horizontal planes and a variety of building materials are incorporated to further reduce the perception of bulk and to complement and enhance the neighborhood. Self-storage use will generate much less traffic than a commercial building with the same floor area. Also, self-storage buildings require less floor height than regular commercial buildings. Thus, a self-storage building can be built to the same mass and bulk of other buildings permitted with nearly half the FAR. Due to the cost of the renewable energy sources and the architectural features that make it a more aesthetically pleasing project that complements and enhances the community, the development could not be designed without the proposed deviations.

Tree Spacing - The purpose of the requirements for trees in the VUA is to provide shade over pavement. The proposed building is located west of the parking areas and provides shade over pavement for the areas that are not within 30 feet of a shade tree. The San Diego Municipal Code permits the requirement for trees in the VUA to be met by planting the required trees within 5 feet of the edge of the parking area when the parking area is less than 6,000 square feet. Each of the three proposed parking areas is approximately 3,600 square feet. Within 5 feet of each proposed parking area are two 36-inch box canopy trees (exceeding the minimum requirement of one 24-inch box tree) and four palms with 12-foot brown trunk height (exceeding the minimum of 8-foot brown trunk height). The project would exceed the plant point requirements for the VUA with the enhanced tree planting. Shade over pavement is achieved because of the tree planting on the eastern side of the VUA and the building itself on the western side of the VUA. It is for this reason that the purpose and intent of the Landscape Regulations would be met for the tree spacing requirements in the VUA.

The deviation requests to the regulations governing FAR and Lot Coverage are due to two unique factors: topographic constraints of the property and the use of renewable energy sources. These two factors increase the cost of construction and require additional rental area for economic feasibility. Multiple vertical and horizontal planes and a variety of building materials are incorporated to make it a more aesthetically pleasing project that complements and enhances the community. Due to the cost of the renewable energy sources and these architectural features the development could not be designed without the proposed deviations.

Each of the requested deviations are appropriate for this location and would result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone. The proposed development has otherwise been designed and conditioned to ensure conformance to the requirements of the City of San Diego Land Development Code. Therefore, any proposed deviations are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

D. SITE DEVELOPMENT PERMIT, FINDINGS FOR SITE DEVELOPMENT PERMITS WITHIN THE SOUTHEASTERN SAN DIEGO PLANNED DISTRICT, SDMC SECTION 103.1703(B):

1. **The proposed use and project design meet the purpose and intent of this Division, comply with the recommendations of the Southeastern San Diego Community Plan, and will not adversely affect the General Plan or other applicable plans adopted by the City Council.**

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

The proposed amendment would allow for the provision of a self-storage facility that is currently unavailable within the community and cannot currently be provided within proximity to families and small businesses that require safe and secure storage locations in close proximity to their homes and businesses. The current industrial zones do not meet these needs because of the travel required to reach them and because their industrial locations do not offer the safe environment required by family-oriented users. The proposed amendment would provide for modern storage needs that are more compatible with the new commercial type of storage facility required in today's market.

Public utilities with adequate capacity are available in 47th Street along the frontage of the property. The location is well served by public streets. Public transit is available at Logan Avenue, less than ½ blocks away.

The proposed development is consistent with the following objectives of the community plan:

- Expanding community-serving commercial activities. The project would improve a commercially infeasible piece of property with needed self-storage facilities. There are currently no self-storage facilities within a 3 mile radius of the location, yet demographic and housing trends have created a need for household storage in close proximity to residences in this neighborhood.

- Providing attractive quality community and neighborhood commercial facilities that offer a variety of goods and services to meet community needs. The project would fulfill an unmet community need for self-storage facilities in proximity to residential users. Architectural features and landscaping would be provided in excess of regulatory requirements and would ensure the attractiveness of the development and complement and enhance the character of the surrounding properties

° Enhancing the perception of safety through the use of crime-detering materials and design, including the thoughtful use of landscaping, screening materials, lighting and building siting, and parking location. The project would improve a vacant piece of property that is currently an attraction for crime in the community. Crime deterring materials and design have been incorporated into the project, including surveillance cameras, defensible-space landscape design, anti-graffiti wall surfaces, and on-site management, that would convert the property from a crime-supporting location to a crime-detering location.

