

RESPONSE TO APPELLANTS APPEAL OF STEBBINS RESIDENCE

OVERVIEW

This appeal is troubling to refute; not because it is true but because it is inconsistent, lacking in facts and contradictory. Conclusions are drawn with no basis in fact. Many codes cited are incomplete, out of context, out of date and in one case never adopted. Appellant's arguments serve only to confuse the issue and create as much uncertainty as possible. Appellant has focused on the below grade parking issue even though Appellant has admitted twice in public testimony that it is irrelevant. Appellant has conveniently forgotten to mention that his large 3 story condo complex has a very nice view which might be affected by this project.

Each of the following rebuttals are absolutely accurate and based on facts which are proven, agreed on by staff, well vetted by staff and Planning Commission and which accurately reflect the letter and intent of the appropriate codes or regulations.

I ask the reader to remember that this is in reality a simple project. Please do not become lost in the numerous smoke screens propounded by Appellant which I must address as the Applicant, but which have little or no relevance. This is a modest single family home with one deviation. As has been stated by others, I have followed all of the rules in every respect.

COMMENT ON FEMA GUIDELINES

When the Applicant or the Appellant is talking about FEMA guidelines or technical bulletins it is important to note that FEMA does not make regulations that bind the City. Rather, any regulations cited are guidelines for state and local officials to make their own local rules. The City of San Diego has incorporated many of these guidelines for flood management into the building code. The City code is at least and in some cases more stringent than FEMA recommendations. Ultimately, FEMA only requires that the city follows its own procedures. This has been done to the letter in the case of the deviation granted on this project.

1. PROJECT DOES NOT CONFLICT WITH COUNCIL POLICY 600-14B

A. Appellant quotes only the first sentence of the policy and fails to cite or include the other 4 pages of that council policy in his analysis (Attachment 17). The policy document goes on to enumerate the conditions under which a deviation is granted. Each finding for the project or deviation under this policy has been made by staff and the Planning commission. This document and various other city codes and FEMA guidelines have clear deviation procedures that outline the conditions for a deviation; all of those have been followed. (see staff findings in staff report).

B. Appellant Watson himself has stated on the record that "the flood issue is absolutely

irrelevant" (planing commission testimony 2/8/07). He does not care about the underground parking and has adopted this new position only after being unanimously defeated.

C. Throughout his appeal appellant refers to this little flood zone as a "flood plain of the San Diego River"- it is not. This zone is a flood zone A. Zone A means that there is a 1 in 100 chance in any given year that a flood would occur and reach the base flood elevation.

This particular Zone is manmade as city records show. This area has a a very low risk of flooding. Flood waters, if any would come from the overwhelming of the storm drain system, not from the Ocean or The River as is commonly believed. Flooding would be slow, shallow and of short duration. These are all characteristics enumerated in the fema guidelines governing deviations. The flood possibility is statistical only; This area has not flooded to the base flood elevation in recorded history.

(**A flood *plain* would imply alluvial flooding and this area does not include this characteristic; it is surrounded on all sides by Flood Zone X. Flood Zone X means that there is a 1 in 500 chance in any given year that the area will flood. This Zone X would act as a barrier. It encircles and prevents any other flood waters from affecting the project. Currently there are no federal, state or local building guidelines that apply to a zone x in this context).

2. APPELLANT'S ARGUMENT REGARDING PRIOR REJECTION OF PROJECT IS IRRELEVANT.

The project was not rejected . It was sent back to applicant for redesign. This is a normal part of any process. In addition, the project was redesigned in a major way after intense research and consultation with city staff. New information was obtained that had not been presented with the first project draft. Again this is rather normal. Appellants's use of applicant's correspondence is out of context. Specifically, city staff and Applicant were not focused at the time of the Iskandar letter of the FEMA deviation regs.

In addition, applicant worked closely with staff and significantly scaled back the bulk and scale of the building and added articulation in accordance with city guidelines and the OBPP. Appellant therefore, is citing a letter that is out of date and irrelevant as to the current design.

3. APPELLANT MISSTATES FEMA GUIDELINES;

A. The words "strictly prohibits" do not appear in any regulation. These words were uttered by a junior fema employee (Blackburn) who has not spoken to city staff has not viewed any aspect of the project and whose only source of info was a few sentence inquiry from appellant.

Michael Hornick is Blackburn's superior at Fema (DHS). He was provided all regulations and schematics and proposed findings concerning the project. After reviewing the project and discussing the project with the city engineer, Mr. Hornick stated that "I am confident that city staff is pursuing the correct course of action with regard to your own variance procedures." (Email 4/12/07-See attachment18).

44 CFR 60.3 states "The administrator does not set forth absolute criteria for granting

variances..” Also, “A community may propose flood plain management measures which adopt standards for flood proofed residential basements.”(60.6(b)(2)©). (See attachment 19 for full text.)

B. Fema recognizes that all flood zones are not created equal and has provided flexibility to the community. These regulations set forth specific criteria and characteristics that a project must have to meet the deviation requirements. This project meets each of these requirements*;

1. The lot is less than ½ acre
2. The potential flooding is of low velocity, long warning times and short duration
3. Flood velocities are 5 feet per second or less
4. Flood depths are less than 5 feet.
5. As stated above all of the other findings have been met.(see staff findings and owner’s supplemental info in this packet).
6. The flood proofing measures have been well vetted to the city engineer and Planning commission in two separate hearings.

(*this is a summary please read 44cfr60.6 in its entirety)

The fema guidelines are clear; deviations are allowed. Otherwise why would Appellants spend so much time in his next section trying to show the deviation is unjustified?

Appellant argues that the city could be expelled from the NFIP program. Again, this is out of context. Since deviations are allowed there is no violation of any of the gridlines and there are no consequences. Appellant likes to use words like “violation” when no violation exists.

4. THE PROJECT IS IN CONFORMANCE WITH THE OCEAN BEACH PRECISE PLAN;

A. Appellant states that residence violates precise plan. He asserts that a 1750 sq. foot residence can be built without parking below grade. This is incorrect. SDMC S. 11.0234(b)(6) states that “Gross floor area includes on or above grade parking” Therefore, any parking area must be deducted from allowable square footage. It is a matter of public record. Staff agrees.

Appellant completely MISSTATES the law. His conclusion that staff and applicant mislead the public is disingenuous. If Applicant could build an above ground garage and not lose any habitable square feet, he would do so. Appellant’s argument is pure fabrication. Even if Applicant could devote ground floor to parking the result would be an unarticulated block style building that *would* be inconsistent with the community plan.

B. The Appellant is incorrect about the visual impacts. All 3 foot public view corridors are preserved. The building is stepped back from one to two to three stories. No public views would be blocked from elevated areas because there are no elevated public views. In fact, Appellant fails to point out that he lives in a 3 story monolithic block condo complex across the street with a magnificent *private* view.(Interestingly, Appellant’s building probably could not be built today because of setbacks and inadequate flood proofing) With 4 foot setbacks, Appellant’s building blocks the sunlight from several properties behind his. The Stebbins residence is 95 feet away from the nearest structure (other than the neighbors on the project side of the street- all of whom favor the project.

"The Community plan contains policies to renovate properties that are substandard and dilapidated. And this represents one of many on that whole block. The development is consistent with small scale development in the general neighborhood and when we look at the neighborhood we are looking at the area that includes the noticed area not just one side of the block. There are two and three story structures immediately across from this one. Also, the block to the immediate east appears to have been transitioned from mostly smaller scale to mostly two and three story structures as well... we think that the project is appropriate in terms of bulk and scale, they are only adding approximately five hundred square feet to the project going from 1250 to 1750 and we think they have done an excellent job of breaking down what bulk and scale there was with the original proposal." Tony Kempton, senior planner Planning commission gearing 2/8/07 *** (Appellants complains about visual impact and quotes Mr. Kempton in regards to a previous design .The project was redesigned and resubmitted in 2005).

6. APPELLANT'S AFFORDABLE HOUSING ARGUMENT IS IRRELEVANT AS THIS IS ONE STRUCTURE LESS THAN 3 UNITS AND THEREFORE EXEMPT

Still, Ocean Beach area rents are well above the median. No "affordable" housing presently exists on this block please see staff report.

7. GEOTECHNICAL REPORT IS NOT NEW INFORMATION;

Appellant calls the geotechnical report new information, even though he correctly cites the date of the report as 8/5/05. This information was in fact considered as part of the MND and considered insignificant. Updated answers were provided to city staff in the normal course of business and are part of the record.

B. Applicant is willing to go on record as agreeing to correct any minor problems associated with dewatering. Applicant's contractor believes dewatering may not be necessary depending on the time of year and other factors.

Please remember all of the neighbors on Applicant's side of the street that could potentially be affected have provided letters of support (Attachments 21 a-f). According to the report, damage if any, is speculative and would be minor...even appellant does not dispute this. Nevertheless, Appellant leaps to the unsupportable conclusion that this is cause for denial

8. APPELLANT'S STATEMENTS THAT FEMA VARIANCE IS UNWARRANTED IS CONTRADICTIONARY;

Appellant contradicts himself when he states that a fema variance is unwarranted. Earlier, Appellant stated (incorrectly) that underground parking was "strictly prohibited" Now, Appellant goes to great lengths to say the deviation is unsupported. There cannot be a deviation procedure for a prohibited act. Furthermore, as quoted above, appellant stated that the underground parking was "irrelevant". Appellant again misstates the ob precise plan and the building code. And claims that above ground parking would not diminish the total allowable space.

The building code is explicit for this property; all parking areas (in this case-2 spaces) must be deducted from floor area ratio calculations (SDMC S. 11.0234(b)(6). Appellant's claim that city staff and applicant have made false claims or that staff does not understand or has misrepresented the building code and should interpret it differently is spurious and false. Appellant again quotes statements from staff that apply to a prior design which are again irrelevant.

B. Appellants claims that the hardship standard has not been met; This erroneous conclusion is based this on Appellant's claim that a 1750 sq foot house can in fact be built with above ground parking, we know this to be false. Without a deviation for the parking applicant would need to build a 1250 square foot house which would make no sense and as one commissioner pointed out create a block style unarticulated structure which I am quite certain appellant would like even less.

In addition, it is economically unfeasible to tear down a 1250 sq. foot residential structure on the beach only to replace it with another. Even though this is to be my home, the finished product given the costs of construction must justify the expenditure. This is a prime site and the only justifiable way to build and therefore improve the neighborhood is to go up. Appellant cites no facts to support his conclusion that there is no hardship-he merely concludes. Appellant does not provide any suggestions about any other viable design.

C. Appellant cites possible (60)(a)(3ii)) "nuisances"..... nuisances are permanent characteristics that might be created after the project is completed not during construction. No one..including the appellant has provided supporting facts citing a nuisance after the project is completed. All of applicants comments about public safety are conclusory and do not provide facts or proof. This is yet another set of "red herrings."

D. Appellant's comments about flood insurance are irrelevant because that is a private matter. However, I have obtained a quote based on preliminary designs of \$3000 per year and that is expected to decline to about \$8-900 once the flood proofing schematics and final engineering certification are done. I pay \$750 per year at this time.

9. DEVIATION IS THE MINIMUM NECESSARY;

Appellant claims that this deviation is not the minimum necessary; appellant does not cite any viable alternatives and those he does cite are based on appellant misrepresenting the building code as stated above. He again falsely states that I can build a 1750 Sq. Foot house with above ground parking. *(If true I would be happy to redesign).*

The house as designed has exactly 1750 sq. feet of living space. This is a moderate house by any measure. It only adds 500 sq. Feet to the existing structure. *no living space will exist below grade.*

10. APPELLANT MISSTATES FLOOD DEPTH CRITERIA;

A. Appellant claims that flood depth would be too great (fema guidelines, (44cfr 60.3) suggest no more than 3 foot maximum flood depth for a deviation). Appellant has his math wrong. Here, the base flood elevation is 9.6 feet. The grade at the property is 7.8 feet .. therefore, the mean flood depth in a 100 year flood is 1.8 feet...well below the suggested 3 foot guideline. It is a simple matter of math. The Base flood elevation was established by the FIRM and city records. Engineering staff has concluded that there is no danger to any surrounding property due to the flood proofing.

B. Appellant suggests that there might be tidal flooding yet presents no evidence. Staff has stated that there is no tidal flooding. The site is flat and staff has concluded that there will be no adverse affect on the flood zone. Fema flood maps show that this flood zone is surrounded on all sides by a flood zone x (500year flood) Therefore, Appellant's comments are misleading and have no basis in fact. Of course coastal commission has reviewed the project and is not requiring wave runup studies because there is no tidal flooding.

11. THERE IS NO EVIDENCE OF ANY POTENTIAL ENVIRONMENTAL DAMAGE;

Dewatering is a common construction technique and does not create any environmental issues. Appellant implies some environmental damage to neighboring properties in the flood zone but does not cite any evidence of any potential environmental damage and makes only vague generalized complaints. Appellant again calls this a flood plain; it is not. There is a big difference; a man made flood zone is not a natural resource. Staff has stated that there are no environmental impacts to the flood zone.

This site is already developed and is not a natural resource. There are no environmentally sensitive lands for it to affect. And Appellant does not cite any potential damage of any significance. Appellant's conclusions are overly general and amount to no more than non-expert opinion about dire consequences which are unsupported by any factual proof.

12. RETAINING WALLS ARE NOT NEEDED;

Appellant suggests the driveway be classified as a shoreline protective device...There is no authority for this statement especially as it applies to this project which separated from the shoreline by a massive(several acres) parking lot and a flood zone X.

The sides of a driveway over 100 yards away from the beach and separated from the beach by a 3 story structure and a parking lot cannot be a shoreline protection device. Coastal Commission has evaluated the driveway walls and found no issues. This is yet another spurious argument.

13. THERE IS NO EVIDENCE THAT PROJECT IS IN ANY WAY DETRIMENTAL TO PUBLIC HEALTH;

A. Appellant argues that the project would be detrimental to public health...but does not state how...Appellant provides no specifics other than some out of context fema regs. Appellant again refuses to cite the deviation regulations so his arguments are merit less. Appellant calls everything a violation when we are dealing with a deviation.. Rebuttal to such conclusory argument is unnecessary.

B. Appellant inaccurately quotes neighbor and project supporter Byron Meadows who stated "some water entered my house 2 feet and wet my carpet"(please replay the tape) Appellant says the water was 2-3 feet deep and that Byron lost everything. This is again untrue. (This was during the 82-83 El Nino season). Even if it were true, flood proofing measures would increase safety not decrease safety; That same flood would have caused no damage.

C. Appellant provided a nice picture of this same event in 82-83 which actually proves the point the flooding was at grade only and may have lapped at the end structures on the block....this flood level is 1.8 below bfe, 2.8 below my flood proofing measures and this was the second worst storm in OB history. The worst storm occurred 2 years ago and the streets and parking lot did not even flood possibly due to recent storm drain work..this would of course be the predicted result.

It would take far worse storms to even come close to overwhelming my flood proofing measures. Appellant once again fails to show how my house can be a detriment to public safety. Ironically the building where Appellant lives would suffer far greater damage than my house since it is at grade and not flood proofed in the least.

14. THE SITE IS SUITABLE;

A. Appellant again suggests that an alternative to the current building would be above grade parking but again does not understand the floor area ratio limitations. The city is not required to propose alternatives to the homeowner. The site is already developed and the footprint does not really change..there is no impact to environmentally sensitive lands so the site is suitable..

B. Appellant states that the deviation is based on fema technical bulletin 3-93 and that this is misleading because the document generally covers non-residential structures. Nothing in this document is restrictive, it is merely a technical opinion. To suggest that this somehow limits what one can do with a residence is a tortured and cynical piece of reasoning that barely justifies rebuttal.

Still, that bulletin is merely a flood proofing guideline and it was cited for technical reasons. Actually the laws of physics do not differentiate between residences and business. Moreover, The city engineer will have to sign off on the final constructions documents and applicants design must be certified reasonable safe from flooding by an engineer. This is another red herring argument.

002651

C. Appellant states that the public was misled because the full title of the fema 3-93 bulletin was not cited..this is disingenuous nitpicking as the document is freely available on the internet. Even so, it is the Appellant who is misleading the public as he refuses to acknowledge that deviations for underground parking are allowed.

15. NEW INFORMATION IS NOT NEW;

Appellant stapled a sheet labeled "new information" to his appeal. It states that cd coastal overlay prohibits my proposal; THIS IS FALSE -THE SECTION APPELLANT REFERS TO WAS NEVER ADOPTED The section cited (Appendix B of the OBPP) is a mockup of an overlay zone was never and has no legal effect....If one tries to follow the cut and paste gibberish in this argument it implies that any structure built after 1980 would be illegal. There is no regulation prohibiting the building of a house on my lot. Appellant's suggestion would be that no house of any kind could be built. Essentially, Appellant neglects to apply the permissive exceptions and augmentations and revisions in any part of any code he has cited. Appellant simply refuses to attach or cite any sections that do not favor his position. Any honest review of the current coastal regulations shows this to be another tortured and out of sync analysis of the code.

21. PROJECT HAS NO CITY WIDE SIGNIFICANCE;

Appellant suggests there is city wide significance to my project. This is not true. First, Ocean Beach is the only zip code in the county that has such a restrictive F.A.R. (.70) coupled with this zoning(rm2-4). Add to that the small lot, flood criteria and the view potential needed to make a project like this economically feasible and the likelihood of this deviation occurring again on any other block in the county is tiny-if not impossible. This block is a subset of a subset of a subset.

Appellant has raised fear of "mass" development yet does not provide any facts which support this conclusion. Even so, the zoning, F.A.R. and community plan changes that would be necessary to significantly change the character of this neighborhood are not even on anyone's drawing board. Currently, everyone on the block parks illegally in their setback. If anything Applicants house will create less density and legal parking on his lot for the first time in 40 years.

22. THERE ARE NO DEFICIENCIES IN THE MND;

Appellant claims an there is an "omission" to potential (minor) damages to adjacent residences and that this is significant This report has been in the record for almost two years. Furthermore, every adjacent property owner has stated in writing that they approve of the project. The applicant claims that if 6 more owners build on the block this could create a walling off effect. Appellant provides no evidence of how this would come about other than vague statements.

The statements and desires of any other owners regarding the future development of their respective properties though sincere are speculative. Of course, any project going forward would be required to observe the 3 foot public visual corridors between properties even though this area is not designated for public views. There would be no "walling off effect" as the street is open to

C 8

the parking area of beach on each side and because the street in front is very wide and there will be absolutely no effect on the public view and there is no elevated public view nearby. Therefore, there could be no walling off effect.

B. Appellant has presented NO evidence of a cumulative impact. Appellant has presented no evidence that 6 houses built on this same block would have ANY impact. "In the absence of specific factual foundation in the record, dire predictions by nonexperts regarding the consequences of a project do not constitute substantial evidence". (Bankers Hill v. City of San Diego) 2006 Cal. APP.Lexis 684.

CONCLUSION

There are no "violations" of fema regulations in this project. The proposed deviation meets all of the criteria set out by the city and fema. The project has been vetted by over 400 hours of staff time and two planing commission hearing's it was enthusiastically approved. Appellant likes to call each and every aspect of the project a "violation"but provides no proof or specific evidence. Appellant MISSTATES or misinterprets the building regulations. Appellant quotes laws that were not adopted. Appellant acknowledges that a deviation procedure exists and then flip-flops and disagrees with that-again and calls everything a violation. Appellants arguments are contradictory and circular.

This Appeal is disturbing. The Appellants technique of manipulating the data and the facts to serve his own agenda is a waste of the Council's time. Appellant has presented not one new or different piece of information that would justify his appeal. Furthermore, Appellant lives across the street in a condo complex on the third floor and enjoys a very nice ocean view. This is a fact of significance. Ironically Appellant's view will not be significantly impaired As the first floor of Applicant's house is 95 feet away. Neither Appellant had the courtesy to show up to the planning board hearings though one Appellant has waged a misleading email campaign. When Appellant lost in front of the planning commission Appellant ran to the planning board without notifying Appellant in an attempt to get support for an appeal; they failed

There is no great public controversy over this project; in fact there is just as much, if not more support for it. There is unanimous support from all the property owners on the block. Most importantly the applicant has followed the rules. The appellant does not. There are no violations of the code or any of fema regulation. Everything including the deviation has been done by the book. The project as reviewed by the planning commission enjoys their unanimous support and the support of city staff.

002653

SUPPLEMENTAL INFORMATION AND TALKING POINTS FROM APPLICANT
5166 W. POINT LOMA BLVD, STEBBINS RESIDENCE

As requested I have provided you with technical information regarding the flood proofing of the below grade parking area for my home. Please consider the following;

THE DESIGN IS SAFE

1. ALL HABITABLE SPACE WILL BE ABOVE FLOOD ELEVATION PER FEMA REGULATIONS. THE ONLY AREA BELOW BFE WILL BE THE PARKING AREA AND THIS WILL BE DRY FLOOD PROOFED. THE DEVIATION REQUESTED IS FOR UNDERGROUND PARKING ONLY. THE REST OF THE PROJECT AND ALL HABITABLE AREAS FOLLOW THE BUILDING CODE PRECISELY.
2. CONSEQUENTLY, ALL HABITABLE AREAS OF MY HOUSE WILL BE 2.5 FEET ABOVE CURRENT GRADE. ALL OTHER PROPERTIES IN THIS ZONE ARE INCLUDING MINE ARE CONSTRUCTED AT A MAXIMUM ONE FOOT ABOVE GRADE (1.5 FEET BELOW FLOOD) OR AT GRADE. IRONICALLY, THIS MEANS MY HOUSE WILL BE THE ZONE'S SAFEST AND THE ONLY PROPERTY IN COMPLIANCE WITH FEMA GUIDLINES.
3. THIS FLOOD ZONE IS A MINOR FLOOD ZONE. PLEASE DO NOT BE DISTRACTED BY THE PROXIMITY TO THE BEACH. THE OCEAN HAS NOTHING TO DO WITH THE FLOOD ZONE DESIGNATION. THE SITE IS 450 FEET AWAY FROM THE SAND AND ANOTHER 100 YARDS TO THE WATER. THERE IS NO CURRENT DOCUMENTED RISK FROM COASTAL FLOODING. IT IS SEPARATED FROM THE SAN DIEGO RIVER BY A ZONE X.
4. THIS FLOOD ZONE EXISTS ONLY BECAUSE THE CITY STORM DRAIN SYSTEM IS POTENTIALLY INADEQUATE. THERE IS NO DISPUTE ABOUT THIS FACT. FLOODING (IF ANY) IN A 100 YEAR EVENT WOULD BE SLOW, SHALLOW AND LOW VELOCITY-EASILY HANDLED BY MY ENGINEERING. A FLOOD OF THIS TYPE HAS NOT OCCURRED IN THIS ZONE IN RECORDED HISTORY.
5. DUE TO RECENT STORM DRAIN WORK THE ABOVE MAY NO LONGER BE A POTENTIAL PROBLEM ALTHOUGH THIS HAS NOT BEEN STUDIED.
6. SINCE THE PROBLEM (THE FLOOD ZONE) WAS CREATED BY THE CITY THIS DEVIATION IS FAIR TO THE APPLICANT AND COSTS THE CITY NOTHING.

7. THIS AREA IS BLIGHTED-EVEN THOSE LUKEWARM ABOUT THE PROJECT HAVE AGREED ON THIS POINT. OB PLANNING BOARD DID NOT OBJECT TO THE UNDERGROUND ASPECT OF THIS PROJECT.

8. COMMERCIAL UNDERGROUND PARKING IS UBIQUITOUS EVEN IN SOUTHERN CALIFORNIA AND NO DEVIATION IS REQUIRED. THE CONVENTION CENTER PARKING IS BELOW SEA LEVEL.

THE PROJECT IS A BIT UNUSUAL BUT THE TECHNOLOGY IS PROVEN

1. THE SITE IS A SMALL LOT WITH AN FAR OF .70; THE PENINSULA PLANNING DISTRICT IS THE ONLY AREA IN SAN DIEGO COUNTY WITH A SMALL F.A.R. FOR THIS ZONING. ALL OTHER RM2-4 PROPERTIES IN THE COUNTY HAVE LARGER F.A.R. THE SAME IS ESPECIALLY TRUE IN PACIFIC BEACH AND MOST ANALOGOUS AREAS UP THE SOUTHERN CALIFORNIA COAST.

2. OWNERS IN THESE OTHER AREAS HAVE THE ABILITY TO BUILD ABOVE GRADE PARKING. I DO NOT. THIS IS WHY THE COMMISSION HAS NOT YET SEEN A PROJECT OF THIS TYPE. MY SITE IS IN THE ZONE A WHICH FURTHER EXPLAINS WHY IT HAS NOT BEEN DONE. ESSENTIALLY MY LOT IS A SUBSET OF A SUBSET OF A SUBSET.

3. EVEN IF THE F.A.R WAS MAGICALLY INCREASED, THIS PROJECT WITH AN ABOVE GROUND GARAGE WOULD PRESENT SIGNIFICANT BUILD AND SCALE ISSUES. UNDERGROUND PARKING ALLOWS A MORE ELEGANT ARTICULATED DESIGN FOR THE NEIGHBORHOOD.

4. IT IS MORE EXPENSIVE TO BUILD AN UNDERGROUND BASEMENT, ESPECIALLY IN SAND AND A NARROW SETBACK/LOT LINE. THEREFORE ONLY PROPERTIES WITH VIEW POTENTIAL WOULD BE ECONOMICALLY VIABLE. THIS FURTHER EXPLAINS THE LACK OF SIMILAR PROJECTS TO DATE.

5. FEMA REGULATIONS ARE TAILORED ALMOST SPECIFICALLY FOR MY LOT; THE REGULATIONS THAT ALLOW THE DEVIATION SPECIFY A LOT OF LESS THAN ½ ACRE IN A DEVELOPED AREA BEING THE ONLY CANDIDATE FOR THIS DEVIATION. MY LOT QUALIFIES. THE FLOOD ZONE SHOULD BE SHALLOW, LOW VELOCITY WITH LONG WARNING TIMES; MY LOT QUALIFIES -IF THERE WAS EVER A GOOD CANDIDATE FOR UNDERGROUND PARKING, MY PROJECT IS IT!

6. SAN DIEGO IS A DRY CLIMATE. THE FLOOD PROOFING MEASURES I PROPOSE ARE UBIQUITOUS IN OTHER AREAS OF THE COUNTY. THEY MAY BE UNFAMILIAR TO US BECAUSE WE ENJOY A PRETTY MILD CLIMATE. NEVERTHELESS THE DRY PROOFING OF BASEMENTS AND FLOOD BARRIER TECHNOLOGY IS VENERABLE. SOME OF THE PRINCIPLES ARE CENTURIES OLD.

CONCLUSION

Sometimes the more one focuses on a problem the larger it seems. I am requesting a deviation for underground parking only. All other aspects of this project precisely meet the code. Residential underground parking is not common because of the factors I have outlined above. Please keep in mind that many areas of San Diego flood each year. Many of these areas are not in designated flood zones. Yet, my area has not flooded. Still, I have provided a flood proof solution that should will make my property safer than every property in the area and most properties in any San Diego Coastal Zone. I am doing this at my expense even though the problem was created by poor storm drain management.

I am the first in Ocean Beach to do this in a residential zone. This is done all the time in commercial zones without a deviation required. Being first does not mean it's a bad idea...It just means I am first. Nevertheless, due to the economics of the beach and the very few properties with characteristics like mine, this will not be a major development trend and will result in no more than a handful of similar projects.

Respectfully Submitted,



David Stebbins, ESQ.

002657

JAMES SCOTT FLEMING, AIA
STONEBROOK STUDIO, INC ARCHITECTURE AND PLANNING

FEBRUARY 17, 2007

Laila Iskandar
Project Manager
City of San Diego development Services
222 1st Ave
San Diego, CA 92101

Re: Stebbins Residence
CDP
Floodproofing

Dear Ms. Iskandar:

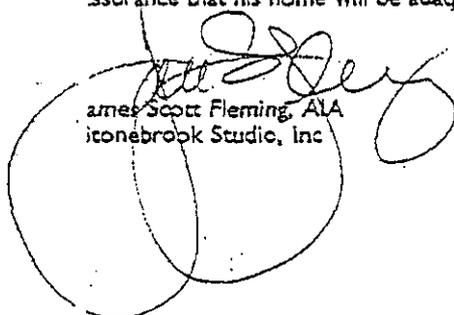
We have reviewed the flood proofing criteria for the basement parking garage as requested by the members of the Planning Commission on February 8, 2007. Along with additional information Mr. Stebbins has put together, we have created additional exhibits showing the proposed flood proofing details and gate structures in schematic form.

