

**NOTICE OF DETERMINATION  
(SUBSEQUENT ACTION)**

**To:** Recorder/County Clerk  
P.O. Box 1750, MS A33  
1600 Pacific Hwy, Room 260  
San Diego, CA 92101-2422

**From:** City of San Diego  
Development Services Department  
1222 First Avenue, MS 501  
San Diego, CA 92101

Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

**Project Number:** 1056469

**State Clearinghouse Number:** 2018011022

**Project Title:** 4620 Pacific Highway (a.k.a Viewpoint Old Town)

**Project location:** The 1.75-acre project site is located at 4620 Pacific Highway

**City/County:** San Diego/San Diego

**Description of Previous Action/Project:** The City of San Diego previously prepared a Program Environmental Impact Report (PEIR) No. 561630/SCH No. 2018011022 for the Old Towne Community Plan Update. The PEIR was certified by the Council of the City of San Diego on October 29, 2018, via Resolution No. R-312026. The Old Towne Community Plan involved a comprehensive update that included a General Plan Amendment, a rescission of the Old San Diego Architectural and Site Development Standards and Criteria, a Rezone Ordinance, amendments to the San Diego Municipal Code, and an update to the Impact Fee Study

**Description of Current Project:** A NEIGHBORHOOD DEVELOPMENT PERMIT (NDP) AND EASEMENT VACATION (EV) for partial demolition of the west and south walls of the existing Perry's Café building, which would allow for construction of a seven-story above grade building with mezzanine. The structure would be comprised of five stories of residential units in addition to a top-floor mezzanine level, situated over two stories of above grade podium parking, and one level of below grade parking. The project would construct a residential development of approximately 239,887-square-foot (SF) in gross floor area with 223 multi-family dwelling units, amenity space, a mezzanine, outdoor space, and 98,341 SF of parking garage space. The parking garage would include spaces for motorcycle parking, EV capable stalls, van spaces, and accessible parking in addition to utility and storage space. The project would increase the overall allowable density from 73 dwelling units per acre to 128 dwelling units per acre in accordance with the City's Affordable Housing Regulations. The project would include 223 dwelling units (including 33 affordable units for very low-income and moderate-income households). The project includes density bonus incentives and/or waivers pertaining to building height, the maximum number of stories in OTMCR-1-3 base zone, the maximum structure footprint allowed in the OTMCR-1-3 base zone, the 20 percent minimum transparency of the street wall area, the required 20 percent common open space, and the encroachments above the public right-of-way with private residential balconies. The 1.75-acre project site is located at 4620 Pacific Highway. The Old Town Community Plan designates the site as Mixed Commercial Residential, the site is zoned OTMCR1-3, and is designated Multiple Use in the General Plan. The project site is also within Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, Parking Standards Transit Priority Area/Transit Priority Area, Airport Influence Area (San Diego International Airport (SDIA) and Naval Air Station (NAS) North Island, Review Area 2),

Airport Land Use Compatibility Overlay Zone, and the Federal Aviation Administration Part 77 Notification (SDIA and NAS North Island) Area. (LEGAL DESCRIPTION: Refer to Title Sheet of the Civil Plans; APN 442-740-03-00, 442-740-06-00, and 442-740-07-00).

**Project Applicant:** Chris Livoni, Viewpoint Development, LLC, 2011 Palomar Airport Road, suite 101182, Carlsbad 92011, (858) 945-7949.

**Determination:** This is to advise that the Development Services Department of the City of San Diego on March 4, 2024, approved the above-described project and made the following determinations:

1. The project, in its approved form  will,  will not have a significant effect on the environment.
2.  An Addendum to an Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.


Record of project approval may be examined at the City of San Diego Development Services Department, located at 1222 First Avenue, San Deigo, CA 92101.

3. Mitigation measures  were,  were not, made a condition of the approval of the project; and a mitigation, monitoring and reporting program  was,  was not, adopted for the project.
4. (EIR only) Findings  were,  were not, made pursuant to CEQA Guidelines Section 15091.
5. (EIR only) A Statement of Overriding Considerations  was,  was not, adopted for this project.

It is hereby certified that the final environmental document including comments and responses, if any, is available to the public on the City's CEQA webpage at <https://www.sandiego.gov/ceqa/final>.

