

332-B 4-21-23

(R-2023-445)

RESOLUTION NUMBER R- 314690

DATE OF FINAL PASSAGE MAR 21 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING SITE DEVELOPMENT PERMIT NO. 2449005 AND COASTAL DEVELOPMENT PERMIT NO. 2449003 FOR 3903 HAINES STREET – PROJECT NUMBER 669397.

WHEREAS, 3903 Haines, LLC (Owner) and Leppert Engineering (Permittee), filed an application with the City of San Diego for Site Development Permit No. 2449005 and Coastal Development Permit No. 2449003 to demolish an existing single-dwelling unit; subdivide one lot into three legal lots; construct three single-dwelling units: a three-story, 2,016 square-foot residence; a two-story, 2,016 square-foot residence; and a two-story, 2,030 square-foot residence; a Companion Unit and Junior Unit on each lot, and vacate a portion of Haines Street on a 0.186-acre site; and

WHEREAS, the project site is located at 3903 Haines Street in the RM-1-1 zone within the Pacific Beach Community Plan Area, the Coastal Overlay Zone (Non-Appealable Area 2), Coastal Height Limit Overlay Zone, and Parking Impact Overlay Zone (Beach and Coastal); and

WHEREAS, the project site is legally described as: Lots Twenty Four, Block Twelve, Second, Fortuna Park Addition, according to Map thereof No. 895, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County on April 30, 1903; and

WHEREAS, the Office of the City Attorney has drafted this Resolution based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; 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 the evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on March 21, 2023, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, the Office of the City Attorney has drafted this Resolution based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, that it adopts the following findings with respect to Site Development Permit No. 2449005 and Coastal Development Permit No. 2449003:

Findings for Site Development Permit - SDMC Section 126.0505:

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

The 0.186-acre site is located at 3903 Haines Street on a corner lot with one existing single-dwelling unit. The project will demolish the existing dwelling unit, subdivide one existing lot into three legal lots, construct a three-story, 2,016 square-foot residence; a two-story, 2,016 square-foot residence; and a two-story, 2,030 square-foot residence; a Companion Unit and Junior Unit on each lot, and vacate a portion of Haines Street.

The project would implement the land use designation and goals of the Pacific Beach Community Plan and Local Coastal Program by providing a residential development that is compatible with the surrounding residential uses. The Pacific Beach Community Plan and Local Coastal Program designate the site for Low-Medium Density Residential at the rate of 9-14 units per acre (du/ac). The proposed project lot area is 7,500 square feet prior to the Public Right of Way Vacation, with a base density of 3,000 square feet per unit within the RM-1-1 zone. This results in a base density of 2.5 units, which is rounded up

to 3 units per SDMC Section 113.0222(a)(1). Utilizing the Small Lot Subdivision Regulations in SDMC Section 143.0365(c) Table 143-03C the project meets the pre-subdivided lot area per the RM-1-1 base zone (7,500 square feet where 6,000 square feet is required). Post subdivision lot areas will increase slightly to 2,732 square feet per lot due to the Haines Street Right of Way Vacation being completed concurrently with 42619-B. This increased lot area will not result in any change to either the base density or per lot unit density available to the site.

One goal of the community plan is to maintain the low-medium density residential nature of the neighborhoods in the Pacific Beach Community Plan and Local Coastal Program. This proposal follows this goal and complies with the remaining policies, goals, and objectives of the applicable land use plan accordingly.

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

The permit controlling the development and continued use of the site contains specific conditions addressing compliance with the City's codes, policies, and regulations, as well as other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Prior to issuance of any building permit for the proposed development, the plans will be reviewed for compliance with all Building, Electrical, Mechanical, Plumbing, and Fire Code requirements in addition to all associated conditions of approval.

The proposed subdivision includes the closure of the existing driveway with the current City Standard curb, gutter, and sidewalk adjacent to Haines Street as a condition of approval. A Shared Parking Agreement is required for vehicular access from the alleyway to Haines Street as a condition of approval.