As indicated in the exhibits, The basement walls will be constructed of 12" concrete walls and a min. 18" thick concrete slab floor. The walls and floor will be structurally designed to resist any future hydrostatic as well as buoyancy forces generated by possible flood water that may accumulate at the site. The resistant forces will be engineered per FEMA technical bulletin 93, and NFIP (National Flood Insurance Program) recommendations, as well as taking into consideration any impact forces generated by floating debris. The basement walls and retaining walls at the sloping driveway, as well as the slab below will be entirely waterproofed/floodproofed utilizing a "Tremco" water proofing system so that no moisture/water may penetrate into the basement. The Waterproofing will be protected from damage by backfill protection material, and a water drainage grid system will be utilized on the sidewalls and underslab to direct any built up moisture to a sump system that will direct water out and away from the structure. The structure will be completely floodproofed to one foot above the 9.6 flood level elevation.

As the exhibits show, a "FLOODWALL" or "FLOODGATE" protection system will be utilized at the entry to the parking garage driveway to prohibit any floodwater from entering the basement. As the enclosed literature shows, these systems have been utilized in numerous locations and types of installations throughout the country in flood prone areas, and we have confidence that this system will be more than adequate to provide protection to Mr. Stebbins' residence in the rare occurrence it may be needed.

Utilities (electrical etc.) will be protected by placing the main panels and services above the 9.6 flood level. Sewer discharge pipes will be equipped with backflow prevention devices.

Our office will be providing design and engineering for the project, along with the assistance of Mr. de Beradinis, our structural engineering consultant, Christain Wheeler Engineering, geotechnical consultant, and Sunshine Supply Corporation, our waterproofing consultant to assure that both the structure and floodproofing will be providing Mr. Stebbins with assurance that his home will be adequately protected.


James Scott Fleming, AIA
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002658

CHRISTIAN WHEELER
ENGINEERING

February 19, 2007

David Stebbins
4948 Voltaire Street, Suite 1A
San Diego, California 92107

CWE 2040314.3

**SUBJECT: REVIEW OF SCHEMATIC FLOOD PROOFING DESIGN, PROPOSED
SINGLE-FAMILY RESIDENCE, 5166 WEST POINT LOMA
BOULEVARD, SAN DIEGO, CALIFORNIA**

REFERENCES: 1) Report of Preliminary Geotechnical Investigation, Proposed Single-Family Residence, 5166 West Point Loma Boulevard, California, *prepared by Christian Wheeler Engineering, CWE Report No. 2040314.1, dated June 14, 2004.*

2) Response to 2nd Geotechnical Review of Documents, Proposed Single-Family Residence, 5166 West Point Loma Boulevard, San Diego, California, *prepared by Christian Wheeler Engineering, CWE Report No. 2040314.2, dated August 5, 2005.*

3) Schematic Flood Proofing Design (Dry Flood Proofing), Basement Garage, Stebbins Residence, *prepared by James Scott Fleming, AIA, dated February 14, 2007.*

4) User's Guide to Technical Bulletins, Including Key Word/Subject Index, Technical Bulletin Guide-01, *prepared by Federal Emergency Management Agency, FLA-TB-0, dated May 2001.*

Dear Mr. Stebbins:

In accordance with the request of Mr. James Scott Fleming, AIA, of Stonebrook Studio, Inc., we have prepared this letter to provide geotechnical comment on the above referenced flood proofing design for the subject residence. Based on our review of the referenced flood proofing schematic and the facts that, as presented on page 5 of the City Staff Report No. PC-07-010 for the meeting of the Planning Commission, Agenda of February 8, 2007, the proposed flood proofing of the structure will need to satisfy the requirements presented in FEMA's Technical Bulletin 3-93 and that a registered civil engineer or architect will need to certify that the requirements put forth in Technical Bulletin 3-93 have been met prior to occupancy of the residence, it is our professional opinion that the proposed flood proofing concept can be successfully incorporated into the construction of the proposed single-family residence.

CWE 204091435
002633

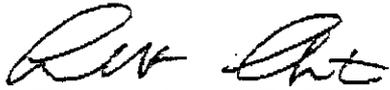
February 19, 2007

Page No. 2

If you have any questions regarding this letter, please do not hesitate to contact this office. Christian Wheeler Engineering appreciates this opportunity of providing professional services for you for the subject project.

Respectfully submitted,

CHRISTIAN WHEELER ENGINEERING



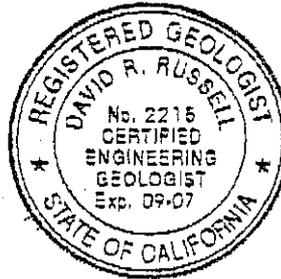
Charles H. Christian, GE 215



David R. Russell, CEG 2215

CHC:DRR

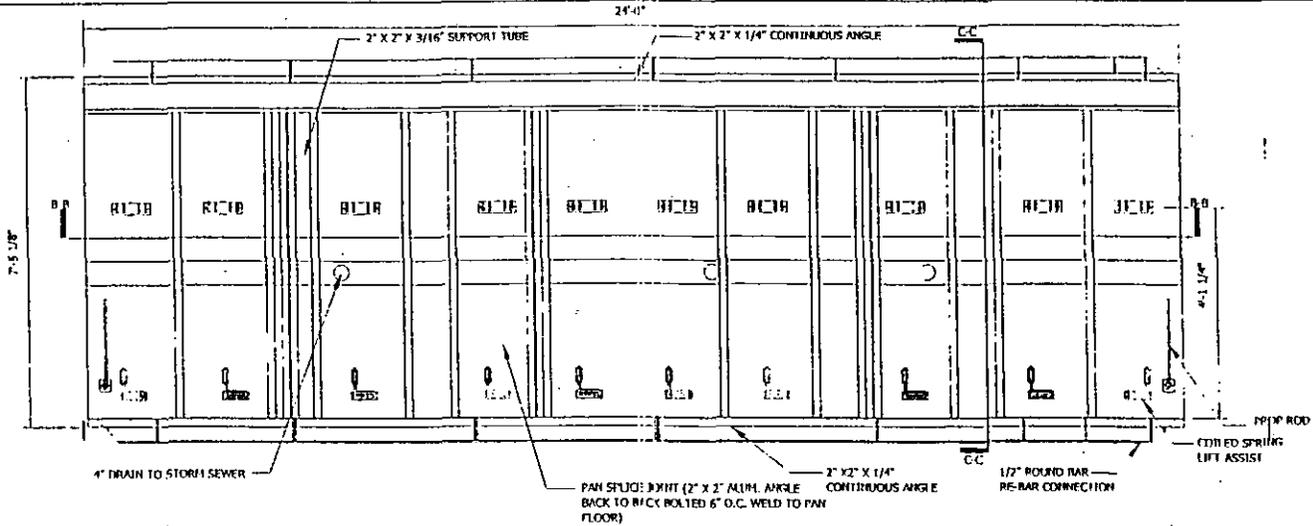
- cc: (6) Submitted
- (1) via fax (619) 223-0174
- (1) via david@rebbins.com



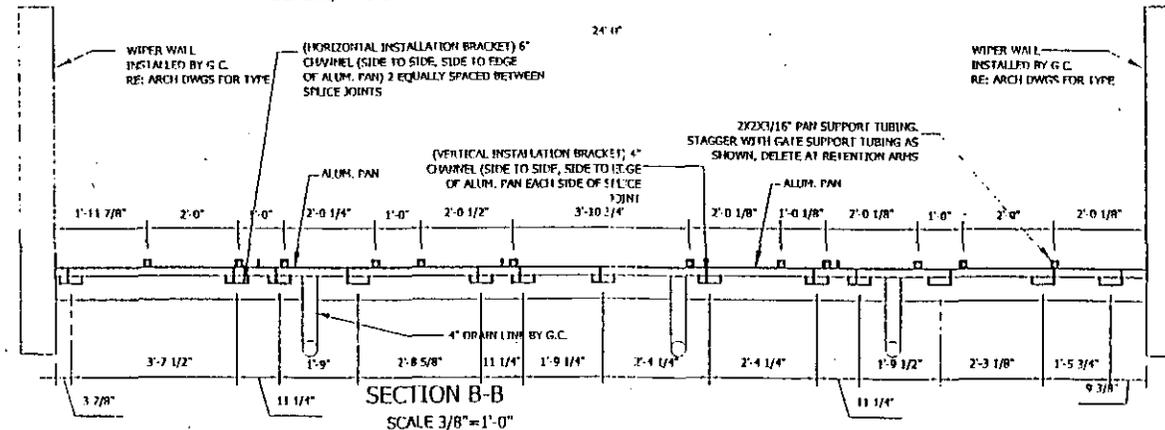
002661

FLOOD BARRIER DIAGRAMS
AND SCHEMATICS

002663



PLAN VIEW AT PAN
SCALE 3/8"=1'-0"



SECTION B-B
SCALE 3/8"=1'-0"

NOTE:
PAN SIDES AND FLOOR SEAMS TO BE STITCH WELDED 3/16" X 3" LONG 12" O.C.

	CUSTOMER NAME WITHHELD 24'-0" x 6'-2" VEHICULAR GATE ###	
	FLOODBREAK SERIAL # ###	
	PAN PLAN LAYOUT AND SECTION	
	DATE: 03-28-05	
Revolutionary Flood Control <i>Automatic Floodgates - no people, no power!</i>		DATE: 03-28-05
SCALE: AS NOTED	SHEET: 3 OF 7	
DRAWN BY: CWJJ		
RE: ADDENDUM		

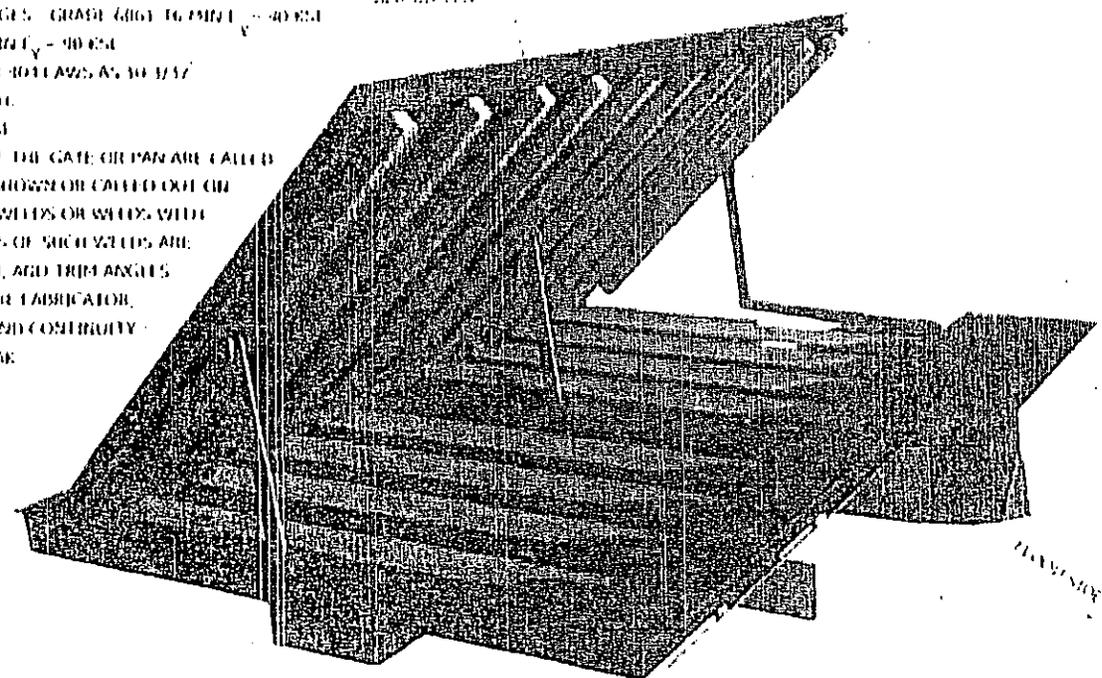
002664

1-D

NOTES:

1. FLOODGATE MATERIAL TO BE ALUMINUM AS FOLLOWS:
 GATE 5" X 2" X 1/8" EXTRUSION - GRADE 6061 T6 M11 $V = 40 KSI$
 GATE 2" X 2" X 1/16" TUBULAR - GRADE 6061 T6 M11 $V = 40 KSI$
 PARAPET STAINLESS STEEL - GRADE 304 M11 $V = 40 KSI$
 FLAT BAR, ROUND BARS, STRUCTURAL ANGLES, BRIGES - GRADE 6061 T6 M11 $V = 40 KSI$
2. WIRE BOLTS TO BE STAINLESS STEEL - GRADE 304 M11 $V = 40 KSI$
3. ALUMINUM TO BE WELDED WITH ALUMINUM WIRE - ER 4043 AWS A5.10 1/32"
4. FOR REF TO BE 300 PSI MINIMUM 20 DAY STRENGTH
5. REINFORCING BARS TO BE A501 - 2615 M11 $V = 60 KSI$
6. ALL WELDS REQUIRED FOR STRUCTURAL STRENGTH OF THE GATE OR PARAPET CALLED OUT ON THESE DRAWINGS. ALL OTHER WELDING, NOT SHOWN OR CALLED OUT ON THESE DRAWINGS, ARE ESSENTIALLY NON-STRUCTURAL WELDS OR WELDS WITH NEGLECTIBLE LOADS AND RESULTING STRESSES. EXAMPLES OF SUCH WELDS ARE AT STAIRS, SIDES, SUPPORTS AND THROUGHS OF THE PARAPET ANGLES OF THE GATE. THESE WELDS ARE TO BE SELECTED BY THE FABRICATOR, TAKING INTO CONSIDERATION ASSEMBLY, TRANSPORT AND CONTINUITY REQUIREMENTS, AND MUST BE APPROVED BY FLOODBREAK.

ROOF
 WIND WALL FACED END NOT SHOWN, INSTALLED BY GC



FLOOD SIDE

LAND SIDE

FloodBreak
 Revolutionary Flood Control
 800-875-7777
 DRAWING: 0026
 REVISION: 2

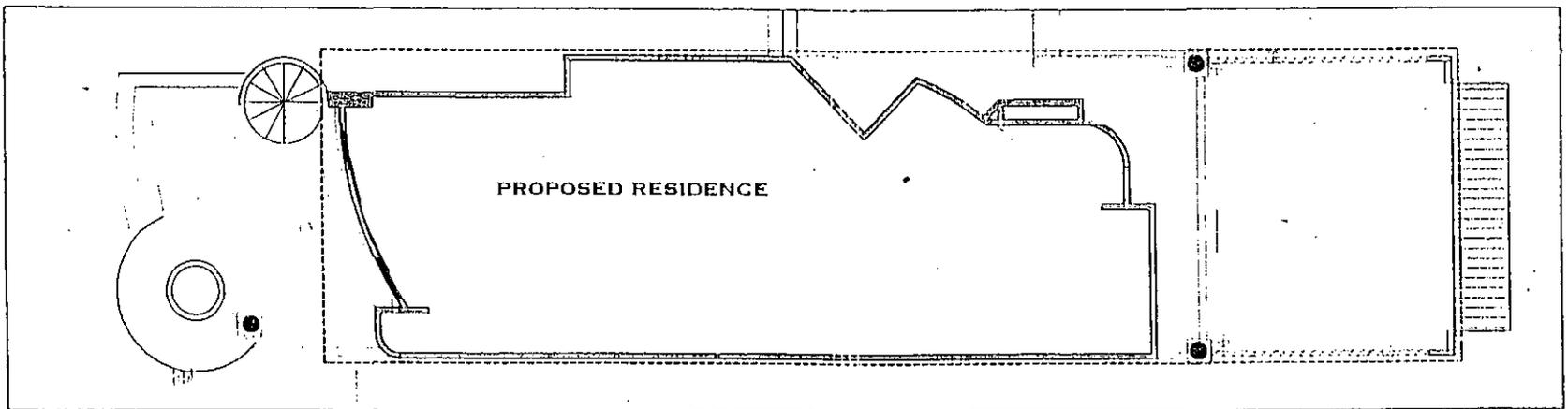
CUSTOMER NAME: WILHELM	
24' 0" X 6' 0"	
VERTICAL GATE - 0000	
FLOODBREAK SERIES: # 2222	
GENERAL PROJECT NAME:	
DWG:	0026
SHEET:	1 OF 1

THIS PERSPECTIVE VIEW MAY NOT BE TYPICAL OF ACTUAL GATE

EXHIBIT 1-D

002665

"FLOODGATE" BARRIER



PL.

DRIVEWAY

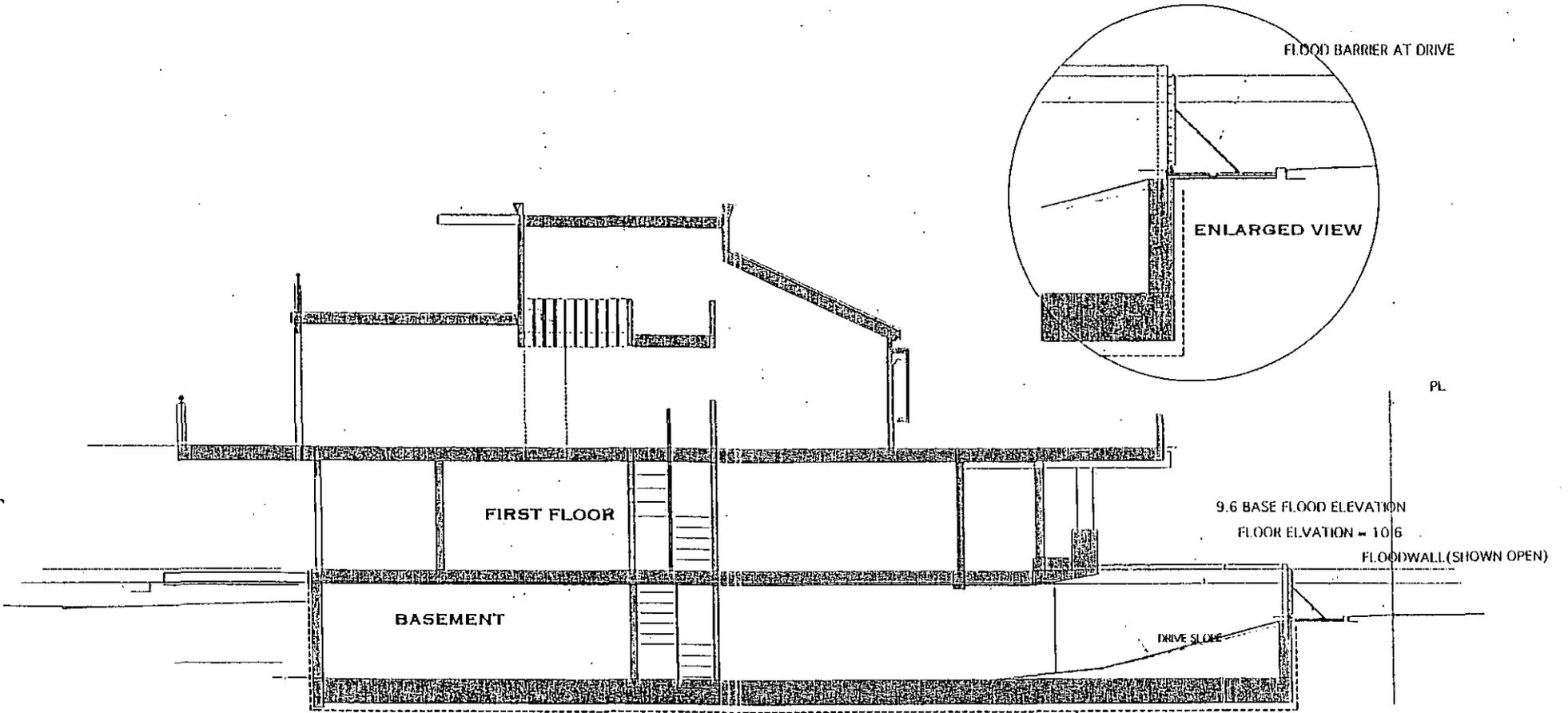
PROPOSED RESIDENCE

SITE

INDICATES EXTENT OF FULL HEIGHT "FLOODPROOFING OF BAEMENT
AND RETAINING WALLS TO 1'-0" ABOVE
BASE FLOOD LEVEL 9.6

EXHIBIT 1-A

1A

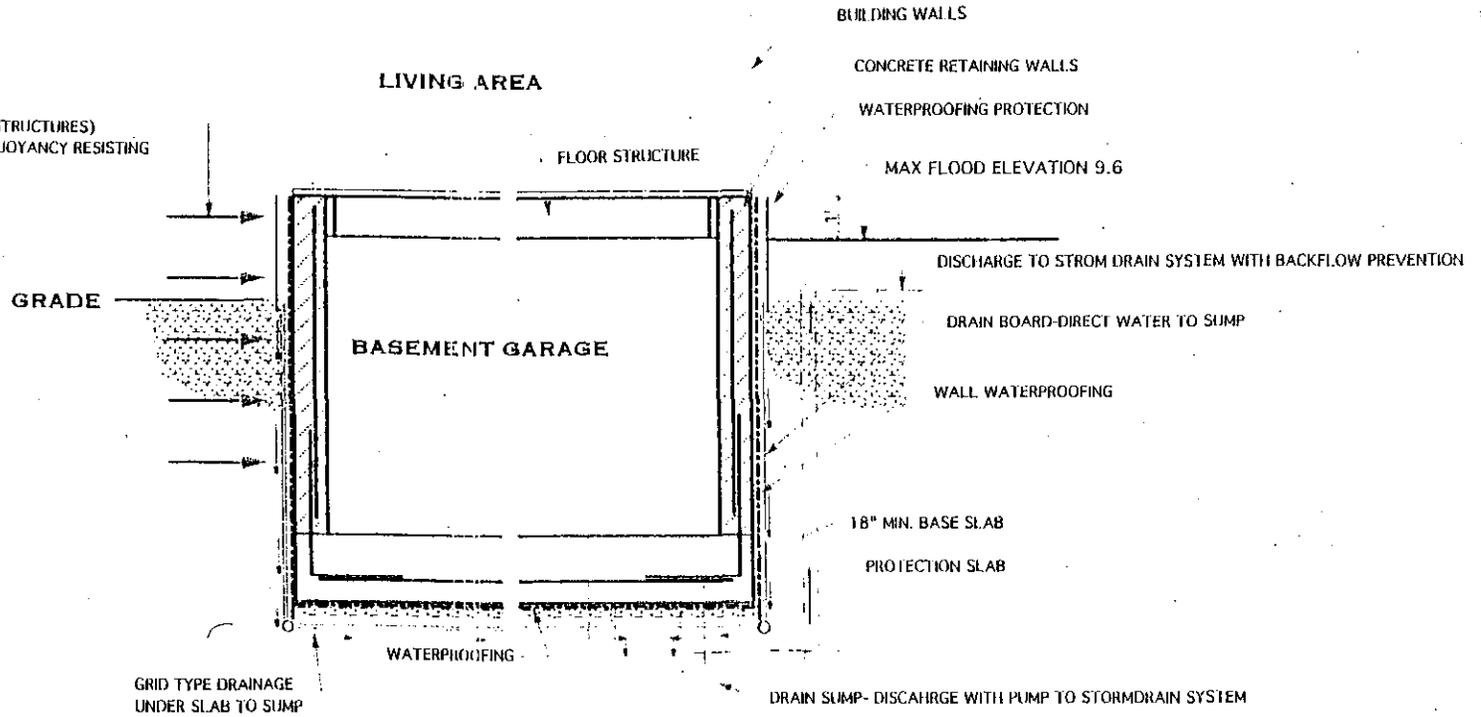


CROSS SECTION

FULL "FLOODPROOFING" OF BASEMENT PER SECTION 1-C

EXHIBIT 1-B

WALLS TO BE DESIGNED TO WITHSTAND SURCHARGE OF FLOOD WATER(FLOOD LOADS) PER IBC AND NFPA(2003), AND SEI/ASCE-7 (MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES) AND FEMA BULLETIN 3-93AS TO HYDROSTATIC AND BUOYANCY RESISTING DESIGN



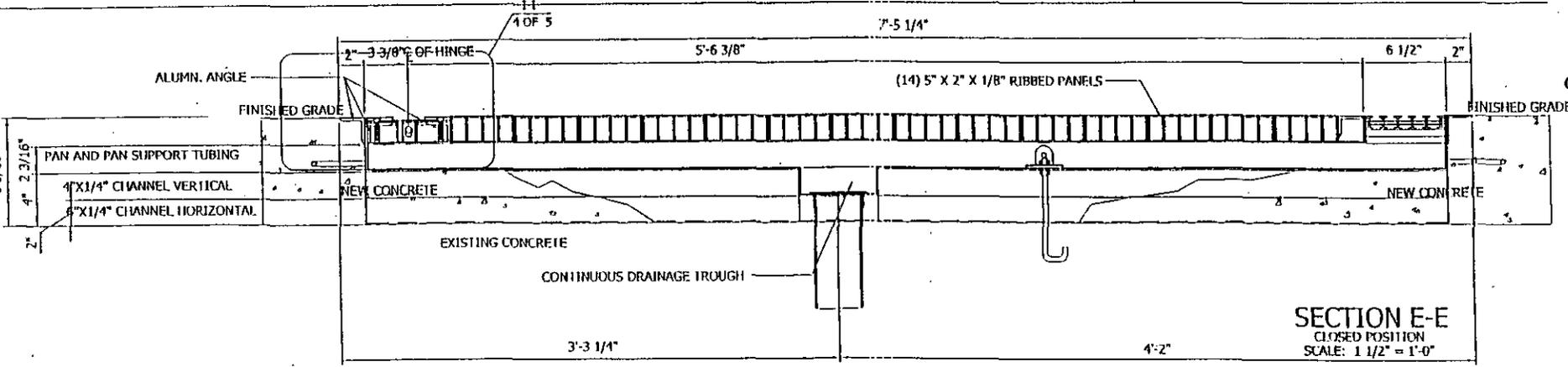
STEBBINS RESIDENCE
SCHEMATIC FLOOD PROOFING DESIGN (DRY FLOODPROOFING)
BASEMENT GARAGE

EXHIBIT 1-C

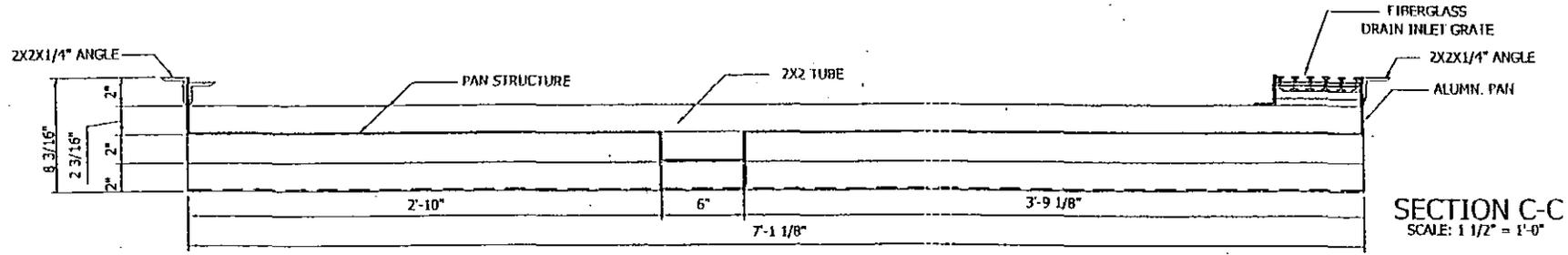
QC 2667

21

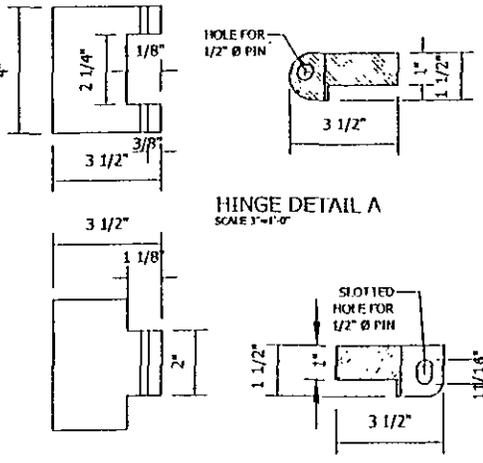
002669



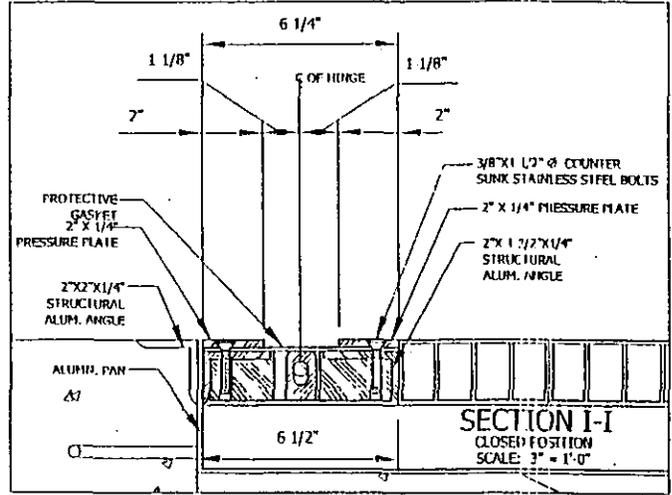
SECTION E-E
CLOSED POSITION
SCALE: 1 1/2" = 1'-0"