° Encouraging the consolidation of parcels for commercial development to create more viable businesses to serve the community. The project would consolidate two parcels that, individually, may not support viable businesses to serve the community, and improve them with a community-serving business.

The project also contributes toward meeting these plan objectives by providing a needed commercial facility and by taking advantage of the natural hillside slope to tuck about 1 third of the building below grade and providing ample lighting and parking. It is also implementing the community plan design provision to minimize grading and to incorporate natural slopes into the design. The proposed project also meets or exceeds the design regulations of the Southeastern San Diego Planned District, specifically through increased front and side yard setbacks and landscaping.

The permit has been conditioned to ensure that the proposed amendment would allow moving and household storage uses only if no outside storage is permitted, hours of operation are limited, commercial businesses are not allowed within individual storage spaces, the development provides appropriate lighting and parking on site, height and bulk are adequately addressed and the development complies with all other applicable recommendations of the community plan. Therefore, the proposed use and project design meet the purpose and intent of this Division, comply with the recommendations of the Southeastern San Diego Community Plan, and will not adversely affect the General Plan or other applicable plans adopted by the City Council.

2. **The proposed development shall be compatible with existing and planned land use on adjoining properties and shall not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community shall be achieved as far as practicable.**

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system

consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

The proposed project is designed to be consistent with, and complementary to, the adjoining and surrounding land uses. Properties to the south and west are Interstate Highway 805 right-of-way. The proposed building will provide a buffer and relief from the noise and visual impacts of the highway for residential properties to the east. The proposed development will include security measures that will reduce the opportunity for crime, fire, and graffiti in the neighborhood. Architectural and site plan design features such as increased landscaping in an increased front-yard setback, multiple vertical and horizontal building planes, and multiple building surface materials are incorporated to make it an aesthetically pleasing project that complements and enhances the community. Sidewalks will be added to 47th Street to improve pedestrian circulation in the community. Outside lighting will be directed away from adjacent properties to avoid affecting their occupants. Therefore, the proposed development shall be compatible with existing and planned land use on adjoining properties and shall not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community shall be achieved as far as practicable.

- 3. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity.**

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the area of Paleontological Resources. Mitigated Negative Declaration No. 82503 was prepared, and finalized on December 11, 2006 in accordance with the State CEQA Guidelines. A MMRP would be implemented which would reduce, to below a level of significance, the potential environmental impacts identified from the environmental review process for Paleontological Resources.

The proposed project would be served by the San Diego Police Department Southeastern Division located at 7222 Skyline Drive. The Southeastern Division serves a population of 147,156 people and encompasses 16.0 square miles. The average response times for police emergency priority calls in this Southeastern Division of the City of San Diego in 2001 was 7.2 minutes (as compared to a city-wide average of 7.5 minutes) and 6.8 minutes in 2002 (with a city-wide average of 7.4 minutes). The City of San Diego Fire Department has three stations in

the project area: Station 12 at 4964 Imperial Avenue (approximately 0.9 mile away) has a response time for this location of 2.4 minutes; Station Number 19 at 3434 Oceanview Boulevard (approximately 1.7 miles away) has a response time for this location of 4.1 minutes; and Station 7 at 944 Crosby Street (approximately 4.1 miles away) has a response time for this location of 5.9 minutes.

Site drainage would be conveyed through a grass-lined swale and hydrocarbon filters, located within each catch basin, before discharge into the existing storm drain system located within the public right-of-way. The proposed landscaping would be in conformance with the City's Landscape Technical Manual. The proposed development would be consistent with all requirements of the Land Development Code and all Building, Fire, and other codes that protect the public health safety, and general welfare. The proposed use would improve two vacant parcels that could be otherwise vulnerable to crime, graffiti, fire, and other nuisances that could impact the health, safety, and welfare of the community. The building and site plan are designed in a manner that improves security of the surrounding community and the property. All proposed construction would comply with state and local codes and regulations for construction.