The project would not result in risk from fire hazards because it is surrounded by existing development and is not located within a fire hazard severity zone. The project would not expose the public to undue geologic hazards because no known active faults traverse the project site, as confirmed by the Geotechnical Investigation that was prepared for the project. The project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and has been determined by Development Services Department that the project qualifies for Mitigated Negative Declaration due to Tribal Cultural Resources. Therefore, the proposed development will not be detrimental to public health, safety and welfare.

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

The proposed project is described in SDP finding A.1, incorporated by reference herein. The 0.186-acre site is located at 3903 Haines Street. The property is zoned RM-1-1 and is designated Low-Medium Density Residential, 9-14 units per acre (du/ac) in the Community Plan and LCP. The project complies with the requirements of the RM-1-1 zone as modified by the Supplemental Site Development Permit (SDP) Regulations for Small Lot Subdivisions (San Diego Municipal Code (SDMC) section 143.0365), as well as the requirements for the Tentative Maps (SDMC sections 125.0410 and 125.0430). The Supplemental SDP regulations allow the lot size of under 6,000 square feet (the minimum lot size for the RM-1-1 zone) provided that the density is consistent with the zone and the Community Plan and Local Coastal Program designation. The RM-1-1 zone requires a minimum of 3,000 square feet of area per dwelling unit, which this project satisfies, and the density will be 14.3 dwelling units per acre (du/ac), which is within the Community Plan and Local Coastal Program designated range. No deviations are requested. Therefore, the proposed development will comply with the regulations of the Land Development Code.

Findings for Coastal Development Permit - SDMC Section 126.0708:

1. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

The 0.186-acre site is located at 3903 Haines Street on a corner lot with one existing single-dwelling unit. The project will demolish the existing dwelling unit, subdivide one existing lot into three legal lots, construct a three-story, 2,016 square-foot residence; a two-story, 2,016 square-foot residence; and a two-story, 2,030 square-foot residence; a Companion Unit and Junior Unit on each lot, and vacate a portion of Haines Street.

The site is located 0.10 miles from the Pacific Ocean and is surrounded by existing residential development. The site is not located, between the sea and the first public roadway paralleling the sea and is not within or adjacent to any identified vertical or lateral public accessway to the ocean or Mission Bay by the Community Plan and LCP (Figure 15, page 65). There are no View Corridors through or adjacent to the project site identified within the LCP (Figure 4, p. 19), and the adjacent roads are not identified as "Roads with Public View of Water" by the LCP (Figure 16, p. 71).

The highest point of the proposed structures is within one foot of the thirty-foot maximum height limit and therefore is in compliance with the Coastal Height Limit Overlay Zone per SDMC section 132.0505. Therefore, the proposed coastal development

will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in the LCP; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the LCP.

2. The proposed coastal development will not adversely affect environmentally sensitive lands.

The site does not contain, nor is it adjacent to, any Environmentally Sensitive Lands (ESL) as defined in SDMC section 113.0103, Multi-Habitat Planning Area (MHPA) lands, or wetlands. The project is located in a developed neighborhood and is surrounded by development on all sides with multi-family development.

A Mitigated Negative Declaration has been prepared for this project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The 0.186-acre project site is located at 3903 Haines Street in the RM-1-1 Zone which allows one dwelling unit for each 3,000 square feet of lot area and is within the Community Plan and LCP which designates the site as Low-Medium Density Residential (9-15 du/ac). The project will demolish the existing dwelling unit, subdivide one existing lot into three legal lots, construct a three-story, 2,016 square-foot residence; a two-story, 2,016 square-foot residence; and a two-story, 2,030 square-foot residence; and vacate a portion of Haines Street.

The proposed project is a Small Lot Subdivision pursuant to SDMC section 143.0365. The Residential Element of the Community Plan does not specifically address small lot subdivisions, nor does any other part of the Plan. However, the project complies with the requirements of the RM-1-1 zone as modified by the Supplemental Site Development Permit (SDP) Regulations for Small Lot Subdivisions (SDMC section 143.0365), as well as the requirements for the Tentative Maps (SDMC sections 125.0410 and 125.0430). The Supplemental SDP regulations allow the lot size of under 6,000 square feet (the minimum lot size for the RM-1-1 zone) provided that the density is consistent with the zone and the Community Plan and Local Coastal Program designation. The RM-1-1 zone requires a minimum of 3,000 square feet of area per dwelling unit, which this project satisfies, and the density will be 14.3 du/ac, which is within the Community Plan and Local Coastal Program designated range.