SECTION C-C
SCALE: 1 1/2" = 1'-0"



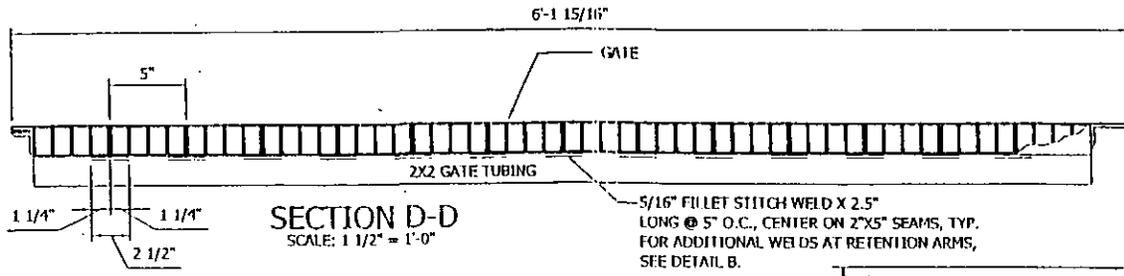
HINGE DETAIL A
SCALE 3" = 1'-0"



SECTION I-I
CLOSED POSITION
SCALE: 3" = 1'-0"

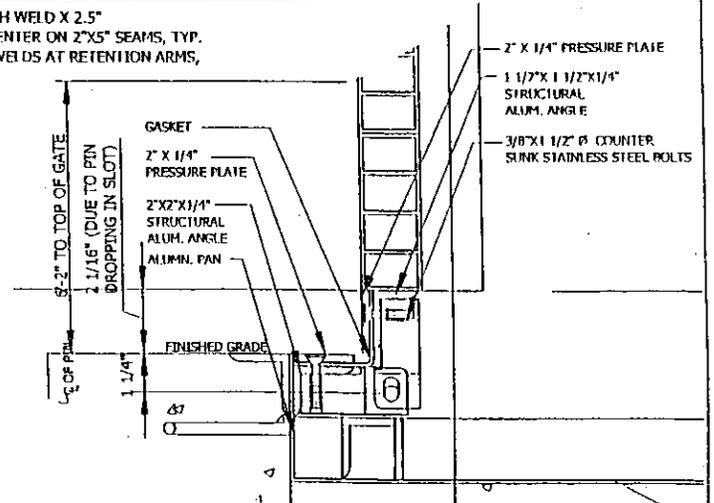
 Revolutionary Flood Control <i>Automatic Hoodgates - no people, no power</i>	CUSTOMER NAME WITHHELD 24'-0" x 6'-2" VEHICULAR GATE ####
	FLOODBREAK SERIAL # ####
	GENERAL SECTIONS AND DETAILS
	DATE: 03-28-05
SCALE: AS NOTED	SHEET: 4 OF 7
DRAWN BY: CWJJ	
RE: ADDENDUM 	

0026710

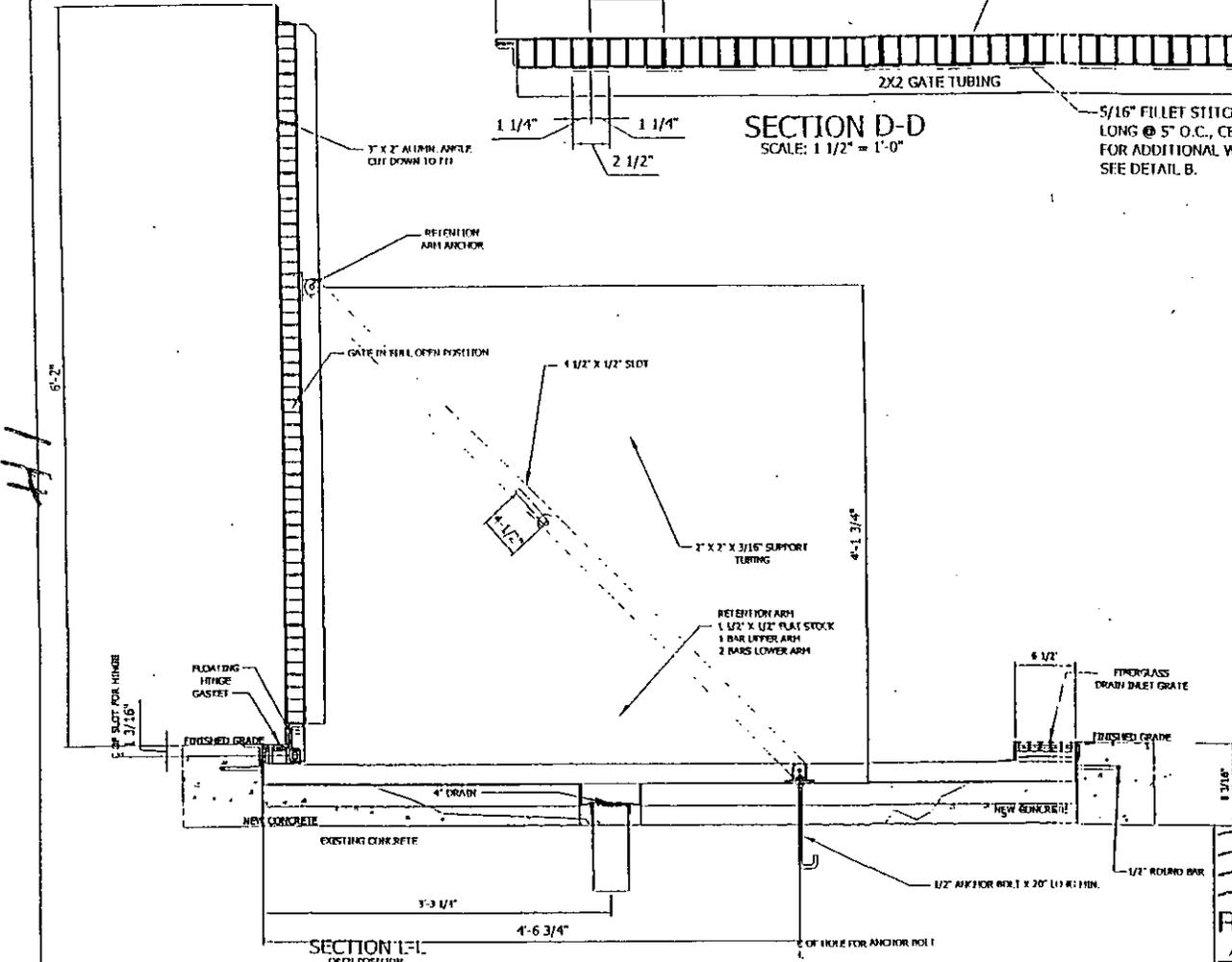


SECTION D-D
SCALE: 1 1/2" = 1'-0"

5/16" FILLET STITCH WELD X 2.5" LONG @ 5" O.C., CENTER ON 2"x5" SEAMS, TYP. FOR ADDITIONAL WELDS AT RETENTION ARMS, SEE DETAIL B.



SECTION K-K
OPEN POSITION
SCALE: 3" = 1'-0"



SECTION I-I
OPEN POSITION
SCALE: 1" = 1'-0"

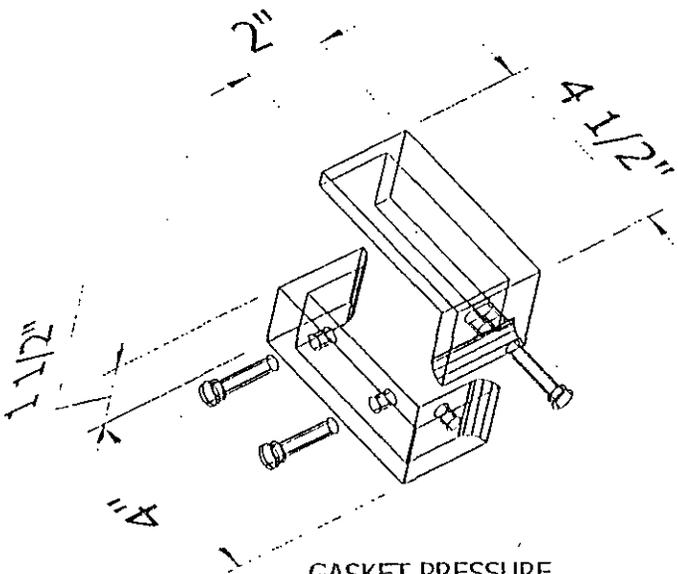
FloodBreak

Revolutionary Flood Control

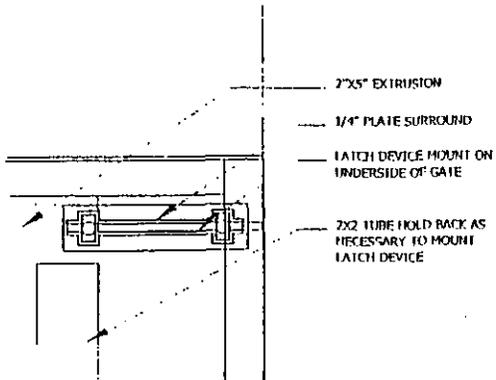
Automatic Floodgates - no people, no power
SCALE: AS NOTED
DRAWN BY: CWJJ
RE: ADDENDUM 

CUSTOMER NAME WITHHELD
24'-0" x 6'-2"
VEHICULAR GATE ####

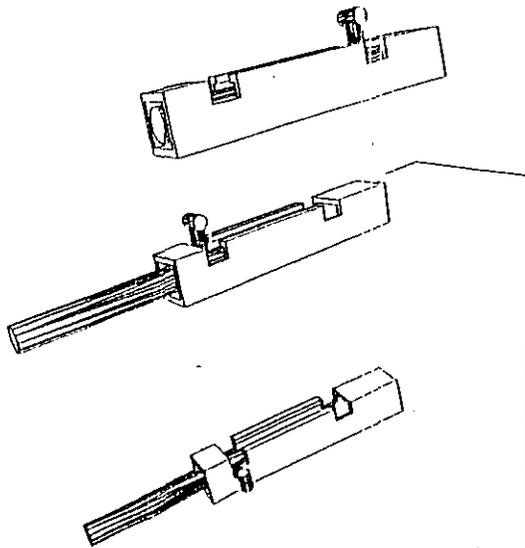
FLOODBREAK SERIAL # ####
GENERAL SECTIONS AND DETAILS
DATE: 03-28-05
SHEET: 5 OF 7



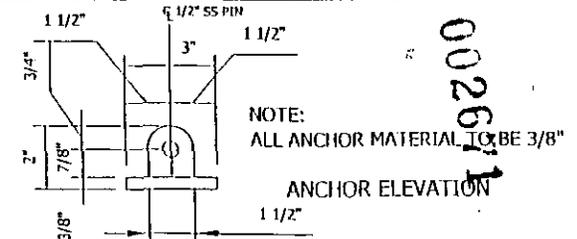
GASKET PRESSURE BRACKET
SCALE: N.T.S.



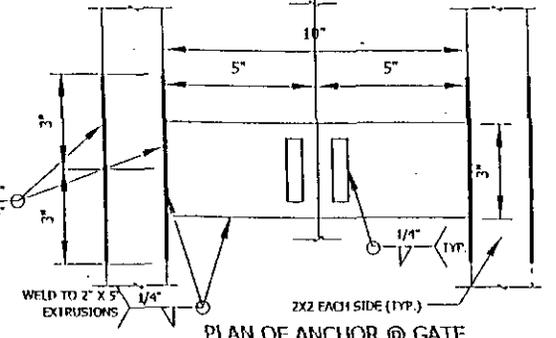
SURFACE MOUNTED LATCH
SCALE: 3" = 1'-0"



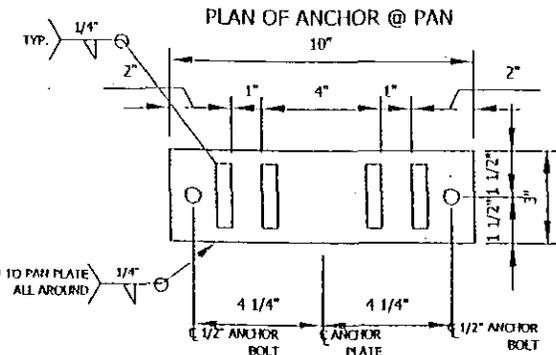
6" LONG WELD TO 2" X 5" EXTRUSIONS, EACH SIDE EACH 2" X 2" CENTER ON 3" WIRE PLATE TYP. AT ALL RETENTION ARMS. SIMILAR AT PAN.



002671



PLAN OF ANCHOR @ GATE

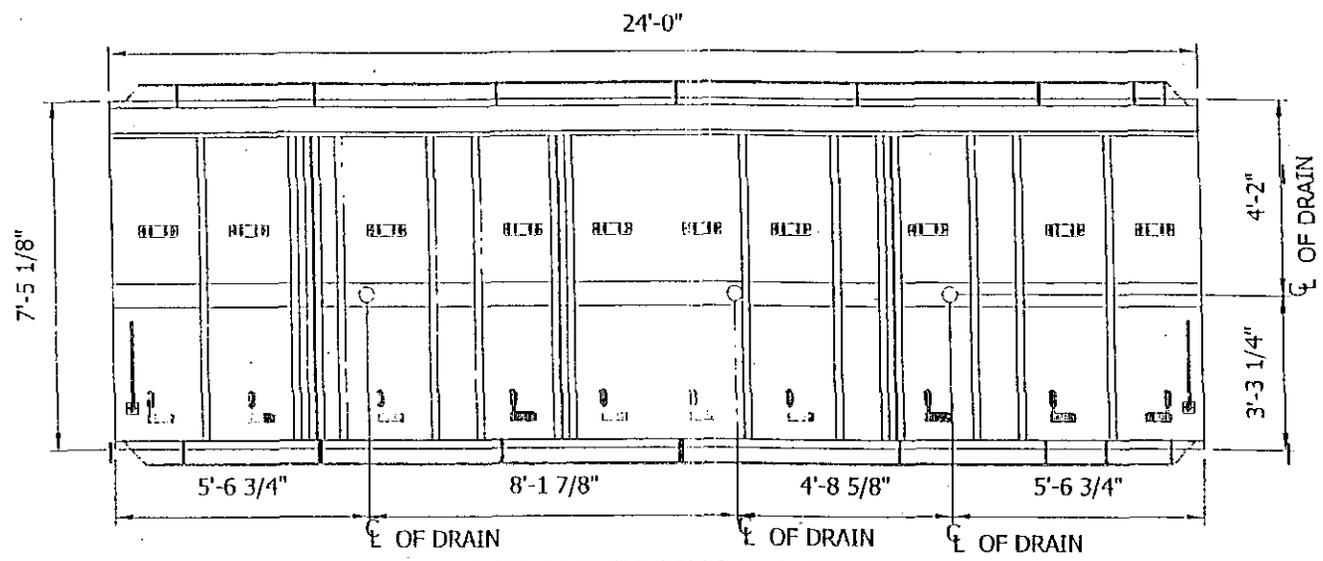


PLAN OF ANCHOR @ PAN

DETAIL B - RETENTION ARM ANCHORS
SCALE: 3" = 1'-0"

	CUSTOMER NAME WITHHELD 24'-0" x 6'-2" VEHICULAR GATE ###	
	FLOODBREAK SERIAL # ###	
Revolutionary Flood Control <i>Automatic Floodgates - no people, no power</i>	GENERAL SECTIONS AND DETAILS	
SCALE: AS NOTED	DATE: 03-28-05	
DRAWN BY: CWJJ	SHEET: 6 OF 7	
RE: ADDENDUM		

602672



PAN AND DRAIN LAYOUT
SCALE 1/2"=1'-0"



Revolutionary Flood Control

Automatic Floodgates - no people, no power

SCALE: AS NOTED

DRAWN BY: CWJJ

RE: ADDENDUM

CUSTOMER NAME WITHHELD
24'-0" x 6'-2"
VEHICULAR GATE ####

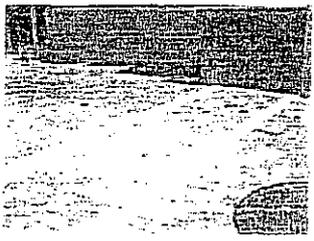
FLOODBREAK SERIAL # ####

PAN PLAN LAYOUT AND SECTION

DATE: 03-28-05

SHEET: 7 OF 7

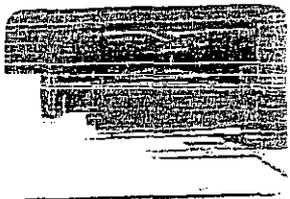
~~Page~~





 FLOODGATE DOWN
 * NOTE Decompressive Facie

~~Page~~



~~Page~~



Showing in
Applicant Exhibit
1B

FLOODBREAK

Floodbreak is a flood barrier that automatically rises in times of flooding to protect your property. It can be placed in front of any opening and be designed for any flood water level.

Floodbreak resembles a hinged box that is recessed into the ground in front of the opening. Because it is recessed, it lays completely flat to the surrounding area, allowing unrestricted access at all times. It has been engineered for extreme loads. Example: Floodbreak is able to withstand the weight of a fully loaded truck driving over it. The top of the barrier can be covered with almost any finish material, making it blend in with the surrounding areas.

The greatest attribute of this product is that the flood water makes it work. There is no human or electrical input needed for this system to operate. Its operation is very simple.

The recessed box is attached to the local storm drainage system, which allows normal rain accumulation to simply drain away. When the storm drain systems have filled up, the box can no longer drain and water starts to accumulate. As the water rises in the box, the buoyancy of the lid starts to lift the barrier. Rubber flanges on the sides and at the hinge prevent water from passing around the barrier. The barrier will rise with the water and will lower as the water recedes.



002677

FLOOD BARRIER PROJECT LIST

(FLOOD BARRIER SHOWN IN EXHIBIT 1-D)

002679



Unlimited Applications, Inc

7077 Southwest 46th Street • Miami • Florida • 33133
Phone (305) 663-9333 • C.C. 93BS00433 • Fax (305) 663-0603

UA PROJECT LIST

www.floodbarrier.com

Here is a list of some of our flood barrier projects completed (over \$ 5,000.00). If you need a complete list of all our project, please let me know. You will notice that our this list shows a mix of new construction and retrofits. Most of the contractors listed are well know and established.

Project: Williams & Sonoma
Address: 1035 Lincoln Road
Miami Beach, Florida

Contractor: Fisher Development
1485 Bayshore Drive
San Francisco, California

Project: Portofino Retail Space
Address: 500 South Pointe Drive
Miami Beach, Florida

Contractor: Fisher Development
1485 Bayshore Drive
San Francisco, California

Project: BeBe Clothes
Address: 1025 Lincoln Road
Miami Beach, Florida

Contractor: Groden Stamp Construction
65 N.W. 168th Street
N. Miami Beach, Florida

Project: Eastview Hotel
Address: 1516 Washington Avenue
Miami Beach, Florida

Contractor: Groden Stamp Construction
65 N.W. 168th Street
N. Miami Beach, Florida

Project: Portofino Office Center
Address: 404 Washington Avenue
Miami Beach, Florida

Contractor: Miller Solomon Construction
8491 N.W. 17th Street
N. Miami, Florida

Project: Pottery Barn
Address: 1045 Lincoln Road
Miami Beach, Florida

Contractor: Fisher Development
1485 Bayshore Drive
San Francisco, California

Project: Quittner Building
Address: 532-543 Lincoln Road
Miami Beach, Florida

Contractor: Groden Stamp Construction
65 N.W. 168th Street
N. Miami Beach, Florida

Project: Polo Sport
Address: 740 Collins Avenue
Miami Beach, Florida

Contractor: Groden Stamp Construction
65 N.W. 168th Street
N. Miami Beach, Florida

Project: Club Monaco Clothiers
Address: 624 Collins Avenue
Miami Beach, Florida

Contractor: Groden Stamp Construction
65 N.W. 168th Street
N. Miami Beach, Florida

Project: 711 Retail Space
Address: 711 Washington Avenue
Miami Beach, Florida

Contractor: Ragosa Engineering
46 N.W. 36 Street
Miami, Florida

(FLOOD DAMPENING IN '10)

Project: 2680 Saphora Shop
Address: 721 Collins Avenue
Miami Beach, Florida

Contractor: Spectrum Builders
1231 S.W. 132 Court
Miami, Florida

Project: Stanley Meyers Clinic
Address: 1221 71st Street
Miami Beach, Florida

Contractor: Pino-Fonticiella Construction
1140 W. Flagler Avenue
Miami, Florida

Project: Ballet Villet Parking & Shops
Address: 700 Block Collins Avenue
Miami Beach, Florida

Contractor: Goldman Properties
804 Ocean Drive
Miami Beach, Florida

Project: Alton Road Retail Center
Address: 1570 Alton Road
Miami Beach, Florida

Contractor: Art Construction Company
349 Greco Avenue
Coral Gables, Florida

Project: West Avenue Parking Garage
Address: 1000 West Avenue
Miami Beach, Florida

Contractor: Whiting Turner Construction
1000 Corporate Drive
Fort Lauderdale, Florida

Project: Biscayne Village
Address: 1901 Biscayne Blvd.
Miami, Florida

Contractor: Chase Construction
8491 N.W. 17th Street
Miami, Florida

Project: Bayshore Golfcourse
Address: 2500 Bayshore Drive
Miami Beach, Florida

Contractor: Tran Construction
505 Lincoln Road
Miami Beach, Florida

Project: Nathan Ratner Building
Address: 1026-36 Lincoln Road
Miami Beach, Florida

Contractor: DA Construction
1551 N.W. 82nd Avenue
Miami, Florida 33126

Project: Ameritrust Bank
Address: 447 41st Avenue
Miami Beach, Florida

Contractor: Glace & Company
1006 N. Federal Highway
Lake Worth, Florida

Project: Multi-Use Building
Address: 763 Collins Avenue
Miami Beach, Florida

Contractor: Goldman Properties
804 Ocean Drive
Miami Beach, Florida

Project: City National Bank
Address: 475 41st Street
Miami Beach, Florida

Contractor: Waas, Phillips, Adler
1400 N.w. 107th Avenue
Miami, Florida

Project: Altantic Center
Address: 119 Washington Avenue
Miami Beach, Florida

Contractor: Buildtech, LLC
407 Lincoln Road
Miami Beach, Florida

Project: Home Depot
Address: 4000 Route # 4
Keene, New Hampshire

Contractor: R.L. Spencer
222 Highbridge Street
Fayetteville, North Carolina

Project: Minute Man, Inc
Address: 804 S. Redding Road
Birmingham, Alabama

Contractor: Oil Equipment Company
555 South Avenue, #4
Birmingham, Alabama

002681

(Shawn in IS)

Project: Rivertowne Country Club
Address: 8555 Rivertowne Road
Mount Pleasant, North Carolina

Contractor: Centex Construction
3001 Rivertown Parkway
Mount Pleasant, North Carolina

Project: The Shops At South Beach
Address: 500 Collins Avenue
Miami Beach, Florida

Contractor: Suffolk Construction
515 N. Flagler Road
West Palm Beach, Florida

Project: The Ratner Building
Address: 1023-1036 Lincoln Road
Miami Beach, Florida

Contractor: Groden Stamp Construction
65 N.W. 168th Street
N. Miami Beach, Florida

Project: Reyos Del Sol
Address: 185 N.W. 13th Avenue
Miami, Florida

Contractor: Delant Construction
7380 N.W. 77th Court
Miami, Florida

Project: War Veteran's Field House
Address: 556 Route 856
Huntington, Pennsylvania

Contractor: Poole Anderson Construction
Box 576
Huntington,

Project: Levi Shop
Address: 825 Collins Avenue
Miami Beach, Florida

Contractor: Brodson Construction
167 NE 39th Street
Miami, Florida

Project: Vip Honda
Address: North Plainfield, NJ
Downtown

Contractor: One Key Construction
Brooklyn, NY

Project: Outback Steakhouse
Address: Clearwater Beach Road
Clearwater, Florida

Contractor: Venture Construction
15 N. Falkenberg Road
Tampa, Florida

Project: The Cosmopolitan
Address: 122 Washington Avenue
Miami Beach, Florida

Contractor: Suffolk Construction
515 N. Flagler Road
West Palm Beach, Florida

Project: Summit Brickell
Address: 1200 S. Miami Avenue
Miami, Florida

Contractor: Bovis Lend Lease
1200 S. Miami Avenue
Miami, Florida

Project: Ballast Pointe Park
Address: 1500 Interbay Drive
Tampa, Florida

Contractor: La Chase Construction
1025 Oak Avenue
Tampa, Florida

Project: The Solara Spa & Resort
Address: 8801 Collins Avenue
Miami Beach, Florida

Contractor: Welbro Construction
800 Trafalgar Court
Orlando, Florida

Project: Mary Brickell Village
Address: South Miami Ave.
2nd Street, Miami

Contractor: Bovis Lend Lease
1200 S. Miami Avenue
Miami, Florida

Project: Met One
Address: 100 Biscayne Blvd.
Downtown Miami

Contractor: Suffolk Construction
515 N. Flagler Road

002682

West Palm Beach, Florida

Project: Il Lugano
Address: 333 NE 32nd Avenue
Fort Lauderdale, Fl. 33308

Project: Telefutura Television Station
Address: 145 NW 89th Place
Miami, Fl. 33166

Contractor: Moss and Associates
228 SE 12th Avenue
Ft. Lauderdale, FL 33301

Contractor: J.E Gamas
4241 Palm Lane
Miami, Florida 33147-3346

Project: The Meridian
Address: 2000 Meridian Ave.
Miami Beach, FL 33139

Project: Brac Informatics Centre
Address: 2100 Island Drive
Cayman Brac, Cayman Islands

Contractor: Kauffman Lynn
2151 N.W. Boca Raton Blvd.
Suite 100
Boca Raton, Fl 33431

Contractor: Brac Informatics Centre
2100 Island Drive
Cayman Brac, Cayman Islands