The proposed project is designed to be consistent with, and complementary to, the adjoining and surrounding land uses. Properties to the south and west are Interstate Highway 805 right-of-way. The proposed building will provide a buffer and relief from the noise and visual impacts of the highway for residential properties to the east. The proposed development would include security measures that would reduce the opportunity for crime, fire, and graffiti in the neighborhood, and improve security of the property and the surrounding community. Architectural and site plan design features such as increased landscaping in an increased front-yard setback, multiple vertical and horizontal building planes, and multiple building surface materials are incorporated to make it an aesthetically pleasing project that complements and enhances the community. Sidewalks would be added to 47th Street to improve pedestrian circulation in the community. Outside lighting would be directed away from adjacent properties to avoid affecting their occupants.

Therefore, the proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity.

4. The proposed use will comply with the relevant regulations of the Municipal Code.

The 47th Street Self-Storage project would involve an amendment to the Southeastern San Diego Community Plan, a Planned Development Permit, a Site Development Permit, and an Easement Abandonment to allow the development of a 206,155 square foot self storage facility on the currently vacant 1.87-acre site. The proposed 4-story over 1-story basement 206,155 square-foot self-storage building would consist of 1,400 storage units that range in size from 5 feet x 5 feet (25 square-feet) to 10 feet x 30 feet (300 square-feet). The proposed surface parking lots would contain a total of twenty-three vehicular spaces (inclusive of one accessible space) and three loading spaces. The project would also include a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption.

Deviations to the applicable development regulations are requested to allow the self storage facility to be sited within the project without regard to the base CSF-3 zone and the Citywide Landscape Regulations, including:

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- A Lot Coverage of 57 percent where 50 percent is allowed.
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Tree Spacing - The purpose of the requirements for trees in the VUA is to provide shade over pavement. The proposed building is located west of the parking areas and provides shade over pavement for the areas that are not within 30 feet of a shade tree. The San Diego Municipal Code permits the requirement for trees in the VUA to be met by planting the required trees within 5 feet of the edge of the parking area when the parking area is less than 6,000 square feet. Each of the three proposed parking areas is approximately 3,600 square feet. Within 5 feet of each proposed parking area are two 36-inch box canopy trees (exceeding the minimum requirement of one 24-inch box tree) and four palms with 12-foot brown trunk height (exceeding the minimum of 8-foot brown trunk height). The project would exceed the plant-point requirements for the VUA with the enhanced tree planting. Shade over pavement is achieved because of the tree planting on the eastern side of the VUA and the building itself on the western side of the VUA. It is for this reason that the purpose and intent of the Landscape Regulations would be met for the tree spacing requirements in the VUA.

Each of the requested deviations are appropriate for this location and would result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone. The proposed development has otherwise been designed and conditioned to ensure conformance to the requirements of the City of San Diego

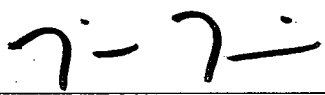
Land Development Code. Therefore, the proposed use will comply with the relevant regulations of the Municipal Code.

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

BE IT FURTHER RESOLVED, that Site Development Permit No. 260818 and Planned Development Permit No. 260654 is granted to 47th Street Self-Storage, LLC, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Nina M. Fain
Deputy City Attorney