The project meets the requirements of the SDMC, including, but not limited to site floor area ratio, required parking, and height, with a site floor area ratio of 0.75 where a maximum of 0.75 is allowed, and two parking spaces per residence where a minimum of two is required. The highest point of the proposed structures is within one foot of the thirty-foot maximum height limit and therefore is in compliance with the Coastal Height Limit Overlay Zone per SDMC section 132.0505.

The Urban Design Element of the Community Plan and LCP recommends the design of new development reflect the scale and character of the established neighborhood. The architectural design (including bulk and scale, fenestration, roof, and materials) is consistent with the single-family and multifamily homes adjacent to the proposed project site.

The site is located 0.10 miles from the Pacific Ocean and is surrounded by existing residential development. The site is not located, between the sea and the first public roadway paralleling the sea and is not within or adjacent to any identified vertical or lateral public accessway to the ocean or Mission Bay by the Community Plan and LCP (Figure 15, page 65). There are no View Corridors through our adjacent to the project site identified within the LCP (Figure 4, p. 19), and the adjacent roads are not identified as "Roads with Public View of Water" by the LCP (Figure 16, p. 71). Therefore, the proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone, the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The 0.186-acre site is located at 3903 Haines Street and is within an urbanized area of the Community Plan and LCP. Bayside Walk is located immediately west of the property, which is 0.10 miles from the Pacific Ocean. This project is not located between the nearest public road and the sea or any body of water and therefore, the project complies with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

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, based on the findings hereinbefore adopted by the City Council, Coastal Development Permit No. 2449003, Site Development Permit No. 2449005 is hereby GRANTED by the City Council to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Coastal Development Permit No. 2449003 and Site Development Permit No. 2449005, a copy of which is attached hereto and made a part hereof.

APPROVED: MARA W. ELLIOTT, City Attorney

By


Shannon C. Eskmeyer
Deputy City Attorney

SCE:sc
02/28/2023
Or.Dept: DSD
Doc. No. 3236788

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

**WHEN RECORDED MAIL
TO
CITY CLERK
MAIL STATION 2A**

INTERNAL ORDER NUMBER: 24007896 SPACE ABOVE THIS LINE FOR RECORDER'S USE

**CITY COUNCIL
SITE DEVELOPMENT PERMIT NO. 2449005
COASTAL DEVELOPMENT PERMIT NO. 2449003
3903 HAINES STREET – PROJECT NO. 669397**

This Site Development Permit No. 2449005 and Coastal Development Permit No. 2449003 is granted by the City Council of the City of San Diego to 3903 Haines LLC, (Owner) and Leppert Engineering (Permittee), pursuant to San Diego Municipal Code [SDMC] section 126.0504 (Site Development Permit) and 126.0707 (Coastal Development Permit). The 0.186-acre site is located at 3903 Haines Street in the RM-1-1 zone of the Pacific Beach Community Plan. The project site is legally described as: Lots Twenty-Four, Block Twelve, Second, Fortuna Park Addition, according to Map thereof No. 895, in the City of San Diego, County of San Diego, the State of California, filed in the Office of the County Recorder of San Diego County on April 30, 1903.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish a single-dwelling unit and the development of three new single-family residences plus a Companion Unit and Junior on three legal lots for a small lot subdivision and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 21, 2023, on file in the Development Services Department.