Project: Seybold Pointe Condominium
816 N.W. 11th Street

Project: Digital Process Center
13525 N.W. 25th Street
Miami, Fl 33165

Contractor: Delant Construction
7380 N.W. 77th Court
Miami, Florida 33165

Contractor: J.E Gamas
4241 Palm Lane
Miami, Florida 33147-3346

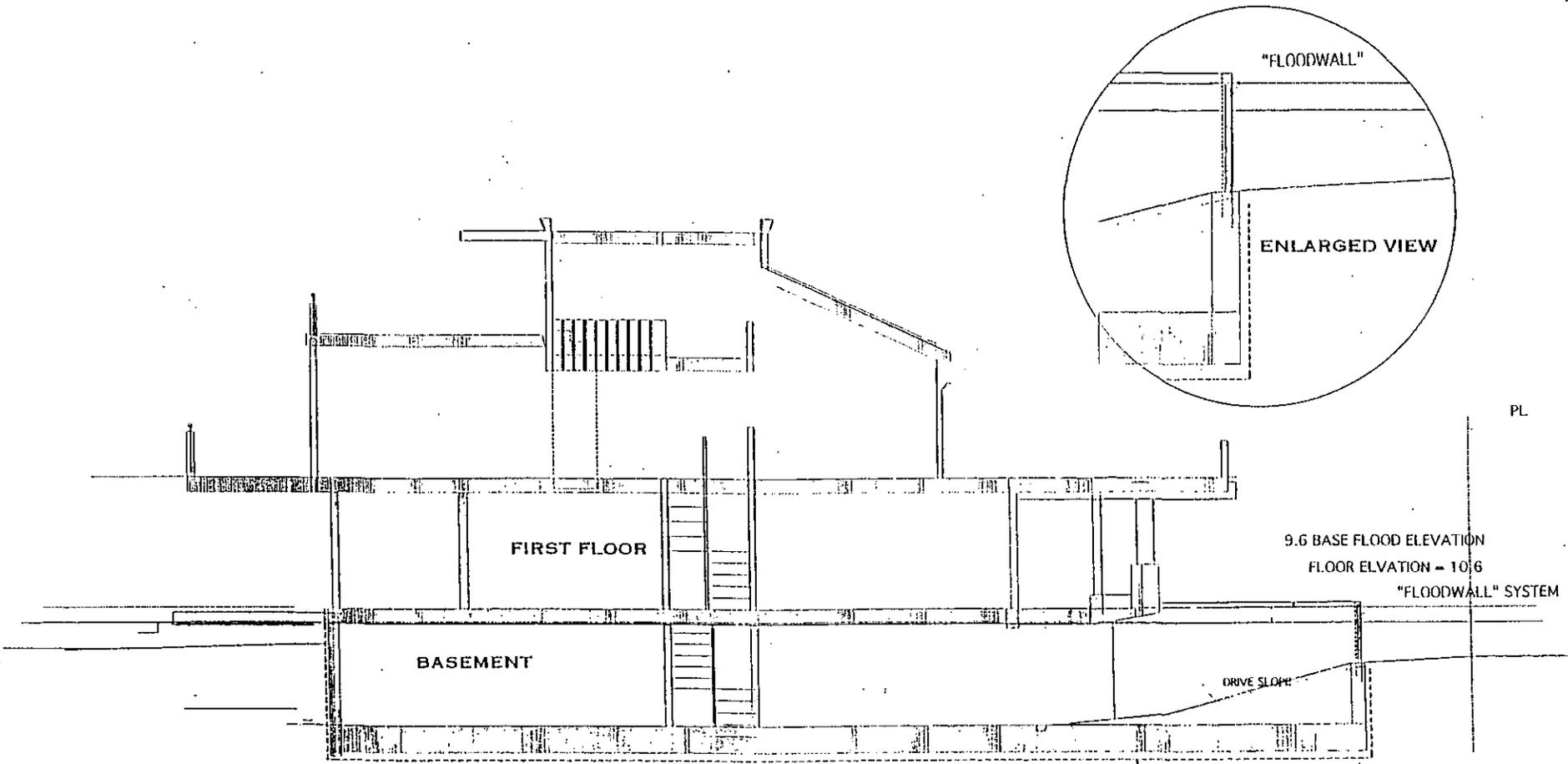
Project: Sea Forest Beach Club
Address: Exercise Room
New Port Richie, Florida 34652

Contractor: Quality Reconstruction
5600 Sea Forest Drive
New Port Richie, Florida 34652

002683

SLAT SYSTEM DIAGRAM, INFO
&PROJECT LIST

SLAT SYSTEM



CROSS SECTION

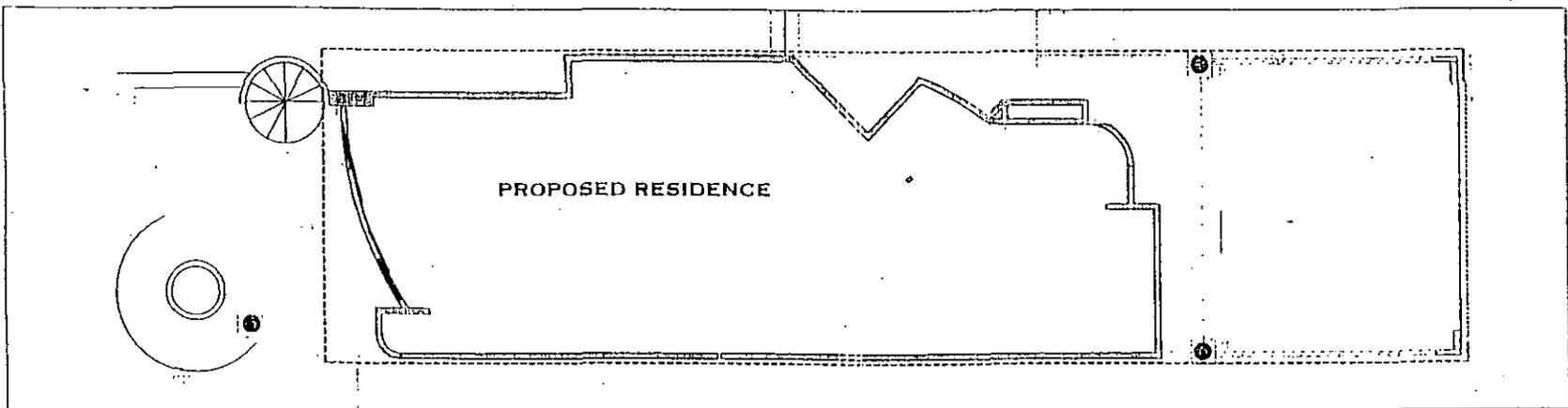
FULL "FLOODPROOFING" OF BASEMENT PER SECTION 1-C

002684

EXHIBIT 2-B

SLATS SYSTEM

"FLOODWALL" SYSTEM BARRIER



PROPOSED RESIDENCE

DRIVEWAY

SITE

INDICATES EXTENT OF FULL HEIGHT "FLOODPROOFING OF BAEMENT
AND RETAINING WALLS TO 1'-0" ABOVE
BASE FLOOD LEVEL 9.6

EXHIBIT 2-A.

002085

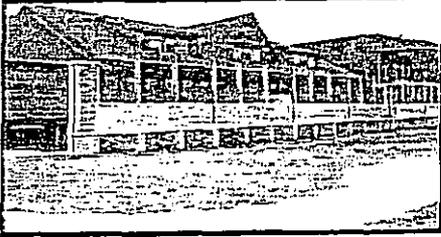
LB

002686



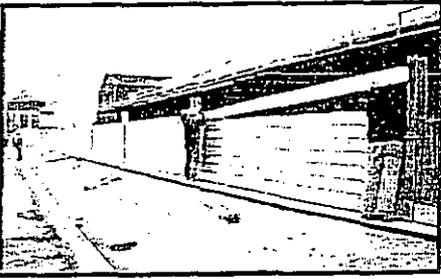
ABOUT THE IFCW PROJECTS INSTALLATION MAP FAQ ABOUT FCA PRESS MULTIMEDIA

FEATURED IFCWTM PROJECTS FROM AROUND THE UNITED STATES



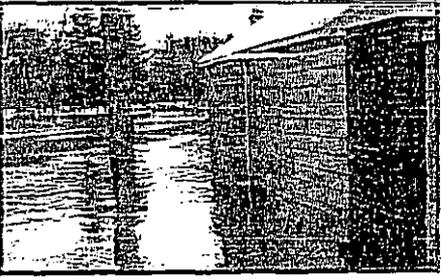
East Grand Forks, MN

Flood Control America is now in its third phase of this flood control project, which is a U.S. Army Corps of Engineers-sponsored project. The first phase of this project was recognized by U.S. Department of Commerce Economic Development Administration (EDA) as one of its five major "success stories" in the 20th century. view Details



Louisville, KY

The IFCWTM was an ideal solution for the city of Louisville when they began revitalizing their historic downtown and riverfront including plans for their newly refurbished stadium. The stadium is one of the economic anchors of the area and had to be protected from flooding. With the IFCWTM the restoration has shown an influx of visitors spending entertainment dollars enjoying baseball, history and the beautiful redeveloped Louisville riverfront. view Details



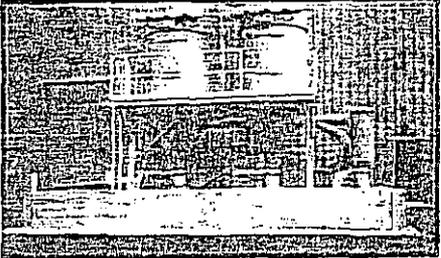
Fargo, ND

This Lutheran School invested in the IFCWTM following the devastating flooding of the Red River in 1997. The river flooded again in Spring 2007 in Spring 2008 and the IFCWTM performed splendidly. At the time of the flood, 8 crew members erected the IFCWTM in approximately 1-25 hours. view Details



Danvers, MA

The Invisible Flood Control wallTM is frequently used to flood-proof municipal buildings such as this town garage in Central Massachusetts. The IFCWTM makes it easy to protect the valuable assets inside the garage while not blocking the bays when there is no flooding. view Details

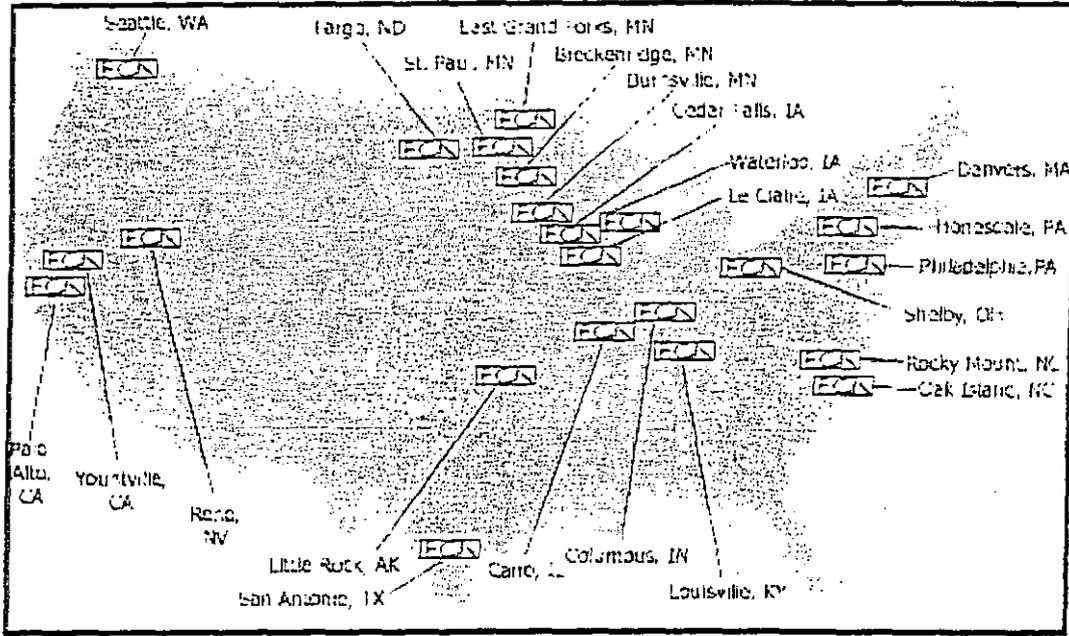


Pharos, VA

The IFCWTM protects a high-tech manufacturing facility in urban Pennsylvania. view Details

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- ABOUT THE IFCW
- PROJECTS
- INSTALLATION MAP
- FAD
- ABOUT FCA
- PRESS
- MULTIMEDIA

FREQUENTLY ASKED QUESTIONS

How long does the initial construction of the IFCW™ take?

As with any construction project, the amount of time it takes to construct the wall depends on the size and complexity of the project. However, construction time could be as short as three months, including design time.

How much time and effort does it take to erect the IFCW™?

The IFCW™ is easily erected in a relatively short amount of time. Man hours can be calculated by multiplying the height times the width and dividing by 200.

For example, a 50-foot wide by 10-foot high wall would take 2.5 hours to erect. With two men (the recommended amount), this wall would be up in 1.25 hours.

However, it should be noted that this would bring the wall to its 100-year floodplain height, which very well may be unnecessary. Quite probably, these same men would only be erecting the wall to half its potential height or less, requiring only 45 minutes or less to erect.

On smaller, more difficult sites, unit production may be slower. In such cases, erection time may be calculated by multiplying the height times the width and dividing by 100.

(9 minutes my project)

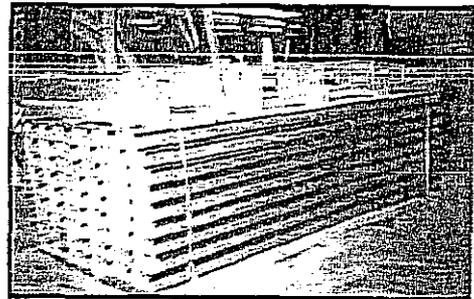
How long are the IFCW™ planks?

The lightweight aluminum planks which comprise the IFCW™ are available in any length, however 20-feet is the recommended length.

How much storage room does the IFCW™ require when it is not in use?

Since the IFCW™ is stored with its aluminum planks stacked neatly on top of each other - with the parring supports stacked on top of them - the required storage space is minimal.

The planks in the photo are 10-feet long, and make up a wall that is 50-feet wide and 4-feet high. Obviously, the storage room required, 5' x 5' x 10', for this wall is negligible.



How much of the IFCW™ is left on site when the planks are in storage?

The only component of the IFCW™ that remains when the wall is stored is the concrete foundation, leaving the protected site completely unobstructed when river levels are normal.

How long does the IFCW™ last?

The use of the IFCW™'s aluminum planks and steel parring supports is virtually infinite, easily meeting 50 to 100-year design criteria. (Welded gaskets are replaceable if they are damaged during use.)

Does the IFCW™ really require as little maintenance as more traditional flood protection such as earth levees and concrete walls?

Absolutely. The truth is, earth levees are constantly in danger from burrowing rodents and tunneling snakes, as well as considerable erosion during flood times, both of which require vigilant observation and upkeep. Similarly, concrete walls are vulnerable to the destructive forces of freeze and thaw, settling, and the expensive and annoying plague of vandalism and graffiti.

Since the IFCW™ remains stored securely away when it isn't being used, it is subject to none of the dangers that affect traditional flood control systems.

Is the IFCW™ really as reliable as traditional flood control systems?

Yes. The IFCW™ was built by U.S. Army Corps of Engineers design engineers for use in a flooded area for protection of the town of Engineer, Louisiana. It has been in use since 1972. IFCW™ is the most reliable and cost-effective flood protection system.

HOME | INSTALLATION MAP | FACT SITE MAP | TESTIMONIALS | CONTACT PARTS | VIDEO | PROJECTS | POWERPOINTS | CONTACT US

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FLOOD CONTROL AMERICA

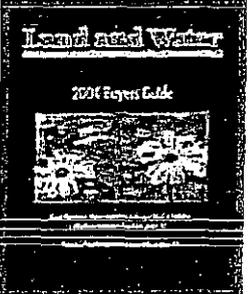
ABOUT THE IFCW | PROJECTS | INSTALLATION MAP | FAQ | ABOUT FCA | PRESS | MULTIMEDIA

ARTICLES ABOUT THE IFCW



Grand Forks and East Grand Forks: After the Flood, Literally, by Linda Trichler from East Company magazine

Looking for other solutions, he turned to a Massachusetts-based company, Flood Control America LLC, which had used a product called an invisible Flood Control Wall. It had been developed in Cologne, Germany to protect the area around the city's famous cathedral from periodic flooding by the Rhine. Essentially, a post-and-plank structure, the wall can be assembled to keep out floodwaters, then deconstructed and put back in the shed when the waters recede. Read On.



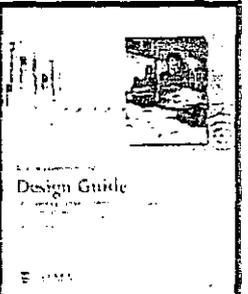
'Invisible' wall protects Peo River Valley, by George Fyvkund and Jennifer Reader from Land and Water magazine

In the case of the IFCW™ installation at East Grand Forks, intermediate and vertical piling supports bolt into anchor devices mounted deep in a concrete wall base. When needed, the 20-foot sealed (horizontally) and extruded aluminum planks stack between them. (Additional support for walls over 6-feet in height, are provided by pin-connected diagonal braces with a horizontal tension rod to transfer the load to post base anchorage.) Read On.



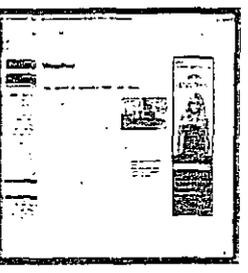
Mitigation Success Stories I from the Association of State Floodplain Managers in PDF format

The IFCW is a removable wall that is erected only during the threat of a flood. Patented twenty-foot sealed, interlocking hollow aluminum planks stack on top of a sill plate integrally constructed on a permanent concrete foundation. Post and pin mounted diagonal braces provide additional support. A working crew of 3 people can install 1200 square feet in 2 hours. Read On (pgs. 47, 44, 57)



Design Guide for Improving Storm Safety II: Landslides, Floods, and High Winds

Modified roadway. This category of flood protection measures includes fully engineered flood protection structures that have permanent features (foundation and vertical supports) and features that require human intervention to mobilize when a flood is predicted. Important components called planks or stoplogs. Read On (pgs. 5-59)

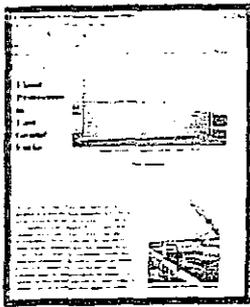


The photo of recovery from 1997 photo from the USA Today and the AP

White's anchors a row of steel bars that look out over the river. They sit at the edge of East Grand Forks' main downtown, which hosts a Target's sporting-goods store that draws its shoppers from across the region. What appears to be a plain, decorative wall near the Peo River is actually the base of an interlocking aluminum structure. An 18-foot-tall flood wall, with 100 temporary planks of steel plate supported behind it. Read On.

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Flood Protection in East Brand Forks by Alan Draves

The city of East Brand Forks built a new dike and flood wall to protect the rebuilt downtown area. The two blocks closest to the river will be protected by the first U.S. installation of the "Invisible Flood Control Wall". The "Invisible Flood Control Wall" is erected only when a flood threatens. The rest of the time, the "wall" is invisible from the downtown area. The "Invisible Flood Control Wall" is erected on a permanent concrete base. When a flood threatens, the vertical columns are inserted in holes in the concrete base, and the interlocking horizontal planks are stacked between the columns. Flood Cr.

HOME | INSTALLATION MAP | FAQ | SITE MAP | TESTIMONIALS | AWARDS | ARTICLES | VIDEO | PROJECTS | POWERPOINTS | CONTACT US

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ABOUT THE IFCW	PROJECTS	INSTALLATION MAP	FAQ	ABOUT FCA	PRESS	MULTIMEDIA
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TESTIMONIALS

"It worked like a charm." - Mark Bittner, City Engineer, Fargo, North Dakota

"The IFCW served us quite well. We are happy about the system." - Lynn Britz, Senior Engineer, Fargo, North Dakota

"The United States must start utilizing European-type flood control systems to protect communities and lower FEMA emergency flood costs." - President George W. Bush, discussing the budgetary process on April 24, 2001

"We had to be able to see the river and protect ourselves from it to keep our history the way it should be. The Invisible Flood Control Wall was the solution. We would have a 12-foot wall there right now if it weren't for the IFCW. Many people comment on how attractive the approach to the riverfront is. They don't feel like they're driving into a flood control project." - Gary Sanders, City Engineer, East Grand Forks, Minnesota

"Sandbagging is labor intensive. Then when the emergency passes, nobody is left to dispose of the sandbags. With the IFCW panels, you only put up what you need. They're light, so you only need a few people. We're really happy with it, we could maintain the view of the river that way." - Rick Arends, City Engineer, Cedar Falls, Iowa

"You see the good, solid investment in permanent dikes and the invisible wall that protects East Grand Forks' new downtown. You are all very well prepared. That wall is outstanding. More of that has to be done in the state." - Former Governor Jesse Ventura, Minnesota after viewing the IFCW in East Grand Forks

"It's not just a big cement wall when you're coming into town. The wall has a nice design, and is relatively simple to put up." - Mayor Cliff Barr, Breckenridge, Minnesota

"The river can be narrow one season of the year, but the rest of the year it should be enjoyed. We decided to embrace the river by facing the downtown district towards it, since people like to look at things of beauty. That's where the invisible wall came in." - Mayor Lynn Staudt, East Grand Forks, Minnesota

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Slot-in Flood Barriers

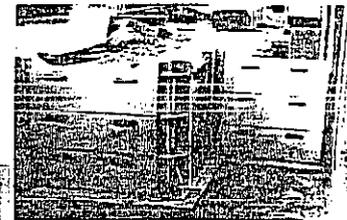
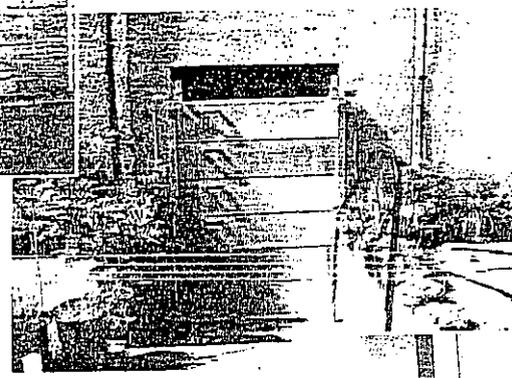
Modular design, interlocking components and custom manufacturing, combine to make this system the most versatile and advanced slot-in flood-board system currently available.



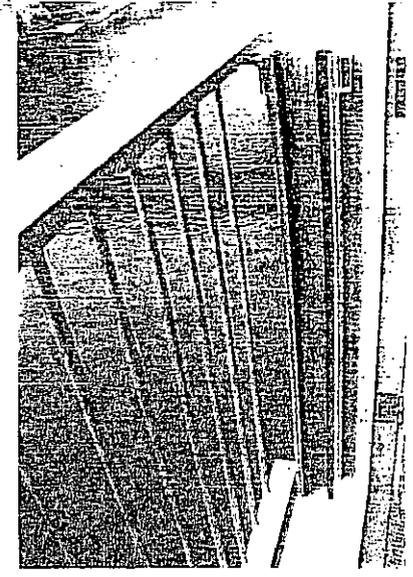
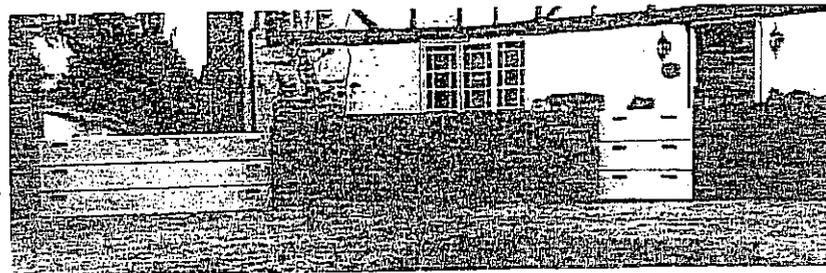
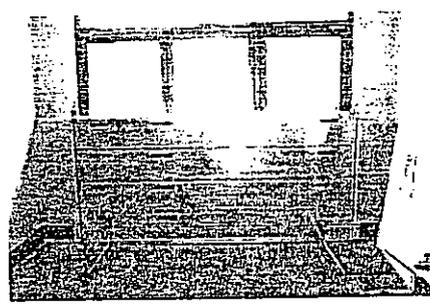
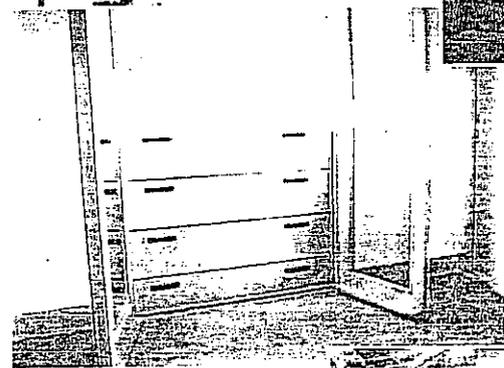
*Versatile Flood Protection
....robust and unobtrusive*



With a host of design features (see facing page) and the ability to protect openings of up to 6 metres wide against flood depths of up to 2.4 metres, this system is ideal for protecting doorways, loading bays, pedestrian walkways, shop fronts, in fact, virtually any opening that requires dependable defence against flooding.



The modular components, simplicity of design & aluminium beams with ergonomically positioned carrying handles, enable the system to be easily and quickly erected by one person - without the need for special skills or training.



FLOOD CONTROL

FLOOD CONTROL

Flood Control reserves the right to change product specifications and availability without notice.

CAN BE USED ACROSS DRIVEWAYS
PHOTO AVAILABLE

Slot-In Flood Barriers

002693

Introduced in 1994, thousands of slot-in barriers are currently installed in the UK and throughout Europe, and with a policy of continuous development and improvement the systems remain at the forefront of flood defence design.....

Designed for APPLICATION

- Can be installed on any flat watertight surface
- Heights 300mm to 2400mm (in 300mm increments)
- Opening width any size up to 6500mm in a single span
- Can be extended using removable intermediate supports
- Reveal, Face or Corner mounted support channels
- Custom stand-offs (up to 350mm) to clear weatherboards etc.
- Can also be installed behind doors (e.g. for Emergency Exits)
- Vandal resistant covers & security clamps to lock systems
- Can be finished in RAL colour to match décor
- Fully removable options for listed buildings
- Stainless steel options for salt water environments
- Can be left semi-permanently installed

Designed for CONVENIENCE

- Can be installed by any competent builder or DIYer
- Aluminium beams weigh less than 8kg per linear metre
- Ergonomically positioned carrying handles
- Quickly and easily erected by one person
- Modular design requires no specific skills or training to erect
- Storage brackets available for beams & components

Designed for DURABILITY

- Construction grade steel & aluminium components
- Steel fabrications hot-dip galvanised
- Patented seal design stops silt clogging
- All seals made with EPDM for weather and UV resistance
- Seals fixed in preformed channels and easily replaceable
- Twinned seals for extreme flood/impact conditions
- Suitable for constant daily use

Designed to STANDARDS

- Manufactured & tested to exceed DIN19569-4
- Steel sections manufactured to EN10027
- Fabrications hot-dip galvanised to ISO 1461:1999
- Heat treated aluminium extrusions to BS1474
- Stainless steel sections manufactured to EN10088
- Seals all Ethylene Propylene Diene Monomer (EPDM)
- All fixings Load Rated Hilti™ or Fischer™

002694

LOCAL BUILDERS OF
UNDERGROUND PARKING

LOCAL UNDERGROUNDdavid

From: "davidstebbins" <davidstebbins@cox.net>
To: "david stebbins" <redavidstebbins@cox.net>
Sent: Saturday, February 10, 2007 9:07 PM
Subject: Emailing: Phoenix couple carves out their niche in Coronado - Clients build 8, 500-square-foot house, with more than half of it underground

SFGate.com**Phoenix couple carves out their niche in Coronado****Clients build 8, 500-square-foot house, with more than half of it underground**

Hilary E. MacGregor, Los Angeles Times
Saturday, November 9, 2002

The clients, from Phoenix, had dreamed of a house on the water in Coronado, the "island" that lies across a graceful arc of bridge spanning San Diego Bay.

Surrounded on three sides by glimmering blue bays and the Pacific Ocean, the seductive 13.5-square-mile city of Coronado is connected to the mainland by only a narrow, silvery spit of sand.

Real estate in this exclusive enclave sells for more per square foot than almost anywhere else in California, and rarely comes onto the market. Newcomers hoping to get a foothold here must spend astronomical sums to buy any odd piece of property they can.

So when the clients got a chance at a piece of land with a to-die-for view of downtown San Diego, they snapped it up -- for around \$2 million.

It had some drawbacks. It was small -- about 7,500 square feet. The previous owner had sold viewing rights to the two-story house behind, so they couldn't build higher than 11 feet. At high tide the water on the bay lapped to within 65 feet of where they wanted to begin construction.

"When they first got it, I looked at it and thought, 'What are you going to do, have galoshes in the front room?'" said Harry Jackman of the Coronado-based Jackman Group, a planning, design and construction company.

Architect Tom Vaughn had a better idea: Build down. "Basically, it's free space," Vaughn said. "You can have all the bulk and height you need."

Two and a half years and 1,100 square yards of concrete later, the clients from Phoenix have an 8,500-square-foot house, with more than half of it underground, including a 2,500-square-foot garage and 2,500 square feet of living space, with elevator, sauna and media room.

Initial doubts

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"At the beginning, I was wondering if this was all even possible," said the lady of the house, who declined to give her name. "That was before I became a believer."

The concept of living underground in sunny Southern California might sound like bad science fiction or a throwback to the era of the bomb shelter, but it turns out to be an imaginative -- if expensive -- way to get around strict zoning ordinances and squeeze really big houses onto really small lots.

In Coronado, where the floor-area ratio above ground is controlled tightly and houses can be no more than two stories above grade, contractors can build out to the property line below ground.

Plenty of room below

"You can go 40 stories below grade!" Vaughn said, as if he's waiting for a client to ask him to.

The Phoenix couple's house was not the first on Coronado to be built down. In the past 15 years, Ralph Brienza and his son David, owners of Coronado Construction Management Inc., have built about 12 underground structures -- mostly garages and storage spaces.