NMF:mm
02/13/07
Or.Dept:DSD
R-2007-749
MMS#4329

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

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER 42-5160

SITE DEVELOPMENT PERMIT NO. 260818
PLANNED DEVELOPMENT PERMIT NO. 260654
47TH STREET SELF-STORAGE
CITY COUNCIL

This Site Development Permit/Planned Development Permit is granted by the City Council of the City of San Diego to 47th Street Self-Storage, LLC, a California Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0604 and 126.0504. The 1.87-acre site is located at the southwest corner of 47th and Logan Streets within the CSF-3 zone of the Southeastern San Diego Planned District [SESDPD], within the Specialized Commercial land use designation of the Southeastern San Diego Community Plan (Lincoln Park Neighborhood of the Encanto Neighborhoods). The project site is legally described as a portion of Lot 61, according to Map 283 thereof, filed March 9, 1878 in the Office of the County Recorder, City of San Diego, County of San Diego, State of California, excepting therefrom certain portions as described in Official Records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a self-storage facility, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated ~~FEB 27 2007~~, on file in the Development Services Department.

The project or facility shall include:

- a. Construction of a 4-story 162,327 square-foot self-storage building with 43,828 additional square feet of basement;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking facilities;

- d. A roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption, as established by Council Policy 900-14; and
- e. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. 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.
5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the ESA and by the California Department of Fish and Game [CDFG] pursuant to Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO 18394. Third Party Beneficiary status is conferred upon Permittee by the City: (1) to grant Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Permittee of mitigation obligations required by this Permit, as described in accordance with Section 17.1D of the IA.

8. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

9. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

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. 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.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

11. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program [MMRP]. These MMRP conditions are incorporated into the permit by reference or authorization for the project.

12. As conditions of Site Development Permit No. 260818/Planned Development Permit No. 260654, the mitigation measures specified in the MMRP, and outlined Mitigated Negative Declaration No. 82503, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in the Mitigated Negative Declaration No. 82503 satisfactory to the City Manager and City Engineer. To the extent any mitigation requirements are to be fulfilled during or after grading or construction, Owner/Permittee shall demonstrate to the satisfaction of the City Engineer prior to issuance of the first grading permit that measures have been implemented to ensure that such mitigation requirements will be fulfilled. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue area: Paleontological Resources.

14. Prior to issuance of any construction permit, the applicant shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

ENGINEERING REQUIREMENTS:

15. Prior to the building occupancy, the applicant shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices [BMP's] maintenance.

16. Prior to the issuance of any construction permit, the applicant shall incorporate any construction BMP necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

17. Prior to the issuance of any construction permits the applicant shall incorporate and show the type and location of all post-construction BMP's on the final construction drawings, in accordance with the approved Water Quality Technical Report.

18. The drainage system proposed for this development is private and subject to approval by the City Engineer.

19. All driveways and curb openings shall comply with City Standard Drawings G-14A, G-16 and SDG-100.

20. This project proposes to export 26,600 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the

underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per Land Development Code [LDC] section 141.0620(i).

21. Prior to the issuance of a building permit the applicant shall obtain a grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

22. Development of this project shall comply with all requirements of State Water Resources Control Board [SWRCB] Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan [SWPPP] and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent [NOI] shall be filed with the SWRCB.

23. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99 08 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99 08 DWQ.

LANDSCAPE REQUIREMENTS:

24. Prior to issuance of any construction permits for grading, landscape construction documents for the revegetation and hydroseeding of all disturbed land shall be submitted in accordance with the Land Development Manual Landscape Standards and to the satisfaction of the City Manager. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A."

25. Prior to issuance of any construction permits for public right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the City Manager for approval. Improvement plans shall take into account a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

26. Prior to issuance of any construction permits for buildings (including shell), complete landscape and irrigation construction documents consistent with the Land Development Manual Landscape Standards shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Concept Plan. Construction plans shall take into account a 40 sq-ft area

around each tree which is unencumbered by hardscape and utilities as set forth under LDC section 142.0403(b)5.

27. Prior to Final Inspection, it shall be the responsibility of the Permittee or subsequent Owner to install all required landscape. A "No Fee" Street Tree Permit, if applicable, shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

28. 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. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

29. The Permittee or subsequent owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.

30. 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, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager within thirty days of damage or prior to a Certificate of Occupancy or a Final Landscape Inspection.