The project shall include:

- a) Demolition of an existing single-dwelling unit, subdivide an existing lot into three legal lots, construct a three-story, 2,016 square-foot residence; a two-story, 2,016 square-foot residence; and a two-story, 2,030 square-foot residence; a Companion Unit and Junior on each lot; and vacate a portion of Haines Street;
- b) Landscaping (planting, irrigation, and landscape-related improvements);
- c) Off-street parking; and
- d) Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in

accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by March 21, 2026.
2. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
3. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
4. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
5. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
6. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
7. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
8. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or

unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

9. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

10. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program (MMRP) shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.
11. The mitigation measures specified in the MMRP and outlined in **MITIGATED NEGATIVE DECLARATION NO. 669397**, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.
12. The Owner/Permittee shall comply with the MMRP as specified in **MITIGATED NEGATIVE DECLARATION NO. 669397** to the satisfaction of the Development Services Department and the City Engineer. Prior to the issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

- **Tribal Cultural Resources**

ENGINEERING REQUIREMENTS:

13. The Coastal Development Permit and Site Development Permit shall comply with all Conditions of the Parcel Map for Tentative Map No. 2449004.
14. Prior to the issuance of any building permit, the Owner/Permittee shall vacate 7.5 feet fronting Haines Street Right-of-Way, as shown on approved Exhibit 'A', satisfactory to the City Engineer.
15. Prior to the issuance of any building permit, the Owner/Permittee shall assure, by permit and bond, the removal and replacement of damaged City Standard Alley Panels adjacent to the site on Haines Street, as shown on Exhibit "A", satisfactory to the City Engineer.
16. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the closure of the existing driveway with current City Standard curb, gutter and sidewalk, adjacent to the site on Haines Street, satisfactory to the City Engineer.
17. The drainage system proposed for this development, as shown on the site plan, is subject to approval by the City Engineer.
18. Prior to the issuance of any building permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.
19. Prior to the issuance of any building permits, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

20. Prior to issuance of any construction permit for building (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)(6).
21. Prior to issuance of any construction permit, the Owner/Permittee shall submit complete landscape construction documents which are consistent with the City's Landscape Standards to the Development Services Department for approval. All plans shall be in substantial conformance with Exhibit "A", filed in the DSD. Construction plans shall be designed where all hardscapes & utilities shall not prohibit the required placement of trees.

Include a scaled symbol, label, & dimension the required placement of the 40-sqft tree area/root zone around each tree.

22. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscapes shall be maintained consistent with the City's Landscape Standards in a disease, weed, and litter-free condition at all times. Severe pruning or "topping" of trees is not permitted.
23. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace in kind, and in an equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Final Inspection.
24. Prior to issuance of any construction permit for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Storm Water Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Development Services Department.

CLIMATE ACTION PLAN REQUIREMENTS:

25. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to the issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

PLANNING/DESIGN REQUIREMENTS:

26. 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 regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
27. 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.

TRANSPORTATION REQUIREMENTS

28. All automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision-maker in accordance with the SDMC.
29. Prior to the issuance of any construction permit, the Owner/Permittee shall record a shared parking agreement in favor of all parcels within the project site, to the satisfaction of the City Engineer.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

30. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the public right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.
31. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s) [BFPDs], on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.
32. All proposed private water and sewer facilities located within a single lot are to be designed to meet the requirements of the California Plumbing Code and will be reviewed as part of the building permit plan check.
33. The Owner/Permittee shall be responsible for any damage caused to City of San Diego water and sewer facilities within the vicinity of the project site, due to the construction activities associated with this project, in accordance with San Diego Municipal Code section 142.0607. In the event that any such facility loses integrity then, the Owner/Permittee shall repair or reconstruct any damaged public water and sewer facility in a manner satisfactory to the Public Utilities Director and the City Engineer.
34. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.
35. Prior to final inspection, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.

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

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the Office of the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the City Council of the City of San Diego on March 21, 2023, and
Resolution Number R-314690 .

Permit Type/PTS Approval No.: SDP 2449005, and CDP 2449003
Date of Approval: March 21, 2023

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Bryan Hudson
Development Project Manager

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

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

Owner

By _____
3903 Haines LLC

Permittee

Leppert Engineering

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

Passed by the Council of The City of San Diego on MAR 21 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 21 2023.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Kristell Medina, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 314690