The Jackman Group has built a total of seven houses underground in the past decade, and two more are in the works. And recently, Santee-based Fred C. Perry Construction undertook its first underground structure -- a \$12-million, 8,400-square-foot home on the bay. Perry, too, said he has plans for several more.

The underground phenomenon isn't new -- homes burrowed into hillside berms were popular in the energy-conscious 1970s, and commercial buildings have long been built down, to accommodate parking, utilities and even shopping malls.

But building basements below the water level does seem to be unique to Coronado. Representatives from the research arm of the National Association of Home Builders and the Building and Industry Councils of Los Angeles and San Diego counties said they could not recall such underground living spaces being built anywhere else.

Donna Morafcik, communications director for the Building and Industry Association of San Diego, said nearby La Jolla is comparable to Coronado in both income level and scarcity of land. "On a wide-scale basis, though, I haven't seen the whole underground thing come into play regionally," she said.

Building down solves some problems peculiar to Coronado but has peculiarities of its own. Jackman and Vaughn have hit the water table in five of the seven houses they've built so far. Brienza has hit water with all of the houses he's built there.

Brienza said he built 500 houses in Denver that had to deal with artesian wells and spring water flooding into the foundations. He claims to have brought the concept of building underground to the Coronado Cays, where he began to build houses with basements within 15 feet of the sea wall. He said he has had no problems so far.

Perry confessed he "lost a few nights' sleep" on his first venture underground. "We had 14 pumps going during construction. And then you have to make sure that you're not sucking moisture away from other houses and causing a sinkhole," he said.

Perry said they were pumping 565,000 gallons of water a minute during construction. Builders then had to get a permit to dump the water back into San Diego Bay, requiring tests with fish and a sea urchin.

But it turned out that fresh water was flowing in as well, so they failed the test three times. "We had to hire a marine biologist," he said. "Every week they had to come and sample the water. That alone cost over \$100,000."

They're expensive

Building down probably will remain an option available only to the very rich of Coronado. While Brienza said he can build underground for as little as ~~\$50,000~~, Vaughn said his underground structures have ranged from \$250,000 to \$1 million, depending on size and whether the builders hit water.

Perry, whose first underground structure cost his clients \$500,000, said money is no object for most of the people he works with. And he predicts the trend will continue.

"There is no land there," he said of Coronado. "You have to literally wait for someone to die or sell their house. People pay \$2.4 million for a (waterfront) lot that is 108 by 90 feet. It's a lot of money for a little dirt.

You have to utilize every square inch to justify paying that kind of money."

The Phoenix couple's house is a low-lying, pale cream collage of stucco, shingle and Texas shell stone, surrounded by concrete walls topped with laminated glass to take in the view of the bay and the dramatic downtown San Diego skyline. The walls also serve as a sea wall (even the gate has a watertight seal), built to keep out rising water. Cement sofas and chairs topped with blue-and-white striped cushions are built into the patio.

The upper floor is spacious and airy and gives no hint of what lies beneath.

The beachfront expanse is almost all windows, and massive skylights let the sunshine in. But

My project 75-100K including FLOODGATE

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because the grade for the house was below the mean high tide line, the project turned out to be one of the most challenging the Jackman Group has faced.

The builders hit the water table 5 feet below where the first floor was supposed to be. It took 15 dewatering wells to lower the water level so they could work. They pumped out 415,000 gallons a month for the first four months.

The first concrete pour took 42 trucks, Jackman said. The floors underground are 18 inches thick and the walls a foot, as impenetrable as a medieval fortress.

The sand of the site, layered with plastic and a few concrete slabs, was waterproofed before the concrete pour with Paraseal, a mixture of plastic and bentonite clay. Vaughn describes Paraseal as "self-healing," meaning that the material expands when water hits it and fills the tear.

"If the wall springs a leak, you just inject the wall with this huge syringe," explained Sheryll Jackman, a real estate agent and designer for Jackman Group. Her husband, Harry, said a few houses have experienced very minor leaks.

On the street side, a curve of driveway disappears under the house and opens into a garage as big as a mini-mall parking lot. To counter the claustrophobic feeling of being underground, Vaughn tries to build his ceilings high and introduce a source of natural light.

In this house the ceilings are 8 1/2 feet -- slightly higher than in a typical house. (Some of his underground living spaces have ceilings as high as 10 feet.)

In the first of two bedrooms there is a window onto a tunnel to the sky, resembling the view from a rabbit warren. Equipped with a 15-foot ladder, the tunnel allows a wan shaft of natural light to enter the room, which instantly dispels the bomb-shelter feel of the space. There is also a bathroom, a sauna and a media room below ground, and an elevator.

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2002/11/09/HO172419.DTL>

This article appeared on page **HO - 6** of the San Francisco Chronicle

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WATERPROOF BASEMENT SYSTEMS

TRIPLE REDUNDANT SUMP PUMP

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Basement Systems®

The Basement & Crawl Space Specialists®

- Learn about Basement Systems on BobVila.com
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- Getting Ready to Finish The Basement
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Basement Waterproofing

A wet basement is a common problem in all types of basements - from concrete to stone to block foundations - and we've fixed thousands of each type. Learn what causes your basement water problems and how they can be fixed, using state-of-the-art, patented, award winning methods.

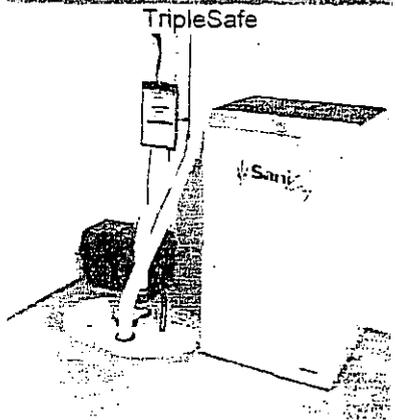
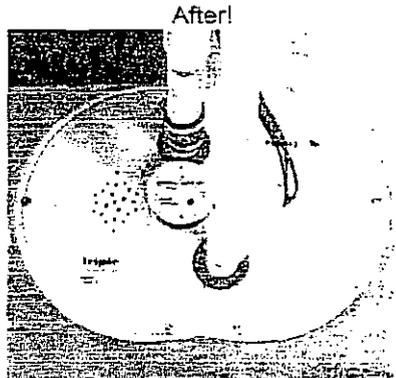
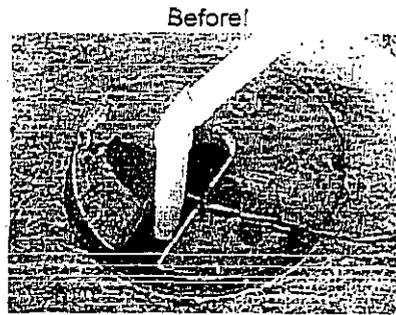
A dry basement protects the investment you made in your home and enables you to increase your living space or add additional storage space.

If you suffer from a wet, damp, or musty basement, or have mold and mildew in your home, we can assess your problem with a free, in home inspection, educate you to the causes, and design a permanent solution, customized just for your basement problem. Our specialists guide you through our interactive multimedia presentation, "Basement Vision", where you can actually see your basement transformed into bright, clean, comfortable, healthy and of course, dry usable space!

The heart of any basement-waterproofing project is the drainage system to remove the water below the floor. Basement Systems carries a complete line of patented basement waterproofing and basement environment products. To the right is the patented WaterGuard Basement Waterproofing System and the patented TripleSafe, the ultimate sump pump system offered exclusively by authorized Basement Systems dealers.

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A Complete Basement Remodel



Basement Waterproofing



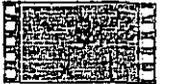
Preventing Basement Water Damage



Basement Remodeling Recap



Basement Drainage and Sump Pumps



Solving Water Intrusion Problems



Keeping Water Out of the Basement



e's Gutter

NASTY CRAWL SPACE? Home Permanently by Completely Isolating It from the Earth! www.basementsystems.com **Basement Systems** Responsible Waterproofing

Specifications

012702

Basement Dry Protection

Your local Barrier Solutions Contractor.

Membrane Properties

Type	Polymer-enhanced asphalt liquid-applied membrane	
Color	Black	
Solids	64% ± 3% [percent by weight]	
Density	8.2 ± .1 lbs/gal	
Application	Airless spray	
Application Temperature	Minimum 20°F	
Application Thickness	60 mils [wet]'	
Cure Time	16 - 24 hrs	
Adhesion to Concrete	<i>Results: Exceeds</i>	<i>Method: ASTM C-836</i>
Elongation	<i>Results: >2000%</i>	<i>Method: ASTM D-412</i>
Water Vapor Permeance	<i>Results: 0.06 perms for 40-mil dry coating [grains/sf/hr]</i>	<i>Method: ASTM E-96 Dry Method</i>
Liquid Water Absorption	<i>Results: 0.3% [wt]</i>	<i>Method: ASTM D-1228</i>
Resistance to Degradation in Soil	<i>Results: Good</i>	<i>Method: ASTM E-154</i>
Mold Growth and Bacterial Attack	<i>Results: No degradation</i>	<i>Method: ASTM D-3273, ASTM D-3274</i>
Resistance to Hydrostatic Head [<i>ft of water</i>]	<i>Results: Could not generate hydrostatic pressure</i>	<i>Method: See'</i>

Measured in-place with an ASTM D-4896 notch film gauge. Membrane cures [dries] to 40 mils. 72-hour water soak 1' x 2' x 0.40" samples of waterproofing compound. When foundation board was applied to TUD-8-DRI, the water drained away at a faster rate than the surrounding soil percolated, eliminating any hydrostatic build-up.

Board Properties

Type	Pink unfaced rigid fiber glass board		
Board Size	4' x 8'	4' x 4'	
Board Thickness	3/4"	1-3/16"	2-3/8"
Drainage Ability [<i>Hydraulic gradient of 1.0</i>]			
Board Thickness	3/4"	1-3/16"	2-3/8"
Gallons/Hour/Linear Foot	74	118	237
Thermal Resistance			
Board Thickness	3/4"	1-3/16"	2-3/8"
Resistance	R-3	R-5	R-10

At 65% compression, foundation board has the drainage capabilities of coarse sand.

14A

BASEMENT Dry PROOFING

DrainStar® Stripdrain Specifications

DrainStar stripdrain product (DrainStar) is a two-part geocomposite drain prefabricated with a rigid polymer core covered on all sides with a non-woven, needle-punched polypropylene filter fabric. The core features a series of engineered cones that collect and move water to designated drainage exits. The fabric allows water to flow into the drain core while restricting backfill soils and other particles which may create clogs.

Typical Property

Drain Properties

Compressive Strength, lbs/sq ft	6000-9000	ASTM D1621 (Mod.)
Shear Strength, lbs/ sq ft	6000/9000	ASTM D1621 (Mod.)
Peel Strength, lbs/sq ft	38	ASTM D1876
Fungus Resistance (core)	No Growth	ASTM G21
In-Plane flow, gpm/ft width	21	ASTM D4716
Hydraulic gradient = 0.1, loading = 10 psi		
Unobstructed inflow area		
Primary side	85%	

Test Method

Fabric Properties

Material	Polypropylene	
Grab Tensile Strength, lbs	110	ASTM D4632
Puncture Strength, lbs	65	ASTM D4833
Trapezoidal Tear, lbs	50	ASTM D4533
Mullen Burst Strength, psi	215	ASTM D3786
Elongation, %	60	ASTM D4632
EOS (AOS)	100 sieve	ASTM D4751
Permeability, cm/sec	0.30	ASTM D4491
Flow Rate, g/min/sq ft	150	ASTM D4491
UV Resistance, (After 500 hours)	70%	ASTM D4355
Fungus Resistance	No Growth	

Dimensional Data

Thickness	1 inch
Standard Widths	min. 12 inches
Roll Weight	min. 200 lbs

For more information on DrainStar, talk to your
Barrier Solutions Contractor or call Tremco Barrier Solutions.

800-DRY-BSMT

www.guaranteeddrybasements.com

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000004

Basement Dryproofing

MOISTURE OUT. CONFIDENCE IN:

TUFF-N-DRI SYSTEM APPLICATION

TUFF-N-DRI® is North America's #1 brand of waterproofing for new basements. It protects against three main sources of moisture from basement walls - leaks, seepage and interior condensation.

installed by select applicators. TUFF-N-DRI Basement Waterproofing System is installed only by Barrier Solutions Contractors. These contractors undergo training to ensure the highest quality application.

Surface preparation. The wall surface should be smooth and monolithic. Remove loose aggregate and sharp protrusions from the wall. Voids, spalled areas and exposed aggregate should be patched with a suitable mastic before spraying. TUFF-N-DRI membrane does not require any priming or special preparation.

System application. TUFF-N-DRI membrane is sprayed evenly over the entire foundation wall. WARM-N-DRI® Foundation Board is applied over the waterproofing membrane as it cures.

TUFF-N-DRI Basement Waterproofing System can be applied when ambient temperatures are as low as 20°F, allowing for fewer construction delays. TUFF-N-DRI membrane may be applied on poured concrete and block foundations. On poured concrete basements, TUFF-N-DRI can be applied as soon as the forms are removed, and on block basements, as soon as the mortar is dry.

Foundation board performance. WARM-N-DRI Foundation Board keeps foundation wall temperatures closer to the air temperature of the basement, which helps reduce interior condensation. Reduced condensation ensures less humid, more comfortable basement space. The placement of the foundation board on the wall's exterior also helps reduce the risk of damage due to freeze/thaw cycles, particularly if the foundation board is extended to the sill plate.

In addition, the foundation board protects TUFF-N-DRI membrane from damage during backfilling or damage from other construction trades. The compressibility of the foundation board will also absorb moderate soil expansion and help protect the basement wall.

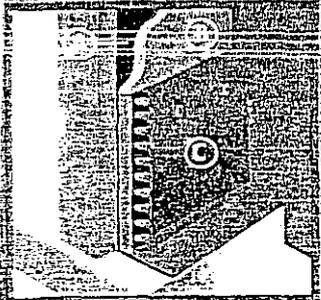
To assist drainage, WARM-N-DRI Foundation Board should extend to the footing and connect to a functioning perimeter drainage system, such as DrainStar® Stripdrain. The foundation board is required for all warranted TUFF-N-DRI Basement Waterproofing System installations.

Model Energy Code. Computer analysis of home energy use indicates that a considerable portion of a typical home's energy loss comes from heated, uninsulated basements. By installing the foundation board to the sill plate, the entire basement wall is insulated, and energy efficiency is maximized. Many states have adopted the Model Energy Code. Because WARM-N-DRI Foundation Board provides insulating performance, it assists with compliance to this code.

Environmentally responsible. TUFF-N-DRI membrane uses a non-flammable, water-based carrier that meets VOC limits in all 50 U.S. states. It has been thoroughly tested by independent labs using Federal EPA standards for leaching. The results prove that no harmful leaching of the TUFF-N-DRI membrane occurs.

Availability and cost. TUFF-N-DRI Basement Waterproofing System is competitively priced and available through your local Barrier Solutions Contractor. For details, contact your local Barrier Solutions Contractor, call 800-DRY-BSMT or visit TUFF-N-DRI.com.

TUFF-N-DRI requires a reliable system to control moisture from basement walls.



WARM-N-DRI Foundation Board



14C

ICC Evaluation Service, Inc.
www.icc-es.org

Business/Regional Office ■ 5360 Workman Mill Road, Whittier, California 90601 ■ (562) 699-0543
Regional Office ■ 900 Montclair Road, Suite A, Birmingham, Alabama 35213 ■ (205) 599-9800
Regional Office ■ 4051 West Flossmoor Road, Country Club Hills, Illinois 60478 ■ (708) 799-2305

DIVISION: 02—SITE CONSTRUCTION
Section: 02620—Subdrainage

REPORT HOLDER:

AMERICAN WICK DRAIN CORPORATION
1209 AIRPORT ROAD
MONROE, NORTH CAROLINA 28110
(704) 238-9200
www.americanwick.com
info@americanwick.com

EVALUATION SUBJECT:

AKWADRAIN™ FOUNDATION STRIP DRAIN

ADDITIONAL LISTEES:

DRY DOG BARRIERS, LLC
POST OFFICE BOX 743
MATTHEWS, NORTH CAROLINA 28106

EPRO SERVICES, INC.
PO BOX 347
DERBY, KANSAS 67037
(316) 262-2513
eproserv@aol.com

TREMCO BARRIER SOLUTIONS, INC.
6402 EAST MAIN STREET
REYNOLDSBURG, OHIO 43230
(614) 322-4420
www.tremcoinc.com
wellsia@tremcoinc.com

1.0 EVALUATION SCOPE

Compliance with the following codes:

- 2003 *International Building Code*® (IBC)
- 2003 *International Residential Code*® (IRC)
- 1997 *Uniform Building Code*™ (UBC)
- BOCA® *National Building Code*/1999 (NBBC)
- 1999 *Standard Building Code*® (SBC)

Property evaluated:

Foundation drainage system

2.0 USES

AKWADRAIN™ Foundation Strip Drains are used as alternatives to conventional sand- or gravel-covered pipe drains installed around building foundations in accordance with the applicable code.

3.0 DESCRIPTION

3.1 General:

AKWADRAIN™ Foundation Strip Drain is a composite drainage system consisting of a three-dimensional drainage core and a nonwoven, needle-punched filter fabric and fittings. The filter fabric is wrapped around and bonded to the drainage core, preventing intrusion of backfill material and the filter fabric into the flow channels during backfilling. Soil particles are held back by the filter fabric, allowing water to pass through to the drainage core.

AKWADRAIN™ Foundation Strip Drain is 1 inch (25.4 mm) deep, and is available in standard nominal widths of 6, 12, 18, 24 and 36 inches (152, 305, 457, 610 and 914 mm, respectively) and roll lengths of 50 feet (152 m) to 500 feet (1524 m).

3.2 Components and Fittings:

3.2.1 Rigid Core: The Rigid Core component of the AKWADRAIN™ Foundation Strip Drain is thermoformed from a black extruded plastic to form an internal dimpled drainage core with a 1-inch (25.4 mm) depth.

3.2.2 Filter Fabric: The Filter Fabric component of the AKWADRAIN™ Foundation Strip Drain is a geotextile, made from polypropylene, that is black in color, nonwoven and needle-punched for water flow.

3.2.3 Splice Fitting: Splice fittings are used to connect rolls of AKWADRAIN™ together using a minimum 3-inch-wide (76 mm) polyethylene tape at each joint.

3.2.4 Tee Fitting: Tee fittings are used to join one run or branch of AKWADRAIN™ to another at a 90-degree angle. A minimum 3-inch-wide (76 mm) polyethylene tape is used to secure each joint.

3.2.5 Outlet Fitting: The Outlet Fitting is a black plastic fitting used to connect AKWADRAIN™ to the drainage piping, using a minimum 3-inch-wide (76 mm) polyethylene tape at the joint.

3.2.6 Corner Fitting: The Corner Fitting is a black plastic fitting used to connect AKWADRAIN™ sections around an inside or outside corner at a 90-degree angle. A minimum 3-inch-wide (76 mm) polyethylene tape is used to secure each joint.

3.2.7 Corner Guard Fitting: The Corner Guard is a black plastic fitting with polypropylene nonwoven geotextile bonded to plastic. The fitting is used as an alternative to the corner fitting to allow the bending of AKWADRAIN™ around an inside or outside corner at a 90-degree angle. A minimum 3-inch-wide (76 mm) polyethylene tape is used to secure each joint.

3.2.8 Step Down Fitting: The Step Down Fitting is a black plastic fitting used with AKWADRAIN™ to facilitate changing

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vertical height along a foundation. A minimum 3-inch-wide (76 mm) polyethylene tape is used to secure each joint.

3.2.9 Universal Fitting: The Universal Fitting is a black plastic fitting with polypropylene nonwoven geotextile bonded to the plastic, and is used to connect various widths of AKWADRAIN™ to the drainage piping. A minimum 3-inch-wide (76 mm) polyethylene tape is used to secure each joint.

4.0 INSTALLATION

Prior to AKWADRAIN™ Foundation Strip installation, waterproofing or dampproofing shall be installed on the below-grade foundation or retaining wall in accordance with the applicable code. AKWADRAIN™ drainage material shall be unrolled along the footing at the base of the wall parallel to the length of the wall. The Filter Fabric adheres to the partially cured waterproofing or dampproofing. When AKWADRAIN™ is applied to cured waterproofing, dampproofing or concrete foundations, an adhesive compatible with the drainage material, or mechanical means (i.e., insulation anchors as specified by the waterproofing or dampproofing manufacturer), shall be used to hold the drain system in place. An outlet fitting shall be attached to the end of the AKWADRAIN™ Foundation Strip Drain, and a 4-inch-diameter (102 mm) plastic pipe complying with the applicable plumbing code is attached to the outlet fitting. The AKWADRAIN™ Foundation Strip Drain perimeter drain shall discharge by gravity or mechanical means into an approved drainage system that complies with the applicable plumbing code. The below-grade foundation or retaining wall shall then be backfilled and compacted to the density required by the applicable code.

The AKWADRAIN™ Foundation Strip Drain shall be installed in accordance with this report and the

manufacturer's published installation instructions. Where the manufacturer's published installation instructions and this report differ, this report shall govern.

5.0 CONDITIONS OF USE

The AKWADRAIN™ Foundation Strip Drain as described in this report complies with, or is a suitable alternative to what is specified in, those codes listed in Section 1.0 of this report, subject to the following conditions:

- 5.1 The manufacturer shall submit installation instructions for the AKWADRAIN™ Foundation Strip Drain at the time of permit application.
- 5.2 When adhesives are used to attach the AKWADRAIN™ Foundation Strip drainage system to foundation or retaining walls, American Wick Drain Corporation shall verify compatibility of the adhesives with the drainage system.

6.0 EVIDENCE SUBMITTED

- 6.1 Installation instructions.
- 6.2 Data in accordance with the ICC-ES Acceptance Criteria for Composite Foundation Drainage Systems (AC243), dated February 2004.
- 6.3 A quality control manual.

7.0 IDENTIFICATION

Each package of the AKWADRAIN™ Foundation Strip Drain shall be identified with the name and/or trademark and the address of American Wick Drain Corporation or one of the report listees, as indicated in Table 1 of this report; the product name; and the evaluation report number (ESR-1107).

TABLE 1—COMPANY NAME/PRODUCT NAME CROSS-REFERENCE

COMPANY NAME	PRODUCT TRADE NAME
American Wick Drain Corporation	AKWADRAIN™
Dry Dog Barriers, LLC	Drain Max™
Epro Services, Inc.	ECODRAIN-DS™
Tremco Barrier Solutions, Inc.	DrainStar®

MEMBRANE PROPERTIES 002707

Basement Dry proofing

Type	Elastomeric, emulsion based coating	
Color	Grey	
Application Temperature	32°F (0°C) to 100°F (38°C)	
Cure Time	24 Hours	
Film Thickness	40 mils dry @ 20ft ² /gal.	
Elongation	150%	Method: ASTM D2370
Mandrel Bend	1/2" @ -15°F (26°C)	Method: ASTM C711
Shore "A" Hardness	70	Method: ASTM D2270
Water Vapor Permeance	6 perms	Method: ASTM E96
	Matte Finish	Coarse Finish
Solids	63 ± 2 [percent by weight]	72 ± 2 [percent by weight]
viscosity	11 lb/gal.	12.5 lb/gal.
Application	Airless Spray/ Brush	Air Atomized Texture Spray/Brush

BOARD PROPERTIES

Type	Rigid fiberglass with integral glass surfacing mesh	
Board Thickness	1-3/16"	2-3/8"
Thermal Resistance		
Resistance	R5	R10
Foundation Board Compression Properties		
Compression Pressure lbs./sf. (10% compression)	800	800
Drainage (Gallons/hour/lineal foot)	> 90	> 180

**For more information, contact
Tremco Barrier Solutions at 800-876-5624.**

* See actual warranty for complete details.

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Horizon
 Foundation Finishing Systems

The Horizon Insulated System works with the TUFF-N-DRI® Basement Waterproofing System, extending foundation waterproofing and insulation protection from footing to sill plate.

EXCLUSIVE
30-YEAR
 Warranty
 for full wall systems with
TUFF-N-DRI

Basement Dry Proofing

Horizon Insulated System

THREE-PART BARRIER SYSTEM

The Horizon Insulated System provides three levels of protection:

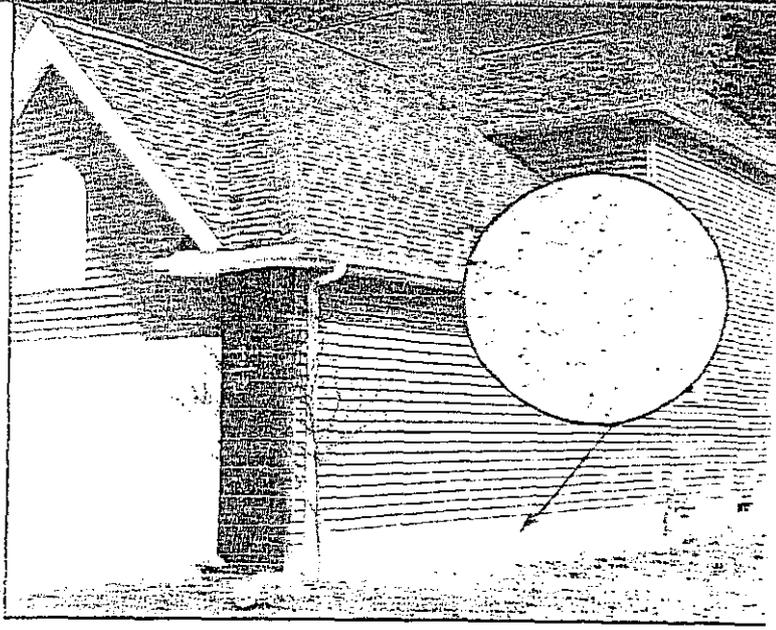
- ☑ Waterproofing membrane creates a seamless barrier to moisture from footing to sill plate.
- ☑ Rigid fiberglass insulation board boosts the home's energy efficiency and reduces interior foundation wall condensation.
- ☑ Durable, textured topcoat repels moisture and gives exposed foundation an attractive, finished look.

WARRANTED PROTECTION FROM FOOTING TO SILL

☑ The Horizon Insulated System starts with North America's #1 foundation waterproofing brand, TUFF-N-DRI® membrane, on the exposed foundation wall, providing an uninterrupted moisture barrier that protects from the footing to the sill plate. This full-wall waterproofing membrane will reduce the number of leak call-backs, as a majority of foundation wall leaks on waterproofed walls occur ... the grade line where below-grade waterproofing usually stops.

☑ Horizon ThermoPanel™ is a sturdy, design-engineered insulation panel that is placed on top of the waterproofing membrane and mechanically fastened to the exposed wall. This mesh-reinforced fiberglass panel delivers stability, rigidity and superb detailing performance. The Horizon ThermoPanel is available in either an R5 or an R10 insulation value, and helps prevent condensation on the interior above-grade foundation wall. Since it insulates the wall from the OUTSIDE, the need for interior foundation insulation is eliminated.

☑ The system is completed with Horizon Coat, a tough, spray-applied exterior finish. Horizon Coat not only adds an attractive, durable, UV-resistant finish to the exposed foundation wall, but also provides an extra layer of waterproofing protection to the home. Horizon Coat comes in a neutral grey color, and is available in either a matte or a coarse finish.



Horizon Coarse Coat (shown in photo above) provides a durable, textured topcoat that repels moisture and gives exposed foundation an attractive, finished look.

FROM TREMCO BARRIER SOLUTIONS

Horizon Foundation Finishing Systems come from Tremco Barrier Solutions, with a heritage in spray-applied barrier technology stretching back more than 20 years. Since 1983, our team has sparked innovations in fluid membrane formulations and performance. And we offer more than two decades of experience installing spray-applied barriers - including TUFF-N-DRI Basement Waterproofing System, the #1 brand of new basement waterproofing in North America.

INSTALLED BY TRAINED PROFESSIONALS

Horizon Foundation Finishing Systems are reliably installed by Select Barrier Solutions Contractors. Count on our quality-trained contractors to professionally and promptly install Horizon Foundation Finishing Systems on the homes you build.

For more details about the Horizon Foundation Finishing Systems, call your local Select Barrier Solutions Contractor:

146



TREMCO
 Barrier Solutions

PROTECTING HOMES
 WITH
BARRIER SCIENCE

002709



PROTECTING HOMES
WITH
BARRIER SCIENCE.