Analyst: R. Benally

Telephone: (619) 446-5468

Filed by: 

Signature

Program Manager

Title



State of California - Department of Fish and Wildlife  
**2018 ENVIRONMENTAL FILING FEE CASH RECEIPT**  
 DFW 753.5a (Rev. 12/15/15) Previously DFG 753.5a

RECEIPT NUMBER: 37-2018- 1048
STATE CLEARINGHOUSE NUMBER (If applicable) 2018011022

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF SAN DIEGO	LEAD AGENCY EMAIL ---	DATE 11/21/2018
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COUNTY/STATE AGENCY OF FILING San Diego County	DOCUMENT NUMBER *20180227*
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PROJECT TITLE  
 OLD TOWN SAN DIEGO COMMUNITY PLAN UPDATE AND ASSOCIATED DISCRETIONARY ACTIONS

PROJECT APPLICANT NAME CITY OF SAN DIEGO	PROJECT APPLICANT EMAIL ---	PHONE NUMBER 619-533-3945
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PROJECT APPLICANT ADDRESS 9485 AERO DRIVE MS 413	CITY SAN DIEGO	STATE CA	ZIP CODE 92123
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PROJECT APPLICANT (Check appropriate box)

Local Public Agency   
  School District   
  Other Special District   
  State Agency   
  Private Entity

CHECK APPLICABLE FEES:

<input checked="" type="checkbox"/> Environmental Impact Report (EIR)	\$3,168.00	\$	\$3,168.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,280.75	\$	
<input type="checkbox"/> Certified Regulatory Program document (CRP)	\$1,077.00	\$	

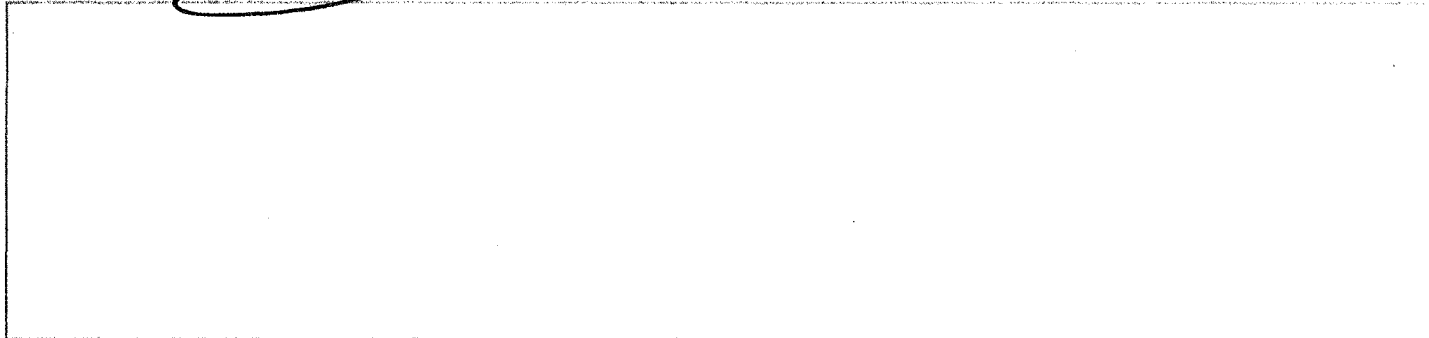
Exempt from fee **180227**  
 Notice of Exemption (attach)  
 CDFW No Effect Determination (attach)  
 Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	
<input checked="" type="checkbox"/> County documentary handling fee		\$	\$50.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

Cash   
  Credit   
  Check   
  Other 0001672886   
 TOTAL RECEIVED \$ 3,218.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County    NBAJRAMI    , Deputy
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**FILED**

Ernest J Dronenburg, Jr. Recorder County Clerk

**NOV 21 2018**

BY  DEPUTY

**NOTICE OF DETERMINATION**

**TO:** X RECORDER/COUNTY CLERK  
P.O. BOX 1750, MS A33  
1600 PACIFIC HWY, ROOM 260  
SAN DIEGO, CA 92101-2422

**FROM:** CITY OF SAN DIEGO  
PLANNING DEPARTMENT  
9485 AERO DRIVE, MS 413  
SAN DIEGO, CA 92123

X OFFICE OF PLANNING AND RESEARCH  
1400 TENTH STREET, ROOM 121  
SACRAMENTO, CA 95814

**180227**

**PROJECT NUMBER:** 561630    **PERMIT NUMBER:** NA    **STATE CLEARINGHOUSE NUMBER:** 2018011022  
**PROJECT TITLE:** Old Town San Diego Community Plan Update and Associated Discretionary Actions

**PROJECT LOCATION:** The **Old Town San Diego Community Plan Update** ("CPU" or "project") area encompasses roughly 275 acres of low, relatively flat land and hillsides that is centrally located to the northwest of Downtown San Diego and southeast of Mission Bay. Interstate-8 functions as the northern boundary of the Old Town San Diego (Old Town) CPU area, while Interstate-5 provides the western boundary; the Mission Hills/Uptown hillsides form the southern and eastern boundaries of the CPU area. The community lies between the Midway Pacific-Highway Community Plan area to the west and south, the Uptown Community Plan area to the east, and the Mission Valley Community Plan area to the north. The CPU area is predominantly urbanized and is generally characterized by a mix of commercial, residential, park, and institutional uses. Commercial development in the Old Town community is generally tourist-oriented.