31. Prior to issuance of any construction permits, landscape and irrigation construction documents consistent with the Land Development Manual, Landscape Standards shall take into account more drought tolerant, native species within the plant palette to replace the abundance of ornamental plant species currently proposed on the Landscape Development Plan (Exhibit "A").

TRANSPORTATION REQUIREMENTS:

32. No fewer than twenty-three off-street parking spaces of which one space is an accessible parking space and three off-street loading spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibits "A." Parking spaces shall comply at all times with requirements of the Land Development Code and shall not be converted for any other use unless otherwise authorized by the City Manager.

33. Prior to the issuance of the first building permits, applicant shall dedicate 12 feet of right-of-way along property frontage on 47th Street and assure by permit and bond, half width improvement of 47th Street including 22 feet of pavement, curb, gutter, 5 feet wide sidewalk within a 10 foot curb to propertyline distance, satisfactory to the City Engineer.

34. This project shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.

PLANNING/DESIGN REQUIREMENTS:

35. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

36. Prior to the issuance of the first building permit, construction documents shall fully illustrate the incorporation of a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption, as established by Council Policy 900-14.

37. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this Permit.

38. 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 Permittee.

39. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

40. All signs associated with this development shall be consistent with sign criteria established by either of the following:

- a. Approved project sign plan (Exhibit "A," or
- b. Citywide sign regulations.

41. Hours of Operation: The self-storage facility shall not commence operating prior to 7:00 a.m. nor continue later than 10:00 p.m. of any day.

42. 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.
43. Solid walls or fences which are visible from the public right-of-way shall be treated with a graffiti resistant coating or finish.
44. The use of textured or enhanced paving shall meet applicable City standards as to location, noise and friction values.
45. Commercial businesses shall not be allowed within individual storage spaces.
46. The subject property and associated common areas on site shall be maintained in a neat and orderly fashion at all times..
47. All uses, except loading, shall be conducted entirely within an enclosed building. Outdoor storage of merchandise, material and equipment (including recreational vehicles, motor vehicles and boats) is prohibited
48. No mechanical equipment, tank, duct, elevator enclosure, cooling tower, mechanical ventilator, or air conditioner shall be erected, constructed, converted, established, altered, or enlarged on the roof of any building, unless all such equipment and appurtenances are contained within a completely enclosed, architecturally integrated structure whose top and sides may include grillwork, louvers, and latticework.
49. Prior to the issuance of building permits, construction documents shall fully illustrate compliance with the Citywide Storage Standards for Trash and Recyclable Materials (SDMC) to the satisfaction of the City Manager. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupants of and service providers to the project, in substantial conformance with the conceptual site plan marked Exhibit "A."
50. Prior to the issuance of building permits, the applicant's construction documents shall reflect the use of sustainable and/or recycled construction materials.

WASTEWATER REQUIREMENTS:

51. The developer shall design and construct all proposed public sewer facilities in accordance with established criteria in the most current edition of the City of San Diego sewer design guide.
52. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.
53. No trees or shrubs exceeding 3 feet in height at maturity shall be installed within ten feet of any public sewer facilities..

54. All on-site wastewater systems shall be private.

WATER REQUIREMENTS:

55. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) outside of any driveway, in a manner satisfactory to the Water Department Director and the City Engineer.

56. 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 Water Department Director and the City Engineer.

57. Prior to the issuance of any certificates of occupancy, public water facilities necessary to serve the development, including services, shall be complete and operational in a manner satisfactory to the Water Department Director and the City Engineer.

58. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public water facilities, as shown on approved Exhibit "A," shall be modified at final engineering to comply with standards.

INFORMATION ONLY:

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 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 building/engineering permit issuance

APPROVED by the City Council of the City of San Diego on FEB 27 2007 and
R- 302401

AUTHENTICATED BY THE CITY MANAGER

By _____

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.

47th STREET SELF-STORAGE, LLC, a
California Limited Liability Company
Owner/Permittee

By _____

By _____

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1180 et seq.**