Horizon
Foundation Finishing Systems



February 19, 2007

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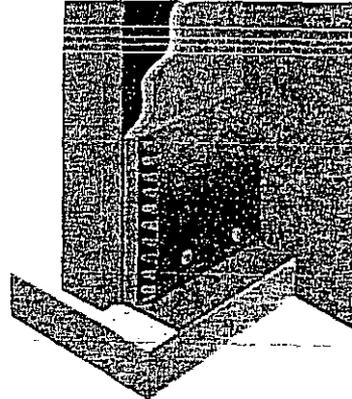
DrainStar[®] Stripdrain

THE GRAVEL-LESS DRAIN SYSTEM

BASEMENT DRY PROOFING

- DrainStar[®] Stripdrain product (DrainStar) is designed to be used in combination with TUFF-N-DRI[®] and WATCHDOG WATERPROOFING[®] products.
- With DrainStar, your Select Barrier Solutions Contractor can install an effective foundation drainage system at the same time as your basement waterproofing system. You'll save scheduling time and hassles with just one contractor contact.
- DrainStar features two hard-working components: 1) A rigid polymer core of *engineered cones that collect and move water to designated drainage exits.* 2) A non-woven, needle-punched geotextile filter fabric to strain out backfill soils and other particles.
- DrainStar can replace traditional drain tile and gravel systems, bringing you a variety of attractive advantages.
 - No scheduling of gravel deliveries.
 - No carrying gravel in buckets or wheelbarrows.
 - No damage caused by dumping of stones.
 - No leftover gravel and drain tile scattered around the job site.
- Lower total installed cost than gravel and drain tile.

- DrainStar[®] Specifications
- DrainStar[®] Sell Brochure
- DrainStar[®] Installation Guide
- DrainStar[®] Installation Video (160x120)
- DrainStar[®] Installation Video (640x480)
- DrainStar[®] ICC Report
- DrainStar[®] MSDS



an RPM Company

144

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WATCHDOG WATERPROOFING



WATCHDOG WATERPROOFING features a flexible, polymer-enhanced waterproofing membrane (A) that provides reliable, leak-free protection. **WATCHDOG WATERPROOFING** is designed for spray application on poured concrete or parged block walls.

Installed by experts

WATCHDOG WATERPROOFING* is installed by Barrier Solutions Contractors – professionals skilled in the details of successful basement waterproofing. These contractors undergo extensive training and are monitored for quality performance to ensure the highest quality application.

Surface preparation

The wall surface should be smooth, monolithic and clean. Remove loose aggregate, dust, mud or sharp protrusions from the wall. On poured concrete walls, remove all wall ties – both inside and out. Repair all substantial voids – including large tie holes, cracks and honeycombs larger than your fist – with an asphalt-based mastic or non-shrinking grout.



The **WATCHDOG WATERPROOFING** membrane is spray-applied to seamlessly bridge foundation settling cracks and seal out water penetration. Its material was specifically designed for spray application on below-grade exterior foundation walls. The membrane remains elastic at low temperatures for dependable year-round protection.

System application

WATCHDOG WATERPROOFING membrane is sprayed evenly over the entire foundation wall. The membrane can be applied when ambient temperatures are as low as 20°F, and on damp or green concrete. However, the membrane must not be applied over standing water, a water film, ice or snow. On poured concrete basements, **WATCHDOG WATERPROOFING** can be applied as soon as the forms are removed, and on parged block basements, as soon as the mortar is dry.

Curing and backfilling

Foundations coated with **WATCHDOG WATERPROOFING** should be allowed to cure at least 16 to 24 hours, or longer if ambient temperatures are below 45°F and/or if humidity is 80% RH or above. Make sure the membrane is cured before installing drain tile and gravel (unless the membrane is protected by foundation board at least 24 inches up from the footer) and backfilling. Use clean fill materials for backfilling. Avoid backfilling with sharp, angular rocks, any rocks bigger than a softball, and any materials that may puncture the waterproofing membrane.

Drainage requirements

WATCHDOG WATERPROOFING is designed for use with a foundation drainage system consistent with local codes and good construction practices. A typical exterior drainage system consists of 3-inch minimum perforated drainage pipe – with gravel over the pipe, on the footer and at least 10 inches up the face of the vertical wall. The drain tile should channel water to either an operating sump pump or to daylight. The grade should always slope away from the foundation.

Environmentally responsible

WATCHDOG WATERPROOFING membrane uses a non-flammable, water-based carrier that meets VOC limits in all 50 U.S. states. It has been thoroughly tested by independent labs using Federal EPA standards for leaching. The results prove that no harmful leaching of the membrane occurs.

Availability and cost

WATCHDOG WATERPROOFING is competitively priced and available through your Barrier Solutions Contractor. For more information about **WATCHDOG WATERPROOFING**, contact your local Barrier Solutions Contractor, call Tremco Barrier Solutions at 800-DRY-BSMT or visit WATCHDOGWATERPROOFING.com.

Your local Barrier Solutions Contractor is:

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SPECIFICATIONS

Basement
Dry processing



WATCHDOG
WATERPROOFING

MEMBRANE PROPERTIES

Type	Polymer-enhanced asphalt liquid-applied membrane	
Color	Black	
Solids	62 (percent by weight)	
Density	8.1 lbs/gal	
Application	Airless spray	
Application Temperature	Minimum 20°F	
Cure Time	16-24 hrs	
Thickness	60 mils (wet) ¹	
Adhesion to Concrete (Peel, N/m)	Results Exceeds	Method ASTM C-836
Elongation	Results 1800%	Method ASTM D-412
Low Temperature Flexibility	Results Flexible to 0°F	Method See ²
Crack Bridging Ability	Results Exceed 10 Cycles to 1/8" at 0°F	Method ASTM-836
Water Vapor Permeance	Results 0.44 perms for 60-mil wet coating (grains/sf/hr)	Method ASTM E-96 Wet Method
Resistance to Degradation in Soil	Results Good	Method ASTM E-154
Mold Growth and Bacterial Attack	Results No Degradation	Methods ASTM D-3273, ASTM D-3274

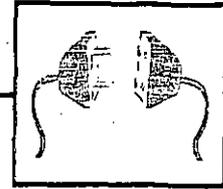
1. Membrane cures (dries) to 40 mils.
 2. Bend waterproofing compound around 1" mandrel.

WATCHDOG WATERPROOFING

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WATERPROOFING UTILITIES PER
FEMA INSTRUCTIONS



expensive to replace. In addition, these components typically provide the link between the electric service provider and the building. Therefore, the protection of these components is particularly important. Power handling equipment in commercial applications typically consists of the same components that are used in residential applications, but additional switches, distribution panels, and even transformers may be added to regulate the larger demand.

Elevation

The most effective flood-resistant design of electrical systems in new and substantially improved buildings in flood-prone areas is elevation of all electrical components to levels at or above the DFE. Elevation gives the most assurance possible that, during a flood, the electrical system components would not be inundated by floodwaters. *Figure 3.3.3* shows a residential structure with electrical components located above the DFE.

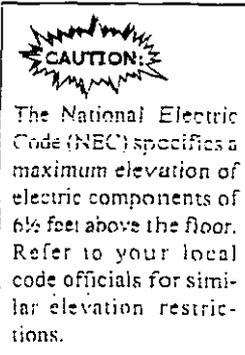
In some situations, the maximum elevation of a component, relative to the floor, is specified. If a component cannot be located above the DFE without exceeding the maximum elevation stipulated by code, it must be relocated to a higher floor within the structure. Or, as an alternative, installation of a platform with stairs to provide access to the elevated electrical components may also meet local code requirements.

Relocation

If raising the equipment above the DFE is not practical, the power handling equipment can be moved to a utility shed that is above the DFE. Relocation of the equipment is an expensive option, but it can be effective in providing elevation of all the equipment. It is used in substantially damaged/improved structures where there is no room to relocate all the electrical equipment and appliances into the main structure above the DFE. In order to elevate the equipment above the DFE a separate structure is built just for housing the electrical equipment. From the separate structure a line is run into a breaker box located in the main structure. The connecting cable between the sub-structure and the main structure must be above the DFE.

Component Protection

If it is not possible or practical to raise power-handling equipment above the DFE, measures can be taken to protect the equipment at elevations below



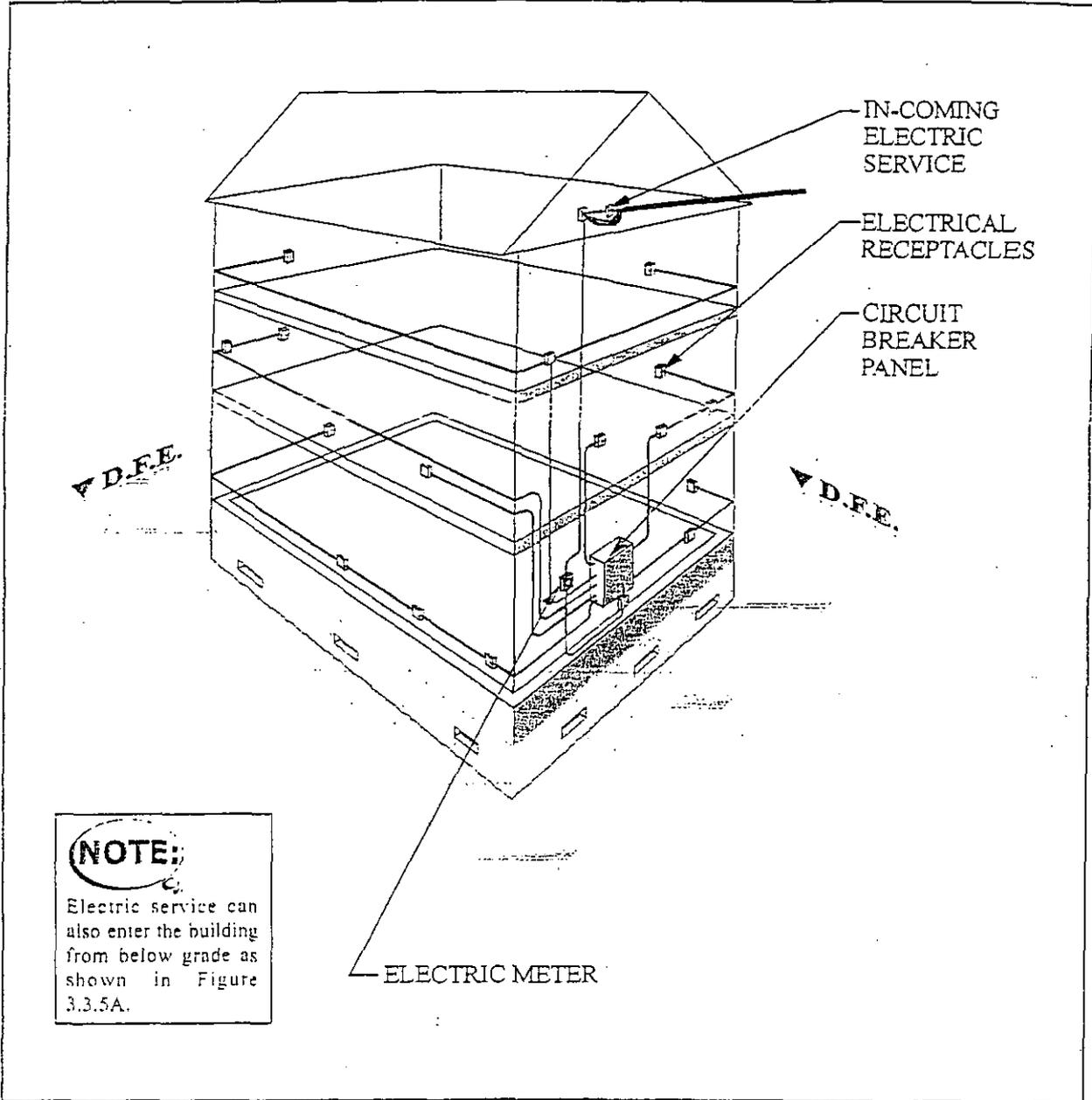
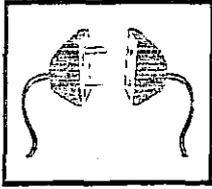
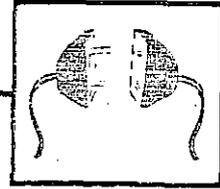


Figure 3.3.3: Structure with electrical components located above the DFE



the DFE. For example, a watertight enclosed wall can be built around the electrical equipment that is located below the DFE. The top of the enclosure must be at or above the DFE and there must be a watertight access to the equipment for maintenance.

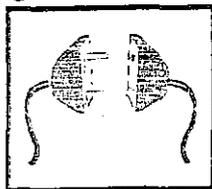
If electrical components that are supplied power by the distribution panel must remain below the DFE, they can be isolated using the distribution panel. The only electrical components that are permitted below the DFE are the minimum necessary for life/safety. Examples include smoke detectors, simple light fixtures, and switches and receptacles required for areas used for building access, parking, or storage. This design approach groups all of the components that lie beneath the DFE together on Ground Fault Interrupting Circuit (GFIC) breakers. These breakers should be clearly marked so that they can be disconnected in the event of rising floodwaters. This approach leaves other portions of the electrical system to function normally.

The major component that a building owner may not be able to properly locate above the DFE is the meter. Often utility companies want the meter located close to the ground so it is readily accessible for their inspection. Consult the local electrical utility company. Determine if the local electrical utility will permit the meter to be elevated above the DFE with access provided by a stairway and platform. If the company does not permit this, the meter can be located below the DFE, but must be elevated as high as the company permits.

NOTE:

All electrical equipment located below the DFE should be on separate Ground Fault Interrupting Circuits clearly marked on the breaker box. This makes it easy to shut off power to all the equipment below the DFE in case of a flood.

Control and utilization equipment in residential applications generally consists of receptacles, switches, and lighting components. In typical applications, control and utilization equipment will not come in contact with floodwaters because the NFIP requires that the lowest floor elevation be above the DFE. However, exceptions arise in situations where access to an elevated structure requires lighting fixtures/switches below the DFE. The utmost care must be taken to protect life and property in situations where equipment is located below the DFE. This section discusses some basic concepts related to control and utilization equipment as well as guidelines regarding floodproofing of the equipment.



Standard duplex receptacles consist of two sockets, each accommodating a standard plug. In new installations, the three-slot grounded versions of these receptacles are required. Larger appliances sometimes require receptacles rated for additional voltage and amperes. The needs of the equipment that are to be powered dictate the type of plug that is used. If equipment must be located below the DFE, equipment of the lower voltage and amperage types should be used.

Standard wall switches typically control lower voltage applications and could therefore be used below the DFE to control code-required lighting fixtures. Devices that require larger voltages are typically wired directly to the distribution panel and controlled by the associated circuit breaker and need to be located above the DFE.

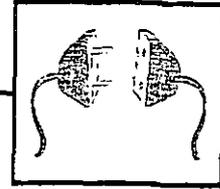
Residential lighting applications typically use standard voltage. Some commercial lighting applications, particularly fluorescents, use higher voltages. If codes specify that lighting must be provided in areas that are below the DFE, care should be taken to ensure that only low voltage (120V or less)/ low amperage fixtures be used. They should be regulated by a GFIC breaker that can be used to isolate the circuit in the event of flood conditions.

Wall switches, receptacles, and lighting components are typically interconnected using electric junction-boxes and pressure connections. In flood-prone areas, these boxes should be constructed of non-corrosive materials and located above the DFE.

Some equipment is commercially available for marine applications. Depending on the design of the particular unit, it may not be designed to allow proper drainage and drying. If receptacles or light switches must be located below the DFE, they should be of the standard type and, as mentioned elsewhere in this section, will need to be replaced after inundation by floodwaters. This equipment is permitted below the DFE only to the extent required by code for life/safety.

Elevation

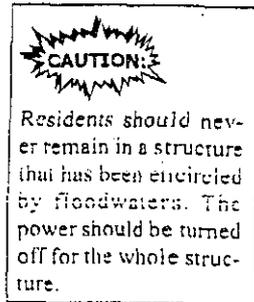
As with all electrical components, the optimal approach when designing an electrical system is to locate all components above the DFE. All attempts



should be made to raise control and utilization equipment above the DFE. However, if this is not possible due to local code requirements, then the minimum necessary receptacles, switches, lights, and other components are permitted to be located below the DFE. The distribution panel shall be located above the DFE unless protected from floodwaters entering or accumulating within the panel box.

Component Protection/Isolation

If control and utilization equipment must remain below the DFE, it should be isolated using the distribution panel. The components that lie beneath the DFE should be grouped together on GFIC breakers. In addition, these breakers should be clearly marked so that they can be disconnected in the event of rising floodwaters. This approach leaves other portions of the electrical system to function normally after the portions of the electrical system below the DFE have been disconnected for post-flooding examination and replacement of inundated components.



Wiring are the conveyance lines between the source of energy supply and the equipment that needs the electric energy supply. Most private residential wiring is of type TW Thermoplastic insulated weather resistant or type THW that is both heat and weather resistant. Table 3.3.5 shows the characteristics of insulated wires (conductors). Any of the wires rated for wet locations are permitted for installation below the DFE.

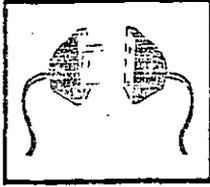
Individual circuit wire may run through metal or plastic pipes called conduits. More often, circuit wires are combined into cables. Such cables can be either non-metallic sheathed cable (Type NM) or steel armored cable (Type AC). The steel armored cable is usable only in dry indoor locations and is not permitted for installation below the DFE.

Wire connections are typically made with twist-on insulated connectors frequently called wire nuts. The general term for pressure-type connectors, such as wire nuts, is solderless connectors. Pressure connections are adequate for most applications.

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002720

FR: FEMA



NEW YORK STATE DEPARTMENT OF LABOR
 DIVISION OF LABOR RELATIONS AND EMPLOYMENT
 120 NASSAU ST. 10TH FLOOR
 ALBANY, NY 12242-1200
 (518) 474-2900

Trade Name	Type Letter	Maximum Operating Temperature	Application Provisions
Moisture and heat-resistant rubber	RHW*	75C 167F	Dry and wet locations
Thermoplastic	T	60C 140F	Dry locations
Moisture-resistant thermoplastic	TW*	60C 140F	Dry and wet locations
Heat-resistant thermoplastic	THHN	90C 194F	Dry locations
Moisture and heat-resistant thermoplastic	THW*	75C 167F	Dry and wet locations
Moisture and heat-resistant thermoplastic	THWN	75C 167F	Dry and wet locations
Moisture and heat-resistant cross-linked thermosetting polyethylene	XHWN*	90C 194F	Dry locations
		75C 167F	Wet locations
Silicone-asbestos	SA	90C 194F	Dry locations
Asbestos and varnished cambric	AVA	110C 230F	Dry locations only

Table 3.3.5: Characteristics of insulated wires (conductors)

Source: Extracted from the National Electrical Code

*Suitable for Flood Zones

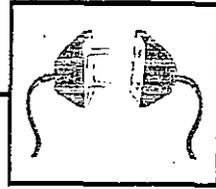
Elevation and Component Protection

As with power handling equipment, the optimum choice when designing a wiring scenario for a building is to locate all wiring above the DFE, as was shown in Figure 3.3.3. However, in some developments, the wiring that services the buildings is routed underground. In this case, keeping the wiring above the DFE is not possible. The conduit should be of a watertight type and extend above the DFE before the wiring is released from the conduit. *Figure 3.3.5A* shows a residential structure with an underground electrical feed wire. Notice that the underground feed extends vertically above the DFE before the watertight conduit is breached. In addition, the top of the conduit is protected to prevent the infiltration of rain.

In some circumstances the wiring enters the house above the DFE but distribution wiring must extend below the DFE. *Figure 3.3.5B* shows an example

15/F

New and Substantially Improved Buildings Electrical Systems



where distribution wiring may be required to extend below the DFE. In situations where wiring must be extended below the DFE, the wiring should be encased in non-corrosive conduit. The conduits should be installed vertically to promote thorough drainage when the floodwaters recede. Wiring should be installed in conduits in these applications because it is easier to replace wiring that is damaged by floodwaters if it is installed in conduit.

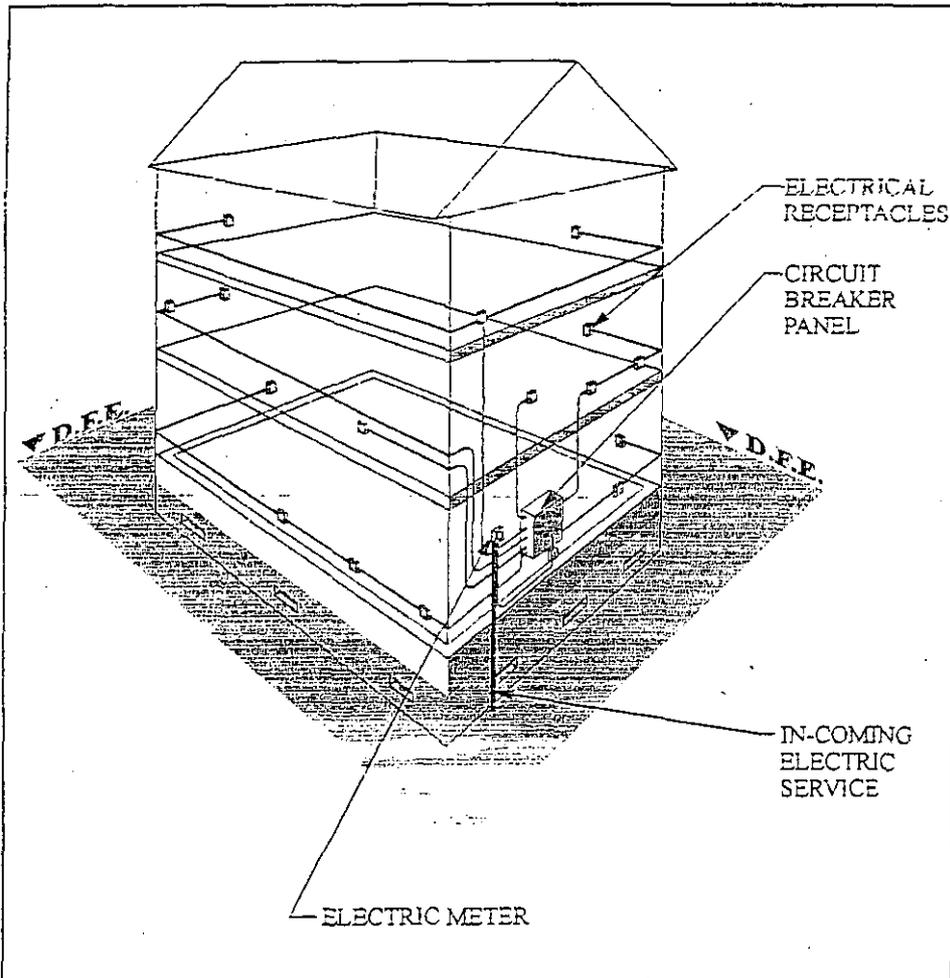


Figure 3.3.5A: Structure with underground electrical feed wire

002722

FROM PERMIT PLAN
EXAMPLE OF FLOOD PROTECTED ELEVATOR

X Flood Damage Protection

For compliance with NFIP regulations, the design and construction of an elevator installation must include all possible steps for protecting the elevator equipment from flood damage.

Hydraulic Elevators

The jack assembly for a hydraulic elevator (see Figure 1) will, by necessity, be located below the lowest floor and therefore generally below the BFE. The jack is located in a casing, and while it will resist damage from small amounts of water seepage, total inundation by floodwaters will usually result in contamination of the hydraulic oil and possible damage to the cylinders and seals of the jack. Salt water, because it is corrosive, can be particularly damaging. The hydraulic pump and reservoirs of the hydraulic elevator are also susceptible to water damage, but they can easily be located up to two floors above the jack and above the BFE as shown in Figure 1.

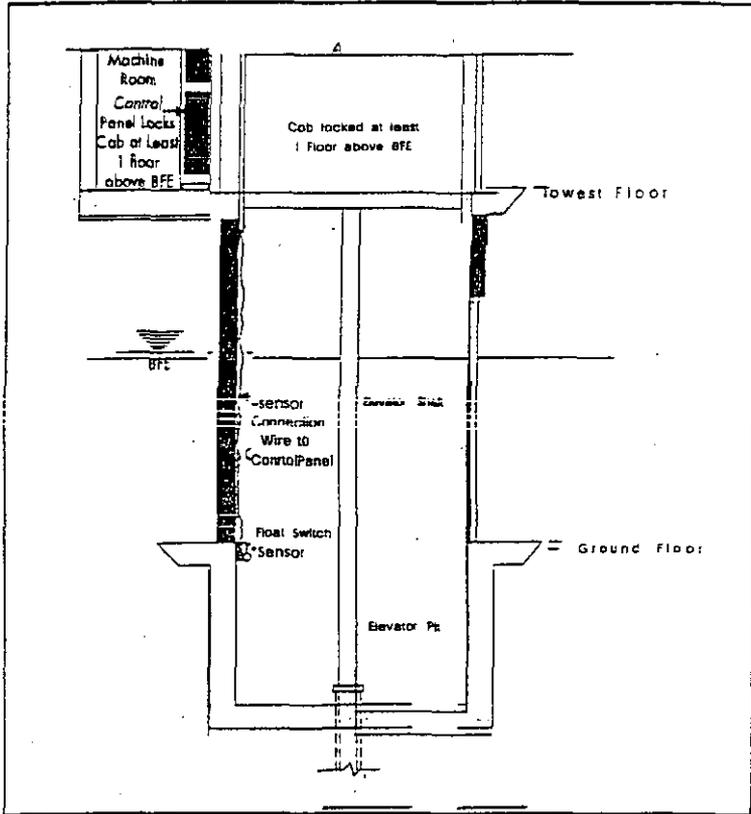


Figure 3. Float and Control Mechanism to Control Cab Descent

Traction Elevators

For traction elevators (see Figure 2), the electric motor and most other equipment are normally located above the elevator shaft and would not be susceptible to flood damage. Some equipment, however, such as the counterweight roller guides, compensation cable and pulleys, and oil buffers, usually must be located at the bottom of the shaft. When such equipment cannot be located above the BFE, it must be constructed using flood-resistant materials where possible.

Elevator Equipment

Some equipment common to all elevators will be damaged by floodwaters unless protected. The most obvious example is the elevator cab. Depending upon the size of the cab and the types of interior materials used, a cab may cost between \$5,000 and \$50,000. Flood damage, which can range from superficial to nearly a complete loss, can easily be avoided by keeping the cab above floodwaters. However, in most elevator control systems, the cab automatically descends to the lowest floor upon loss of electrical power. Installing a system of interlocking controls with one or more float switches in the elevator shaft to always keep the elevator cab from descending into floodwaters (see Figure 3) will result in a much safer system. A float switch system or an-

15H

(20 OUTSIDE FREEZER)

5180 BRITAIN

SAND
1150 FEET

002723

71 012410

wall 1' about 8FE



Fluorometer
1' about 8FE

250 - 27% about 8FE

2007

002724

SUNSET 5083 SANTA MONICA AV
PLAZA

APR 1 2007

ACROSS STREET FROM
ORB NIER (APPT 60-70
CROSS ORK UNDERSTAND)

SUBJECT: DEVELOPMENT WITHIN AREAS OF SPECIAL FLOOD HAZARD
POLICY NO.: 600-14
EFFECTIVE DATE: December 12, 2000

BACKGROUND:

Development within areas of special flood hazard is unwise from a health, safety and general welfare standpoint. If property in a floodplain is elevated to avoid inundation the resulting effect is an increase in the water surface elevation in other areas of the floodplain. In the absence of FEMA regulations, the accumulated effect of development can increase the potential damage to other existing or proposed developments.

The National Flood Insurance Act of 1968 established the Federal Flood Insurance Program which provides subsidized flood insurance for all property owners providing that the local government institutes adequate land use and development control measures for preventing and reducing property damage from flooding. The City of San Diego, by Council Resolution, indicated its desire to qualify for the Federal Flood Insurance Program and, in 1973, adopted appropriate floodplain regulatory zoning consisting of the Floodway (FW) and Floodplain Fringe (FPF) zones.

PURPOSE & INTENT:

To promote the public health, safety and general welfare, and to minimize public and private losses due to flooding and flood conditions in specific areas by provisions designed to:

- a. Protect human life and health;
- b. Provide Environmental Protection consistent with related City requirements;
- c. Minimize expenditure of public funds for flood control projects;
- d. Minimize the need for rescue and relief efforts associated with flooding;
- e. Minimize prolonged business interruptions;
- f. Minimize damage to public facilities and utilities located in areas of special flood hazard.