**DESCRIPTION OF ACTION:** **CITY COUNCIL APPROVAL AND ADOPTION** of an update of the Community Plan for Old Town. The update for the Old Town Community Plan would be consistent with and incorporate relevant policies from the 2008 City of San Diego General Plan, as well as provide a long-range, comprehensive policy framework for growth and development in the Old Town community. The Old Town Community Plan was originally adopted in in 1987 and was last amended in 2001.

The CPU provides detailed, community-specific policy direction to implement the General Plan with respect to the distribution and arrangement of land uses (public and private), the local street and transit network, prioritization and provision of public facilities, community-wide and site-specific architectural and urban design guidelines, and recommendations to preserve and enhance natural open space and historic and cultural resources within the Old Town community.

Implementation requires City Council approval and adoption of the CPU and other associated discretionary actions, including amendments to the General Plan to incorporate the CPU as a component of the General Plan Land Use Element, rezoning of land within the community associated with the Old Town San Diego Planned District Ordinance (PDO) to be consistent with the CPU, and rescinding the Old San Diego Architectural and Site Development Standards and Criteria. The project also requires adoption of amendments to the San Diego Municipal Code related to the Old Town San Diego PDO and residential tandem parking and sign requirements. A comprehensive update to the Impact Fee Study (formerly known as the Public Facilities Financing Plan) is also proposed for adoption in a subsequent discretionary action. Collectively, these actions together with the CPU form the project analyzed in the Program Environmental Impact Report (PEIR).

PROJECT APPLICANT: City of San Diego Planning Department, 9485 Aero Drive, MS 413, San Diego, California 92123. Contact: Vickie White, (619) 533-3945

This is to advise that the City of San Diego CITY COUNCIL on 10/29/2018, approved the above described project and made the following determinations: R-312026

1. The project in its approved form X will        will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project and certified pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project; and a Mitigation, Monitoring and Reporting Program was adopted for the project.
4. Findings were made pursuant to CEQA Guidelines Section 15091.
5. A Statement of Overriding Considerations was adopted for this project.

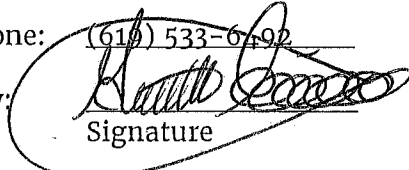
Record of project approval may be examined at the address above.

It is hereby certified that the final environmental report, including comments and responses, is available to the general public at the office of the Planning Department, 9485 Aero Drive, MS 413, San Diego, CA 92123.

Analyst: Susan Morrison, Associate Planner

Telephone: (619) 533-6492

Filed by:

  
Signature

Gil Sanchez, Deputy  
Title

Reference: California Public Resources Code, Sections 21108 and 21152.

**FILED IN THE OFFICE OF THE COUNTY CLERK**

San Diego County on NOV 21 2018

Posted NOV 21 2018 Removed DEC 24 2018

Returned to agency on DEC 24 2018

Deputy NBASRAMI



San Diego County



Transaction #: 3461182
Receipt #: 2018518259

Ernest J. Dronenburg, Jr.
Assessor/Recorder/County Clerk
1600 Pacific Highway Suite 260
P. O. Box 121750, San Diego, CA 92112-1750
Tel. (619) 237-0502 Fax (619) 557-4155
www.sdarcc.com

Cashier Date: 11/21/2018
Cashier Location: SD

Print Date: 11/21/2018 12:12 pm

Payment Summary

Table with 2 columns: Description, Amount. Rows: Total Fees: \$3,218.00, Total Payments: \$3,218.00, Balance: \$0.00

Payment

CHECK PAYMENT \$3,218.00

Total Payments \$3,218.00

Miscellaneous Item

FISH & WILDLIFE FEES

Fees: Fish & Wildlife County Administrative Fee \$50.00
Fees: Fish & Wildlife Environmental Impact Report \$3,168.00
Total Fees Due: \$3,218.00

Grand Total - All Documents: \$3,218.00

THE BACK OF THIS CHECK CONTAINS A SECURITY MARK. DO NOT ACCEPT WITHOUT HOLDING AT AN ANGLE TO VERIFY SECURITY MARK.



# THE CITY OF SAN DIEGO

AMERICA'S FINEST CITY

BANK OF AMERICA  
NORTHBROOK, ILLINOIS  
COMMERCIAL DISBURSEMENT ACCOUNT

WARRANT CHECK NO. 0001672886

GENERAL  
79-2328 10/08/2018  
719

AMOUNT  
\$ 3,218.00

PAY \*\* THREE THOUSAND TWO HUNDRED EIGHTEEN DOLLARS \*\*\*\*\*

TO THE ORDER OF  
SAN DIEGO COUNTY ASSESSOR/RECORDING  
ATTN: ACCOUNTING UNIT

VOID AFTER 180 DAYS  
PAYMENT WARRANTED BY

*[Signature]*  
Chief Financial Officer  
*[Signature]*  
City Treasurer

⑈0001672886⑈ ⑆071923284⑆ 7765201321⑈