POLICY:

It is the Council's policy to regulate development within Special Flood Hazard Areas in accordance with the requirements of the Land Development Code. It is also the Council's policy to consider all applicable criteria as stated herein, in addition to the requirements of the Land Development Code, when approving deviations from the floodplain regulations. This policy shall apply to all areas of special flood hazard within the City of San Diego.

DEVIATION CRITERIA:

Where a deviation from the Environmentally Sensitive Lands Regulations of the Land Development Code (Sections 143.0145 and 143.0146) is requested, the decision maker shall consider all relevant factors, all technical evaluations, and all standards provided by the City Engineer in addition to the following conditions:

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CURRENT

- a. A deviation shall not be approved within any designated floodway if any increase in flood levels during the base flood discharge would result. (See Diagram 1, Floodplain Schematic in Appendix A of Council Policy 600-14).
- b. A deviation may be approved only upon:
 1. a showing of good and sufficient cause;
 2. a determination that the proposed deviation is the minimum necessary to afford relief from special circumstances or condition of land, not of the applicant's making;
 3. a determination that failure to grant the deviation would result in exceptional hardship to the applicant; and
 4. a determination that the granting of a deviation will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- c. A deviation may be issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- d. Any applicant to whom a deviation is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the regulatory flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- e. In approving a deviation request the decision maker shall also consider the following factors:
 1. the danger that materials may be swept onto other lands to the injury of others;
 2. the danger of life and property due to flooding or erosion damage;
 3. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 4. the importance of the services provided by the proposed facility to the community;
 5. the necessity to the facility of a waterfront location, where applicable;
 6. the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 7. the compatibility of the proposed use with existing and anticipated development;

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CURRENT

8. the relationship of the proposed use to the comprehensive plan and floodplain management program for the area;
9. the safety of access to the property in time of flood for ordinary and emergency vehicles;
10. the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and,
11. the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

HISTORY:

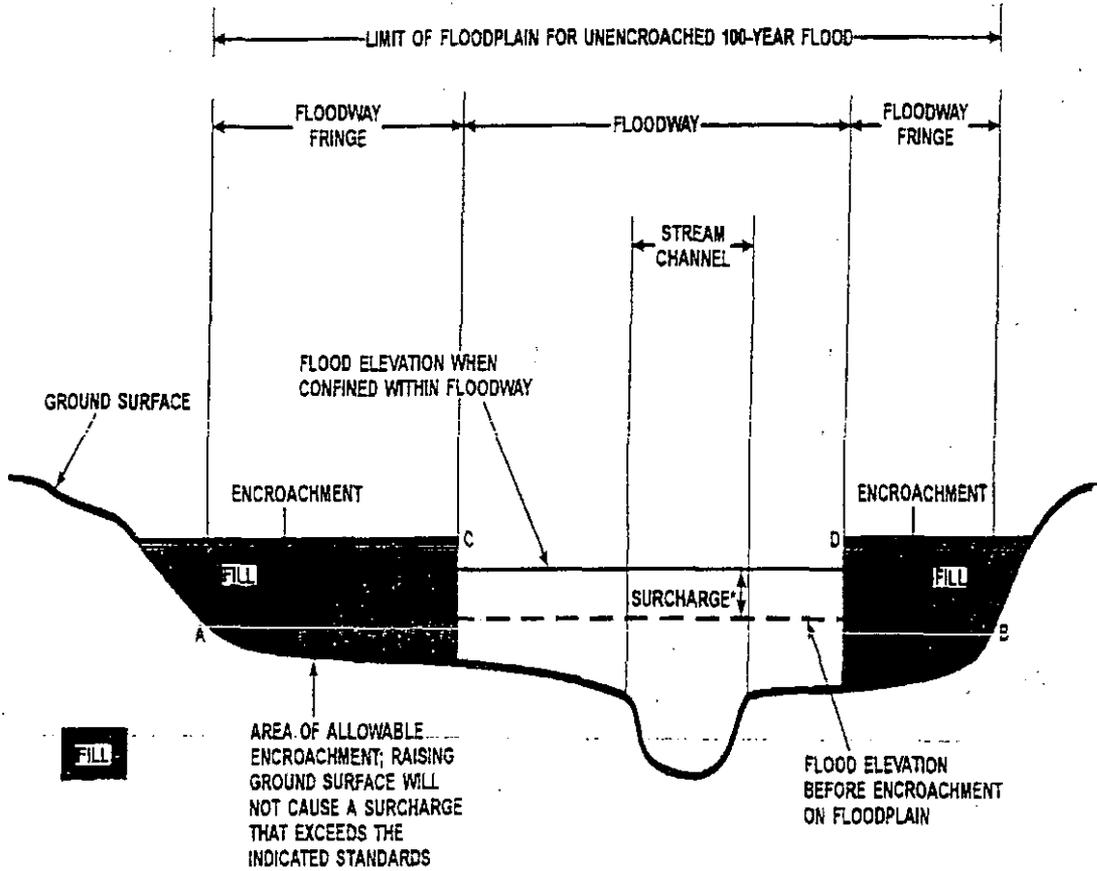
Adopted by Resolution R-203632 09/02/1971
Amended by Resolution R-212811 03/13/1975
Reaffirmed by Council
Resolution R-214421 10/08/1975
Amended by Resolution R-272880 02/14/1989
Amended by Resolution R-289515 12/02/1997
Amended by Resolution R-294394 12/12/2000

**COUNCIL POLICY 600-14
APPENDIX A**

Diagram 1
Floodplain Schematic

Note:

Reproduced from the Federal Emergency Management Agency (FEMA), Sample Text of a Flood Insurance Study, issued August 19, 1998.



LINE A - B IS THE FLOOD ELEVATION BEFORE ENCROACHMENT
LINE C - D IS THE FLOOD ELEVATION AFTER ENCROACHMENT

*SURCHARGE NOT TO EXCEED 1.0 FOOT (FEDERAL EMERGENCY MANAGEMENT AGENCY REQUIREMENT) OR LESSER HEIGHT IF SPECIFIED BY STATE

17 / 002729

david

From: "davidstebbins" <davidstebbins@cox.net>
To: "david stebbins" <redavidstebbins@cox.net>
Sent: Thursday, April 12, 2007 3:57 PM
Subject: Fw: E-Mail from Hornick to Steve Lindsay

----- Original Message -----

From: "Patrick Hooper" <phooper@sandiego.gov>
To: <davidstebbins@cox.net>
Sent: Thursday, April 12, 2007 3:38 PM
Subject: E-Mail from Hornick to Steve Lindsay

>>> "Hornick, Michael" <michael.hornick@dhs.gov > 04/11/07 1:32 PM >>>
Steve,

After discussion with you regarding the "Stebbins" residence proposal, I'm confident that city staff is pursuing a correct course of action with regard to your own variance procedures, floodplain management ordinance, and compliance with 44 CFR § 60.6, Variance and Exceptions. If you have any further questions concerning the NFIP, please call. Please keep me advised concerning eventual outcome. Regards,

Michael Hornick

FEMA RIX/NFIP

1111 Broadway, Suite 1200

Oakland, CA 94607

510-627-7260

18

4/12/2007

002730

ATTACHMENT #4

Code of Federal Regulations X
Title 44, Volume 1
Revised as of October 1, 2003
From the U.S. Government Printing Office via GPO Access
CITE: 44CFR60.6

Authenticity
For Deu

TITLE 44--EMERGENCY MANAGEMENT AND ASSISTANCE

CHAPTER I--FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF
HOMELAND SECURITY

PART 60--CRITERIA FOR LAND MANAGEMENT AND USE--Table of Contents

Subpart A--Requirements for Flood Plain Management Regulations

Sec. 60.6 Variances and exceptions.

(a) The Administrator does not set forth absolute criteria for granting variances from the criteria set forth in Sec. 60.3, 60.4, and 60.5. The issuance of a variance is for flood plain management purposes only. Insurance premium rates are determined by statute according to actuarial risk and will not be modified by the granting of a variance. The community, after examining the applicant's hardships, shall approve or disapprove a request. While the granting of variances generally is limited to a lot size less than one-half acre (as set forth in paragraph (a)(2) of this section), deviations from that limitation may occur. However, as the lot size increases beyond one-half acre, the technical justification required for issuing a variance increases. The Administrator may review a community's findings justifying the granting of variances, and if that review indicates a pattern inconsistent with the objectives of sound flood plain management, the Administrator may take appropriate action under Sec. 59.24(b) of this subchapter. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure. Procedures for the granting of variances by a community are as follows:

(1) Variances shall not be issued by a community within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result;

(2) Variances may be issued by a community for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with the procedures of paragraphs (a) (3), (4), (5) and (6) of this section;

(3) Variances shall only be issued by a community upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances;

~~See page 233~~ 18A

(4) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief;

(5) A community shall notify the applicant in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with a record of all variance actions as required in paragraph (a)(6) of this section; and

(6) A community shall (i) maintain a record of all variance actions, including justification for their issuance, and (ii) report such variances issued in its annual or biennial report submitted to the Administrator.

(7) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that (i) the criteria of paragraphs (a)(1) through (a)(4) of this section are met, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

(b)

(1) The requirement that each flood-prone, mudslide (i.e., mudflow)-prone, and flood-related erosion prone community must adopt and submit adequate flood plain management regulations as a condition of initial and continued flood insurance eligibility is statutory and cannot be waived, and such regulations shall be adopted by a community within the time periods specified in Sec. 60.3, 60.4 or Sec. 60.5. However, certain exceptions from the standards contained in this subpart may be permitted where the Administrator recognizes that, because of extraordinary circumstances, local conditions may render the application of certain standards the cause for severe hardship and gross inequity for a particular community. Consequently, a community proposing the adoption of flood plain management regulations which vary from the standards set forth in Sec. 60.3, 60.4, or Sec. 60.5, shall explain in writing to the Administrator the nature and extent of and the reasons for the exception request and shall include sufficient supporting economic, environmental, topographic, hydrologic, and other scientific and technical data, and data with respect to the impact on public safety and the environment.

(2) The Administrator shall prepare a Special Environmental Clearance to determine whether the proposal for an exception under paragraph (b)(1) of this section will have significant impact on the human environment. The decision whether an Environmental Impact Statement or other environmental document will be prepared, will be made in accordance with the procedures set out in 44 CFR part 10. Ninety or more days may be required for an environmental quality clearance if the proposed exception will have significant impact on the human environment thereby requiring an EIS.

(c) A community may propose flood plain management measures which adopt standards for floodproofed residential basements below the base flood level in zones A1-30, AH, AO, and AE which are not subject to tidal flooding. Notwithstanding the requirements of paragraph (b) of this section the Administrator may approve the proposal provided that:

(1) The community has demonstrated that areas of special flood hazard in which basements will be permitted are subject to shallow and low velocity flooding and that there is adequate flood warning time to ensure that all residents are notified of impending floods. For the purposes of this paragraph flood characteristics must include:

(i) Flood depths that are five feet or less for developable lots that are contiguous to land above the base flood level and three feet or less for other lots;

(ii) Flood velocities that are five feet per second or less; and

(iii) Flood warning times that are 12 hours or greater. Flood warning times of two hours or greater may be approved if the community demonstrates that it has a flood warning system and emergency plan in operation that is adequate to ensure safe evacuation of flood plain residents.

(2) The community has adopted flood plain management measures that require that new construction and substantial improvements of residential structures with basements in zones A1-30, AH, AO, and AE shall:

(i) Be designed and built so that any basement area, together with attendant utilities and sanitary facilities below the floodproofed design level, is watertight with walls that are impermeable to the passage of water without human intervention. Basement walls shall be built with the capacity to resist hydrostatic and hydrodynamic loads and the effects of buoyancy resulting from flooding to the floodproofed design level, and shall be designed so that minimal damage will occur from floods that exceed that level. The floodproofed design level shall be an elevation one foot above the level of the base flood where the difference between the base flood and the 500-year flood is three feet or less and two feet above the level of the base flood where the difference is greater than three feet.

(ii) Have the top of the floor of any basement area no lower than five feet below the elevation of the base flood;

(iii) Have the area surrounding the structure on all sides filled to or above the elevation of the base flood. Fill must be compacted with slopes protected by vegetative cover;

(iv) Have a registered professional engineer or architect develop or review the building's structural design, specifications, and plans, including consideration of the depth, velocity, and duration of flooding and type and permeability of soils at the building site, and certify that the basement design and methods of construction proposed are in accordance with accepted standards of practice for meeting the provisions of this paragraph;

(v) Be inspected by the building inspector or other authorized representative of the community to verify that the structure is built according to its design and those provisions of this section which are verifiable.

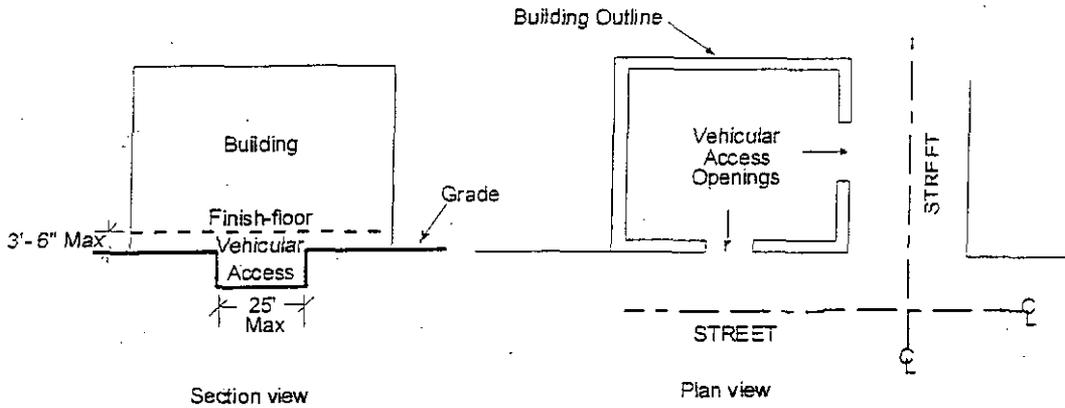
[41 FR 46975, Oct. 26, 1976. Redesignated at 44 FR 31177, May 31, 1979, as amended at 48 FR 44543 and 44552, Sept. 29, 1983; 49 FR 4751, Feb. 8, 1984; 50 FR 36025, Sept. 4, 1985; 51 FR 30308, Aug. 25, 1986; 54 FR 33550, Aug. 15, 1989]

only
for
"common"
structures

195

20
11.0234(B)(6)

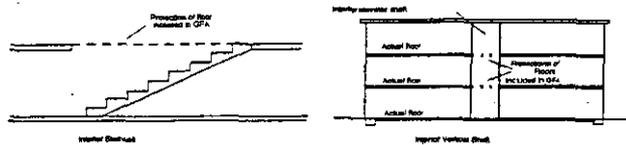
Diagram 113-02K
Underground Parking Structures



- (4) *Gross floor area* includes enclosed exterior stairwells and enclosed exterior elevator shafts.
- (5) *Gross floor area* includes interior shafts such as elevator shafts, ventilation shafts, and other similar vertical shafts, interior stairwells, ramps, and mechanical equipment rooms. *Gross floor area* includes the area of the horizontal projection into the interior shaft of each floor in plan view that is served by the elevator, shaft, stairwell, or ramp, as shown in Diagram 113-02L.

Diagram 113-02L

Interior Stairwells and Vertical Shafts



- (6) *Gross floor area* includes on- or above-grade parking structures, garages, and carports that are constructed and maintained with less than two elevations of the element that are at least 75 percent completely open, as shown in Diagram 113-02M.

PLANNING COMMISSION
 RESOLUTION NO. PC-XXXX
 COASTAL DEVELOPMENT PERMIT NO. 147134
 SITE DEVELOPMENT PERMIT NO. 389939
STEBBINS RESIDENCE [MMRP]

WHEREAS, DAVID STEBBINS, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing one-story duplex, and construct a new, three-story single family residence above basement garage (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permits No. 147134 and 389939), on portions of a 0.057-acre site;

WHEREAS, the project site is located at 5166 West Point Loma Boulevard in the RM 2-4 Zone, Coastal Overlay Zone (appealable-area), Coastal Height Limit Overlay Zone, First Public Roadway, Beach Parking Impact Overlay Zone, Airport Approach Overlay Zone, Airport Environs Overlay Zone, and the 100-year Flood-plain Overlay Zone, within the Ocean Beach Precise Plan and Local Coastal Program Land Use Plan;

WHEREAS, the project site is legally described as Lot 14, Block 90 of Ocean Bay Beach Map No. 1189;

WHEREAS, on February 8, 2007, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 147134, and Site Development Permit No. 389939, pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated February 8, 2007.

FINDINGS:

Coastal Development Permit - Section 126.0708

1. **The proposed coastal development will not encroach upon any existing physical access way 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.**

All development would occur on private property, and would be within the 30-foot coastal height limit. Additionally, the proposed project will not encroach upon any adjacent existing physical access way used by the public nor will it adversely affect any proposed physical public accessway identified in the Local Coastal Program Land Use Plan. The subject property is not located within or near any designated public view corridors. Accordingly, the proposed project will not impact any public views to or along the ocean or other scenic coastal areas as specified in the Local Coastal Program land use plan.

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

The project requires a Site Development Permit due to the presence of Environmentally Sensitive Lands. The project proposes the demolition of an existing one-story, duplex and the construction of a new three-story above basement single family residence. The City of San Diego conducted a complete environmental review of this site. A Mitigated Negative Declaration has been prepared for this project in accordance with State of California Environmental Quality Act (CEQA) guidelines, which preclude impact to these resources and Mitigation Monitoring and Reporting Program (MMRP) would be implemented to reduce potential historical resources (archaeology) impacts to a level below significance. Mitigation for archaeology was required as the project is located in an area with a high potential for subsurface archaeological resources. The project site is a relatively flat contains an existing structure, which is located approximately 8 feet above mean sea level (AMSL). The project site is not located within or adjacent to the Multi-Habitat Planning Area (MHPA) of the City's Multiple Species Conservation Program. The project site is located within an existing urbanized area. The proposed project was found to not have a significant effect on the environment. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

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.

City staff has reviewed the proposed project for conformity with the Local Coastal Program and has determined it is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the adopted Ocean Beach Precise Plan and Local Coastal Program Land Use Plan which identifies the site for multi-family residential use at 15-25 dwelling units per acre, the project as proposed would be constructed at 17 dwelling units per acre.

The proposed development is to demolish an existing one-story, duplex and construct a new three-story above basement garage. The new structure will be constructed within the 100 Year Floodplain (*Special Flood Hazard Area*), and has a Base Flood Elevation of 9.6 feet mean sea level. The restrictions on development within the floodplain require that the lowest floor, including basement to be elevated at least 2 feet above the base flood elevation in accordance with San Diego Municipal Code (SDMC) section §143.0146(C)(6), while the Federal Emergency Management Agency (FEMA) requires that the finished floor elevation be at one or more feet above the base flood elevation (BFE). This project is requesting a Site Development Permit to allow a deviation to permit development of the residential structure, to be at 7.1 feet below the Base Flood Elevation.

Staff supports the proposed deviation due to the development limitations of the site and the flood-proofing conditions that would be applied to the permit to construct the lower level below the Base Flood Elevation. The deviation request will not increase the overall structure height, mass, and setbacks.

The proposed development is located in an area designated as being between the first public road and the Pacific Ocean, therefore views to the ocean shall be preserved. A visual corridor of not less than the side yard setbacks will be preserved to protect views toward Dog Beach and the San Diego River. In addition, this area is not designated as a view corridor or as a scenic resource. Public views to the ocean from this location will be maintained and potential public views from the first public roadway will not be impacted altered by the development. Accordingly, the proposed project will not impact any public views to or along the ocean or other scenic coastal areas. The project meets the intent of the guidelines for the Coastal Overlay and Coastal Height Limitation Overlay zones, and the Ocean Beach Precise Plan and Local Coastal Program Addendum. Therefore, the proposed coastal development would conform with the certified Local Coastal Program land use plan and, with an approved deviation, comply 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 proposed development is to demolish an existing one-story, duplex and construct a new three-story above basement garage. The subject property is designated as being between the first public road and the Pacific Ocean within the Coastal Overlay Zone.

The proposed project site backs up to and is adjacent to the Ocean Beach Park, designated in the Local Coastal Program as a public park and recreational area. Public access to the park area is available at the end of Voltaire Street and West Point Loma Boulevard. All development would occur on private property; therefore, the proposed project will not encroach upon the existing physical access way used by the public. Adequate off-street parking spaces will be provided on-site, thereby, eliminating any impacts to public parking. The proposed coastal development will conform to the public access and public recreation policies of Chapter 3 of the California Coastal Act.

Site Development Permit - Section 126.0504(a)

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

The proposed development is to demolish an existing one-story, duplex and construct a new three-story above basement garage. The project is within the 100-year floodplain, and is therefore within the Environmentally Sensitive Lands, requiring a Site Development Permit for the deviation to the Special Flood Hazard Area, per the City's Environmentally Sensitive Lands Regulations (SDMC Section 143.0110 Table 143-01A). The project is located in the appealable Coastal Overlay Zone requiring a Coastal Development Permit. The proposed development is located between the shoreline and the first public roadway; therefore views to the ocean shall be preserved. This project is located in the RM-2-4 Zone. The RM-2-4 Zone permits a maximum density of 1 dwelling unit for each 1,750 square feet of lot area. The project is in conformance with the underlying zoning, and conforms to the required floor area ratio, parking and setbacks. The proposed development will adhere to the required yard area setbacks pursuant to the Land Development Code. A Deed Restriction is a condition of approval to preserve a visual corridor

002738

of not less than the side yard setbacks, in accordance with the requirements of San Diego Municipal Code Section 132.0403(b). The building will be under the maximum 30-foot Coastal Height Limit allowed by the zone.

The proposed project meets the intent, purpose, and goals of the underlying zone, and the Ocean Beach Precise Plan and Local Coastal Program Addendum. 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 proposed development is to demolish an existing one-story, duplex and construct a new 1,749 square-foot, three-story single-family dwelling unit above an 819 square-foot basement garage resulting in a 2,565 square-foot structure, hardscape, landscape on a 2,500 square-foot site. The present units to be demolished may contain asbestos and lead-based paint and it could potentially pose a risk to human health and public safety. All demolition activities must be conducted in accordance with the San Diego County Air Pollution Control District (SDAPCD) and the California Code of Regulations Title 8 and 17 regarding the handling and disposal of asbestos-containing materials and lead-based paints. Therefore, special procedures during demolition shall be followed. As a condition of the permit, Notice is to be provided to the Air Pollution Control District prior to demolition. Failure to meet these requirements would result in the issuance of a Notice of Violation.

The permit as conditioned, shall floodproof all structures subject to inundation. The floodproofed structures must be constructed to meet the requirements of the Federal Insurance Administration's Technical Bulletin 3-93. The permit conditions added, to flood-proof the basement garage to the required height above grade, have been determined necessary to avoid potentially adverse impacts upon the health, safety and general welfare of persons residing in the area. All site drainage from the proposed development would be directed away from the adjacent properties into existing public drainage system located on West Point Loma Boulevard via a sump pump and sidewalk underlain.

Based on the above, human health and public safety impacts due to the demolition of the existing structure on site would be below a level of significant, and a Notice to the SDAPCD is required and would be added as a permit condition. Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

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

The proposed development includes the demolition of an existing single-level, 1,250 square-foot duplex residence and construction of a new 1749 square-foot three-level single dwelling unit with a subterranean parking garage. The project area is mapped within the 100 Year Floodplain (*Special Flood Hazard Area*), and has a Base Flood Elevation of 9.6 feet mean sea level. The restrictions on development within the floodplain require that the lowest floor, including basement to be elevated at least 2 feet above the base flood elevation in accordance with San Diego Municipal Code (SDMC) section §143.0146(C)(6), while the Federal Emergency

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Management Agency (FEMA) requires that the finished floor elevation be at one or more feet above the base flood elevation (BFE), which would effectively render the ground floor uninhabitable for most properties in this area. In addition, the lot is sub-standard in that it is only 2,500 square feet in area where the minimum lot size allowed by the zone is 6,000 square feet. Additionally, the RM-2-4 zone requires that 25 percent of FAR be utilized for parking, unless the parking is provided underground. Therefore, the project is requesting a deviation to allow development of the residential structure, to be at 7.1 feet below the Base Flood Elevation. All structures subject to inundation shall be flood-proofed, and must be constructed to meet the requirements of the Federal Insurance Administration's Technical Bulletin 3-93.

An approved Site Development Permit would allow the deviation and would be consistent with the Land Development Code. Thus, the proposed project meets the intent, purpose, and goals of the underlying zone, and the Ocean Beach Precise Plan and Local Coastal Program Addendum, and complies to the maximum extent feasible with the regulations of the Land Development Code. Therefore, the proposed development will not adversely affect the applicable land use plan.

Supplemental Findings. Environmentally Sensitive Lands(b)

1. 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 project site is immediately south of the San Diego River mouth outfall at the Pacific Ocean and located within the 100 year floodplain and is therefore considered environmentally sensitive land, requiring a Site Development Permit for the deviation to the Special Flood Hazard Area. However, the previous site grading and construction of the existing duplex have completely disturbed the site. The property is relatively flat and does not include any sensitive topographical or biological resources. The site is neither within nor adjacent to Multi-Habitat Planning Area (MHPA) lands. A Mitigated Negative Declaration dated November 2, 2006, has been prepared for this project in accordance with State CEQA guidelines, and a Mitigation, Monitoring and Reporting Program is required for Archaeological Resources to reduce any potential impacts to below a level of significance.

A geotechnical analysis was prepared to address the liquefaction issue. This report concluded that the site is considered suitable for the proposed development provided the conditions in the Geotechnical Investigation Report are implemented. Therefore, 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.

2. The proposed development will minimize the alteration of land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards;

The proposed project will be sited on a 2,500 square-foot, developed lot. The majority of the site is relatively flat at 8 feet above MSL across an approximately 25 foot x 100 foot lot. The proposed development surrounded by existing residential development, within a seismically active region of California, and therefore, the potential exists for geologic hazards, such as

earthquakes and ground failure. Proper engineering design of the new structures would minimize potential for geologic impacts from regional hazards.

On site grading would occur for excavation of the building foundation and basement. The subterranean garage, which would have a depth of 6 feet below existing grades, would be at least *two feet below the high groundwater table*. However, the subject site is no greater danger from flooding than the adjacent, already developed sites and the proposed design mitigates potential flood related damage to the principal residential structure by raising the required living space floor area above the flood line per FEMA requirements, and flood-proof all structures subject to inundation in accordance with Technical Bulletin 3-93 of the Federal Insurance Administration. Therefore, the proposed development will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

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

The project site is within the 100 year floodplain and is therefore considered environmentally sensitive land. However, the previous site grading and construction of the existing duplex have completely disturbed the site. The property is relatively flat with an elevation of 8 feet above mean sea level and does not include any sensitive topographical or biological resources. The site is neither within nor adjacent to Multi-Habitat Planning Area (MHPA) lands. A Mitigated Negative Declaration dated November 2, 2006, has been prepared for this project in accordance with State CEQA guidelines, and a Mitigation, Monitoring and Reporting Program is required for Archaeological Resources to reduce any potential impacts to below a level of significance. Thus, with the implementation of the conditions in the Geotechnical Investigation the proposed project should not adversely affect environmentally sensitive lands.

4. The proposed development will be consistent with the City of San Diego's Multiple species Conservation Program (MSCP) and subarea plan;

The project proposes the demolition of the existing duplex and construction of a three-level single dwelling unit with a subterranean parking garage. The project site is south of, but not adjacent to, the Multiple Species Conservation Program (MSCP), Multiple Habitat Planning Area (MHPA) of the San Diego River floodway. Therefore, the project does not need to show consistency with Multiple Species Conservation Program Subarea Plan.

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

The subject property is located approximately 450 feet away from the edge of the public beach, and is separated from the shoreline by a city parking lot. All site drainage from the proposed development would be directed away from the adjacent properties into existing public drainage system located on West Point Loma Boulevard via a sump pump and sidewalk underlain. Therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

6. 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 project proposes the demolition of the existing duplex and construction of a three-level single dwelling unit with a subterranean parking garage. An environmental analysis was performed and Mitigated Negative Declaration (MND) No. 51076 was prepared, which would mitigate potentially significant archaeological resource impacts to below a level of significance. The MND also discusses the location of the project being within the 100-year floodplain of the San Diego River according to the Federal Emergency Management Agency (FEMA) map. The permit and MMRP prepared for this project include conditions, environmental mitigation measures, and exhibits of approval relevant to achieving compliance with the applicable regulations of the Municipal Code in effect for this project. These conditions have been determined necessary to avoid potentially adverse impacts upon the health, safety and general welfare of persons residing or working in the area. These conditions include requirements pertaining to landscape standards, noise, lighting restrictions, public view, public right of way improvements, flood-proofing the structure and raising the habitable space above flood line, which provides evidence that the impact is not significant or is otherwise mitigated to below a level of significance. 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.

Supplemental Findings. Environmentally Sensitive Lands Deviations(c)

1. There are no feasible measures that can further minimize the potential adverse affects on environmentally sensitive lands; and

The project area is mapped within the 100-year floodplain and the restrictions on development within the floodplain require that the first floor be 2 feet above the base flood elevation. The sub-standard lot of 2,500 square feet is less than 42% of the minimum area required for a legal lot in the RM-2-4 zone. These conditions and the fact that 25 percent of the 0.70 floor area ratio (FAR) allowed by the zone is required to be used for parking, unless the parking is provided underground, led the applicant to provide an underground garage that will be flood proofed according to the requirements of the Federal Emergency Management Agency (FEMA) in order to avoid having part of the ground floor level devoted to parking, which, in turn, would have drastically reduced habitable space. The project proposal includes a modest increase in square footage from 1,250 to 1,749 and to allow for development to be below the base flood elevation. Raising the finished floor elevation two feet above the BFE will not change the situation with regard to any adverse effects. The property is protected by a levee from floods that may come from the San Diego River. Any flooding would be of a low velocity and shallow and more likely from run off from the hill above Ocean Beach than from the river or the ocean.

Building the structure below the BFE or two-feet above, will not have implications to environmentally sensitive lands, therefore there are no feasible measures that can further minimize the potential adverse affects on environmentally sensitive lands.

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2. The proposed deviation is the minimum necessary to afford relief from special circumstances or conditions of the land, not of the applicant's making

The proposed development is taking place within the 100 Year Floodplain (*Special Flood Hazard Area*), and the proposed new development is not in conformance with SDMC section §143.0146(C)(6) which requires a development within a *Special Flood Hazard Area* to have the lowest floor, including basement, elevated at least 2 feet above the base flood elevation. The Federal Emergency Management Agency (FEMA) requires that the finished floor elevation be at one or more feet above the base flood elevation (BFE). This project is requesting a deviation to allow development of the residential structure, to be at 7.1 feet below the Base Flood Elevation. The subterranean garage, which would have a depth of 6 feet below existing grades, would be at least two feet below the high groundwater table. However, all structures subject to inundation shall be flood-proofed and meet the requirements of the Federal Insurance Administration's Technical Bulletin 3-93. The proposed basement parking area is the minimum necessary to exclude the parking from the FAR, to allow for a reasonably sized residence on this sub-standard lot. In addition, the applicant states that there is hydrological evidence that flooding if any that may occur in a 100 years flood event would be minor and easily handled by the proposed flood proofing. The property is protected by a levee from floods that may come from the San Diego River. Flooding in this area would be due to lack of capacity of the storm water system. Flooding in a 100 year event in this area is very low velocity (ponding only) does not come from the river or the beach as is commonly believed but from run off from the streets on the hill above ocean beach. Additionally, there is evidence that recent and significant storm water repairs in this area should significantly reduce the already low risk. The proposed BFE will not have an adverse effect on environmentally sensitive lands and provide the minimum necessary to afford relief from special circumstances or conditions of the land.

Supplemental Findings. Environmentally Sensitive Lands Deviation from Federal Emergency Management Agency Regulations(d)

1. The City engineer has determined that the proposed development, within any designated floodway will not result in an increase flood levels during the base flood discharge;

The proposed development including the flood-proofed basement garage is taking place within the 100 Year Floodplain and not within the Floodway. Therefore, this finding is not applicable to the subject project.

2. The City engineer has determined that the deviation would not result in additional threats to the public safety, extraordinary public expense, or create a public nuisance.

The proposed development is to demolish an existing one-story, duplex and construct a new 1,749 square-foot, three-story single-family dwelling unit above an 819 square-foot basement garage. The permit as conditioned, shall flood-proof all structures subject to inundation. The owner shall bear all costs of flood-proofing, and there will be no expense to the city.

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The City Engineer has determined that the deviation to allow the structure to be built under the BFE rather than 2'-0" above as required by the Land Development Code will not cause an increase in the flood height. The elevation requirement of the Land Development Code is for the protection of the structures and its contents. Lessening that requirement does not result in *additional threats to public safety, extraordinary public expense, or create a public nuisance.*

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit No. 147134 and Site Development Permit No. 389939 are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 147134/389939, a copy of which is attached hereto and made a part hereof.

LAILA ISKANDAR
Development Project Manager
Development Services

Adopted on: February 8, 2007

Job Order No. 42-3454

cc: Legislative Recorder, Planning Department

AMES M. BURKS

7/18/77

P.O. BOX 7334

Chula Vista, CA
91912

002745

RE: 5166 W. Point LOMA

DEAR COUNCIL

I AM WRITING IN SUPPORT OF DAVID STEBBINS AND HIS PROPOSED PROJECT AT 5166 WEST POINT LOMA BLVD. I AM THE OWNER OF 5170 + 20 1/2 WEST POINT LOMA FOR 17 YEARS. MR. STEBBINS HAS GONE OVER HIS PLANS WITH ME AND AS PERSON WITH A BACKGROUND OF CONSTRUCTION, I AM FAMILIAR WITH THE COMPLEXITIES. I COMPLETELY SUPPORT MR. STEBBINS AND WOULD LIKE TO REBUILD MY PLACE WHEN I RETIRE. IT IS TIME TO CLEAN UP THIS AREA THAT HAS LONG BEEN INFESTED WITH DRUG ADDICTS. I HAVE ATTENDED ALL THE MEETINGS SINCE THIS AND WILL ATTEND ALL FUTURE ONES

AMES M. BURKS
7/18/77

002747

ROBERT J. CALLAHAN

ATTORNEY AT LAW
SUITE 1462
85 WEST JACKSON BOULEVARD
CHICAGO, ILLINOIS 60604
PHONE (312) 322-9000
FAX (312) 427-1289

April 18, 2007

RE: 5166 W. Point Loma

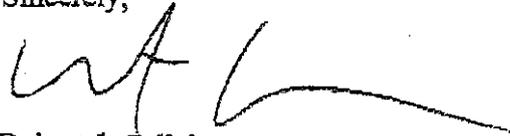
San Diego City Council
202 C Street, 12th Floor
San Diego, Ca. 92101

Dear Council,

I am writing this letter to express my support for David Stebbins and the proposed project at 5166 W. Point Loma. I am the owner of 5184 and 5184 1/2 W. Point Loma. I have met with David personally, and he has provided me with the proposed plans and related documentation. I also previously attended the meeting of the Ocean Beach planning board to express my support of the project. I am full aware of the complexities of the building process and I fully support Mr. Stebbins and the proposed project.

I am currently residing out of state or I would appear personally at the council hearing. I plan to spend my retirement years in Ocean Beach, and I believe that David's project will be an asset to the Ocean Beach community. It particularly will be an improvement to the area which was some years ago described to me as "crack alley". I am available at any time if you have any questions or need assistance with this issue.

Sincerely,



Robert J. Callahan

22B

002749

david

From: "davidstebbins" <davidstebbins@cox.net>
To: "david stebbins" <redavidstebbins@cox.net>
Sent: Tuesday, April 17, 2007 11:37 PM
Subject: Fw: Letter of Support

----- Original Message -----

From: Sanchez, Mira
To: DavidStebbins@cox.net
Sent: Monday, April 16, 2007 12:41 PM
Subject: Letter of Support

Date: April 16, 2007

Dear OB Planning Commission, .

My name is Mira L. Sanchez and I am the owner (8 years now) of 5172 West Pt. Loma Blvd and wanted to write you this letter supporting David Stebbin's house remodel project. I have seen the concept drawings and can only say that this would do a great deal for us as homeowners and for the beautification of OB.

Its time that the area sees some gentrification and David's project is a step in the right direction.

I cannot personally be on hand to support the next meeting, but ask that you accept this letter as my support and approval of David's project.

Regards,

Mira L. Sanchez
Intel Corporation
Optical Platform Division
Commodity Manager
510-578-5628
858-705-0327 (cell)
mira.sanchez@intel.com

22C

4/18/2007

002751

April 22, 2007

To: Councilman Kevin Faulconer
202 C St. ms #10
San Diego, Ca. 92101

CC to: David Stebbins
4948 Voltaire St. Ste 1-A
San Diego, Ca. 92107

Dear Mr. Faulconer,

My wife and I own the property directly next door to Mr. Stebbins proposed project. Our address is 5164 W. Point Loma Blvd. As you know, our lot and structure are essentially identical. We are in favor of Mr. Stebbins plans to improve his property. We also feel this will be a benefit to the community. We would very much like to see the structures on both sides of us follow his lead. To my knowledge, these one story structures were built in the 50's and are over due for improvement.

Alvin and Joan Cox

PS: We attended Michael Aguirre's talk at the San Diego Yacht and the open day ceremonies and noted your attendance at both. Thank you very much for your work with our beautiful city and our yacht club.

22D

002752

TO: Whom It May Concern

I am a property owner in Ocean Beach. I support the project known as The Stebbins residence (pts51076) located at 5166 W. Point Loma Blvd.

I ask that you vote in favor of this project.

Beverly de Granillo

Beverly de Granillo
name

4-26-04
dated

4189 Cole Ct
address
SAN DIEGO, CA 92117

22E

002753

April 20, 2006

Dear Mr. Stetson:

I am pleased to learn that you
plan on redeveloping your property.

222-7000
222-7000

22F

002754

TO: Whom It May Concern

I am a property owner in Ocean Beach. I support the project known as The Stebbins residence (pts51076) located at 5166 W. Point Loma Blvd.

I ask that you vote in favor of this project.

[Signature]
name

4-24-06
dated

5186 W. Point Loma
address

We Plan on being there

[Signature]

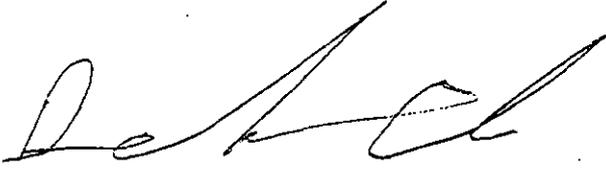
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002755

TO: Whom It May Concern

I am a property owner in Ocean Beach. I support the project known as The Stebbins residence (pts51076) located at 5166 W. Point Loma Blvd.

I ask that you vote in favor of this project.



name

4/25/06

dated

5178 West Point Loma Blvd

address

Owner of Duplex.

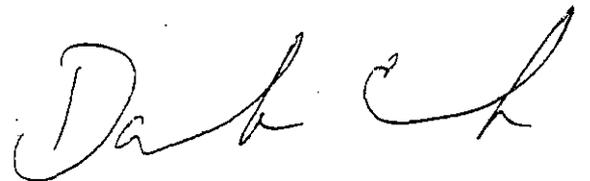
*I Fully Support Your Project
David. Good For You For helping
make Ocean Beach a Beautifully
Improved Place.

I am out of Town on May 3rd

Call Me anytime

619 851-8484

22H



002757

Development Services Department
Project Management

Stebbins Residence
Project No. 51076
Ocean Beach Community



City Council
May 22, 2007
Development Project Manager: Laila Iskandar

Development Services Department
Project Management

Summary

- Planning Commission approved the project by a vote of 6-0-1.
 - March 1, 2007
- Appeal of the Planning Commission's decision
 - March 14, 2007

Development Services Department
Project Management

Staff Response

- Conforms with Land Development Code
- Consistent with the Land Use
- Deviation Substantiated
- The permit conditions applied to this action are appropriate

Project conforms with required applicable findings

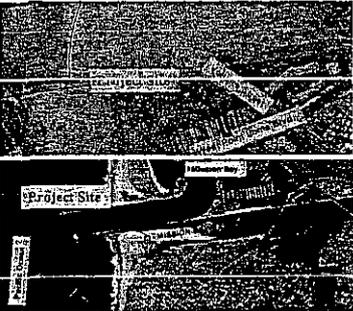
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Development Services Department
Project Management

Project Scope

- Site Features
 - > Developed with 2-dwelling units duplex structure.
 - > No off-street parking spaces.
- Project Features
 - > Demolition of an existing one-story duplex.
 - > Construction of a three-story single family residence above basement garage.
 - > Deviation from the regulations for Special Flood Hazard Areas.
- Required Permits
 - > Coastal Development Permit
 - > Site Development Permit

Development Services Department
Project Management

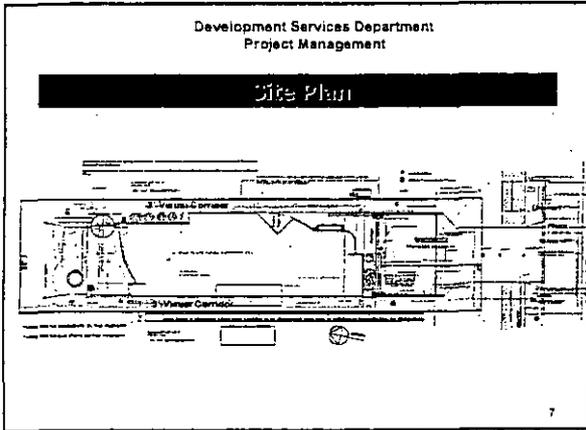


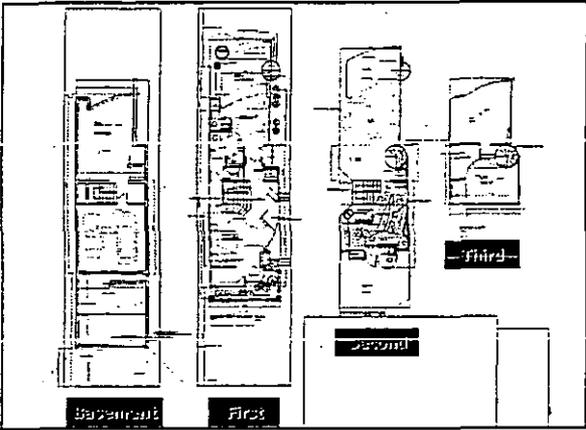
Aerial Photo
STERN'S RESIDENCE - PROJECT NUMBER 1174
5164 W. Palm Lane Blvd.

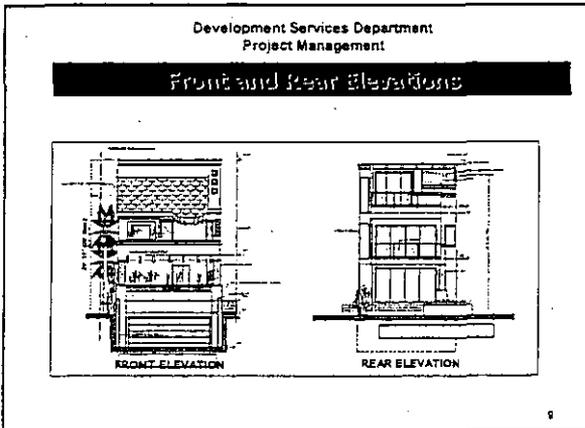
Development Services Department
Project Management

2,500 square foot lot (25,000 sq ft)

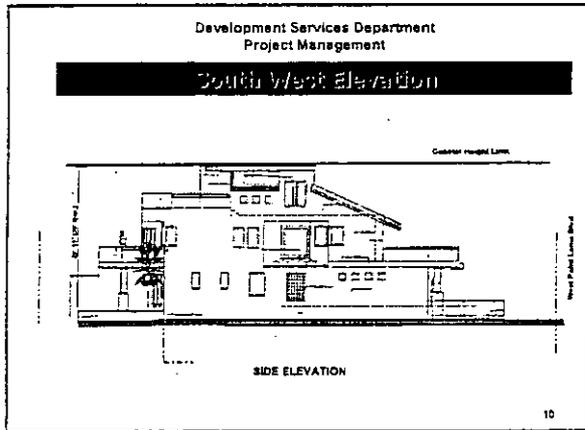


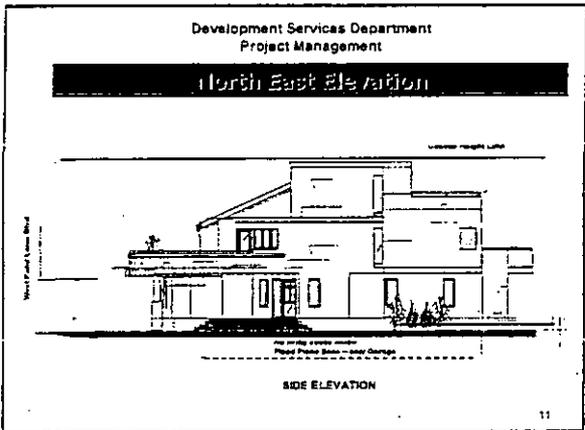


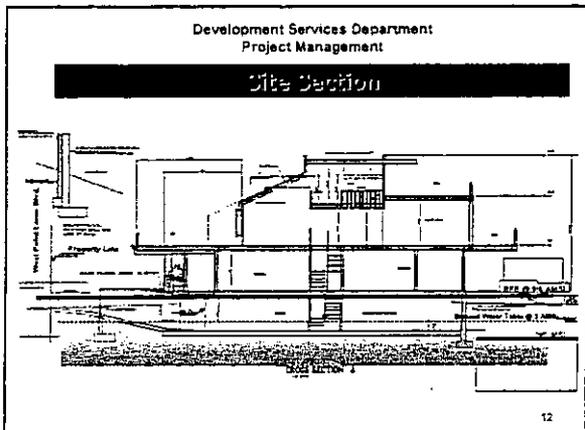


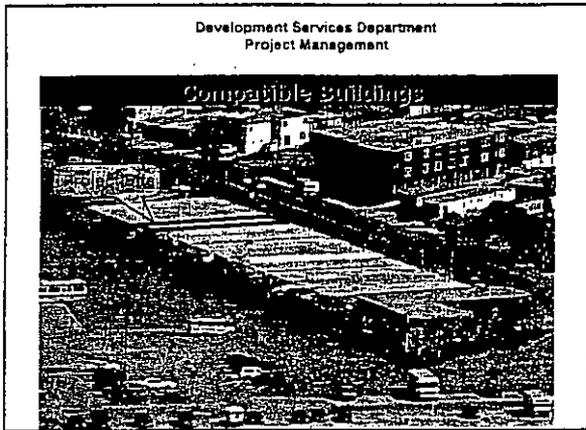


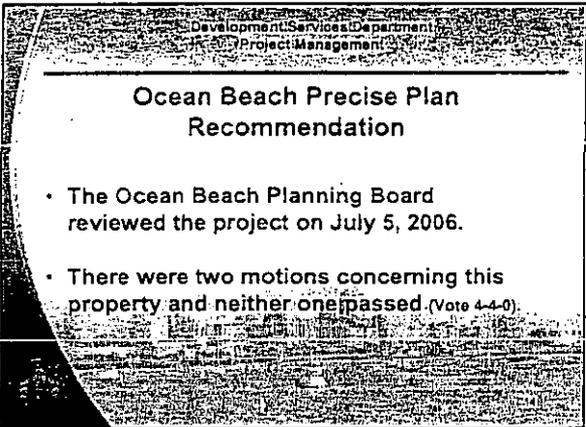
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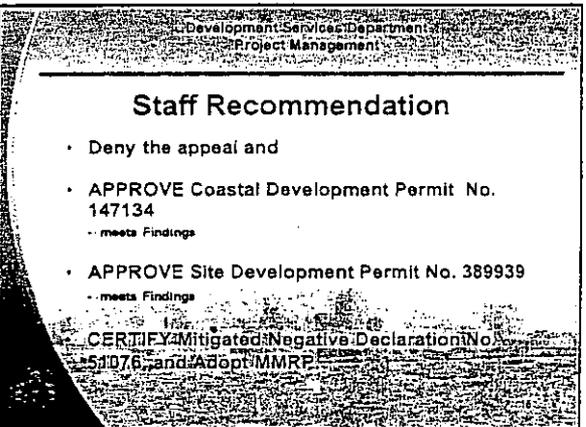












From: "Darin Ricco" <darin.ricco@century21.com>
To: <hearings1@sandiego.gov>
Date: 5/8/2007 1:25 PM
Subject: May 22 Hearing RE Stebbins Residence Costal Development Permit No. 147134

Dear City Council,

This letter is written to show my strong disapproval of the Planning Commission's decision in approving an application for a CDP and a SDP for the construction of a three story residence at 5166 West Point Loma Blvd. This block of West Point Loma Blvd that 5166 is located on consists of entirely one story duplexes that are adjacent to the grass area across the parking lot from dog beach. This grass area is used as a gathering place, picnic area, dog walking area and overall nice place to enjoy the San Diego weather. The row of duplexes each have their charming characteristics developed over the years by their owners and blend into the Ocean Beach scenery. The construction of such a large home on a small 2500 sq. ft. lot would disturb the balance of this area. From the other side of 5166 West P.L. Blvd., looking towards the beach, locals are able to see the palm trees and sail boat masts over the row of duplexes giving the area that unique beach feel that everyone moves here and visits here for. The construction of a three story home would not only block this coveted view loved by many locals and tourists alike, but would destroy the harmony of the block both visually and, during construction, acoustically. The construction could furthermore deter tourists from coming to Ocean Beach, Dog Beach specifically, and they could decide upon another beach in the stead, taking away from the local economy. Lastly, if this project is approved, it would undoubtedly pave the way for the other owners on the block to do the same leading to more construction, more eyesores, less views, more noise pollution, less tourists, less revenue, and an overall destruction of the peace and harmony we have come to love by Dog Beach. I, Darin Ricco, as a resident of Dog Beach for over five years, and as a real estate agent myself, know the value of neighborhood pride. This project threatens to destroy that pride, and this is why I am strongly opposed to Stebbins Residence project. Thank you for listening to my thoughts and opinion.

Darin Ricco/Realtor

619-846-8249

darin.ricco@century21.com

002765

May 17, 2007

MAYOR AND CITY COUNCIL
ATTN: CITY CLERK
ADMINISTRATION BUILDING
202 "C" STREET
SAN DIEGO, CA 92101-3862
MAIL STSTION 2A

RE: STEBBINS RESIDENCE PROJECT NO. #51076
APPEAL TO CITY COUNCIL

Dear Mr. Sanders, City Council, and City of San Diego Development Services Staff:

We are asking you to not approve the STEBBINS RESIDENCE PROJECT #51076, on the basis of the bulk and scale of the proposed project, as it would not be in compliance with the Ocean Beach Precise Plan, effective, as of this date.

We are also asking you not to approve this project on the basis of the deviation from the regulations for Special Flood Hazard Areas, (the mouth of the San Diego River Flood Channel), to permit development of this residential structure at 7.1 feet below the Base Flood Elevation where two (2) feet above the Base Flood Elevation is required.

We are asking that you please take a closer look at this project and to be aware of the environmental sensitive mitigating factors, involved in approving this project, as proposed, for the City of San Diego.

Thank you for your consideration, on this matter.

Sincerely,

Nancy Taylor
Elected Member of Ocean Beach Planning Board
District One

002767

**HEARINGS1 HEARINGS1 - RE: STEBBINS RESIDENCE- PROJECT #51076 CITY COUNCIL
PUBLIC HEARING APPEAL MAY 22, 2007**

From: "Jane Gawronski" <jgawronski@earthlink.net>
To: "Nancy Taylor" <ntaylor17@cox.net>, <Hearings1@sandiego.gov>
Date: 5/17/2007 8:02 PM
Subject: RE: STEBBINS RESIDENCE- PROJECT #51076 CITY COUNCIL PUBLIC HEARING APPEAL MAY 22, 2007
CC: "Bill Wilson" <wmwilson322@hotmail.com>, "Landry Watson" <dro_watson@yahoo.com>, <cityattorney@sandiego.gov>, "Amanda Lopez" <amandalopez27@yahoo.com>, "Andra Loo" <obandra@yahoo.com>, "Bill Bushe" <billbushe@yahoo.com>, "Brittany Taylor" <BT1118@aol.com>, "Craig Klein" <craigklein1@cox.net>, "George Murphy" <obgeorge@nethere.com>, "Giovanni Ingolia" <gingolia@hotmail.com>, "Joshua Richman" <jjrichman@gmail.com>, "Michael Taylor" <mdtaylor@marcusmillichap.com>, "Shane Finneran" <shane@wavelengthclothing.com>, "Tom Gawronski" <tgawronski@earthlink.net>, "Vance Spurrier" <obvance@yahoo.com>

Hi Nancy, Thank you very much for sending this out. I am one hundred percent in agreement with the position you have expressed. I've added Mike Aguirre's address since this has some legal implications for ignoring the FEMA guidelines.

Unfortunately I will be in Turkey and unavailable for this hearing.

Jane

From: Nancy Taylor [mailto:ntaylor17@cox.net]
Sent: Thursday, May 17, 2007 7:23 PM
To: Hearings1@sandiego.gov
Cc: Bill Wilson; Landry Watson; Jane Gawronski
Subject: STEBBINS RESIDENCE- PROJECT #51076 CITY COUNCIL PUBLIC HEARING APPEAL MAY 22, 2007

002769

From: <nsuserid@turing.sannet.gov>
To: <cityclerk@sandiego.gov>
Date: 5/21/2007 9:45:40 PM
Subject: San Diego City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form
Submitted on Monday, May 21, 2007 at 21:45:20

name: Michelle Y. Ward

e-mail: michelleyward@hotmail.com

address: 5072 Rebel Rd.

city: San Diego

state: CA

zip: 92117

areacode: 858

telephone: 354-3188

source: San Diego City Council Meeting Agenda Comment Form at <http://www.sandiego.gov/city-council/docket-comment.shtml>

agendaitem: item #334 Tuesday May 22nd

comments:

I am in favor of Item 334, Stebbins residence.

Ocean Beach hasn't changed much at all since the late 70's. There are several parts of OB that has grown and changed with the times. This section of OB has somehow remained to stay pretty much the same and has become somewhat rigid in its ways. It is time that it too starts its metamorphosis into a more stable appearing community.

OB has always prided its self in being "family" like to its fellow OB'ecions. Unfortunately by Mr. Watson's opposition and appeal to this project he is putting forth the image that is quite hypocritical of what he himself said in earlier testimony in regards to the family feeling in the neighborhood. Apparently he does not include Mr. Stebbins in this "family".

The project has passed the sniff test with Staff in regards to past concerns re: flood proofing, bulk/scale, etc. Mr. Stebbins has done a stellar job at designing a structure that will both be pleasant to the eye in the community and be comfortable as a home. This project can only set new standards for Ocean Beach and by this the Ocean Beach community should be grateful.

REMOTE_ADDR: 66.27.85.139

HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.1; SV1)

002771

From: "Kathleen Blavatt" <kblavatt@cox.net>
To: <cityclerk@sandiego.gov>
Date: 6/18/2007 6:35:20 PM
Subject: Tuesday, June 19, 2007 ITEM-331

Dear Council Members Scott Peters, Kevin Faulcner, Toni Atkins, Tony Young, Brian Maienschein, Donna Frye, Jim Madaffer, Ben Hueso
CC: San Diego City Clerk

Please adopt a resolution to grant the appeal on the Tuesday, June 19, 2007 ITEM-331: Stebbins Residence.

This project has become a major topic of conversation and concern in the Ocean Beach Community. The many residents that have spoken to me feel this resident goes against the community character/community plan, and is also a problem that it is the flood plan.

I have had an office and lived on Ocean Beach off and on for a number of years. The flood concern is a major problem that the City must not ignore. I have personally seen the problems and major damaged caused in the blocks near the beaches on OB.

During El Nino there was water over 2 ft. high racing down these streets. The infrastructure here can t handle big floods.

Setting precedence to build underground garages is a bad idea for both the City and residence.

A few years back, Gail Goldberg ran a workshop on what the residences Ocean Beach wanted to see in their Community Plan. "Keeping the Character of Ocean Beach" was high on the list. This was also made clear years earlier when hundreds of residence came out and opposed becoming a Redevelopment Project.

Ocean Beach has cleaned up but itself, yet still retains its beach community character, history, mom and pop shops. It is truly a village.

Dog Beach was rated one of the "Top 10 Beaches in California". It feels like all people are welcome there. The surrounding smaller single and double story homes help make it feel approachable. Large bulky homes could take away from classic beach town appeal that attracts tourist and San Diegans to this part of OB.

Landry Watson has laid out the many legal, environmental and community reasons for opposing such a project. Please grant the appeal.

Sincerely,

Kathleen Blavatt, Ocean Beach