



THE CITY OF SAN DIEGO

MEMORANDUM

DATE: September 3, 2016

TO: City of San Diego Hearing Officer

FROM: Ollie Shepherd, Development Project Manager, Development Services Department

SUBJECT: 0 Benton Place (APN: 440-110-1600) – Project No. Prj-1113452, Issues and Community Plan Analysis

This memorandum provides corrections to the Hearing Officer Staff Report prepared for PRJ-1113452. The following summarizes the corrections:

Staff Report – Issue: Page 1

Staff Report – Community Plan Analysis: Page 4

On page 1, the last sentence of the Issue section identifies the project is located in the Mid-City Normal Heights Communities Plan, and this was updated to correctly reflect the name of the community plan to [Mid-City Communities Plan: Normal Heights](#). On Page 4, the first sentence of the Community Plan Analysis section identifies the Mid-City Communities Plan but omits the specific community plan area for the project. The sentence is also incomplete, with the community plan designation inadvertently omitted.

Revision to the first sentence of the Community Plan Analysis section:

Replaced:

“The project is within the [Mid-City Communities Plan](#) (Community Plan) and is designated as...”

With:

“The project is within the [Mid-City Communities Plan: Normal Heights](#) (Community Plan) and is designated as Single-Family Residential, recommending 1–5 dwelling units per acre.”

Thank you.

Ollie Shepherd

Development Project Manager



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: September 1, 2026 REPORT NO. HO-26-043

HEARING DATE: September 9, 2026

SUBJECT: 0 BENTON PLACE (APN: 440-110-1600), PROCESS THREE DECISION

PROJECT NUMBER: [PRJ-1113452](#)

OWNER/APPLICANT: LUIS A. ESPINOZA

SUMMARY

Issue: Should the Hearing Officer approve a Site Development Permit and Easement Vacation to vacate an existing public sewer easement and construct a 1,680-square-foot, one-story single-dwelling unit with a detached two-story building containing two 600-square-foot Accessory Dwelling Units (ADUs) on a vacant lot located at [0 Benton Place \(Assessor's Parcel Number: 440-110-1600\)](#) within the [Mid-City Communities Plan: Normal Heights](#).

Proposed Actions:

1. APPROVE Site Development Permit No. PMT-3283998 and Easement Vacation No. PMT-3283997.

Fiscal Considerations: None. All costs associated with the processing of the application will be paid by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement:

The project will result in the construction of a 1,680-square-foot, one-story single-dwelling-unit with a detached two-story building containing two 600-square-foot Accessory Dwelling Units (ADUs), one market-rate and one deed-restricted affordable. The Land Use Element of the [Mid-City Communities Plan](#) recommends using companion units to meet affordable housing goals. ADUs do not count toward the zoning density, pursuant to San Diego Municipal Code (SDMC) Section 141.0302(b)(6), but they do increase the number of dwelling units.

The project shall enter into an affordable housing agreement with the San Diego Housing Commission to provide one affordable ADU in compliance with the City's ADU Bonus Program (SDMC 141.0302). The ADU regulations at the time of submittal permitted one ADU by-right for a

single dwelling unit lot, but additional ADUs could be proposed through the City's ADU Bonus Program. For sites located outside the sustainable development area (SDA), as is the case here, a maximum of one affordable and one bonus ADU is permitted per SDMC 141.0302(d)(1)(C). The Owner/Permittee shall provide one affordable ADU with rents of no more than 30 percent of 110 percent of Area Median Income for no fewer than 15 years. The unit mix and characteristics for the affordable bonus ADU, including, but not limited to, number of bedrooms, square footage, and amenities, must be comparable to the unit mix and characteristics for the unrestricted bonus ADUs in the project.

Community Planning Group Recommendation: On May 21, 2024, the Mid-City: Normal Heights Planning Group voted 8-0, with 0 abstentions, to recommend approval of the project without conditions.

Environmental Impact:

This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15303 (New Construction or Conversion of Small Structures). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on March 11, 2026, and the opportunity to appeal that determination ended on March 25, 2026.

BACKGROUND:

Location: The 0.73-acre site is located on the east side of Benton Place, west of Interstate 15.



Figure 1

Community Plan: The project is in the Normal Heights community of the Mid-City Communities Plan and is designated as Residential, and recommends 1-5 dwelling units per acre) and Open Space.

These designations would allow up to 1 dwelling unit on the project site, with only one being proposed.

Zoning: The site is within the RS-1-1 (Residential-Single Unit), RS-1-7, and OR-1-1 (Open Space Residential) zones, the Airport Land Use Compatibility Overlay Zone (Montgomery Field), a Transit Priority Area, the Airport Influence Area for Montgomery Field (Review Area 2), the Federal Aviation Administration Part 77 Noticing Area (Montgomery Field), the Multi-Habitat Planning Area (MHPA), Complete Communities Mobility Choices – Mobility Zone 2, and a Very High Fire Hazard Severity Zone.

DISCUSSION

Project Description:

The project proposes vacating an existing six-foot-wide public sewer easement totaling 430.56 square feet (0.01 acres) located at the rear of Lot 28, being easterly of Benton Place and west of Interstate 15, and constructing a 1,680-square-foot, one-story single-dwelling unit with a detached two-story building containing two, 600-square-foot ADUs: one ADU permitted by the underlying zoning regulations and one affordable bonus ADU as set forth in (SDMC § 141.0302(d)(1)(C)). The property is located outside the SDA and may propose a maximum of one affordable and one bonus ADU. (one market-rate ADU and one deed-restricted affordable ADU).

Sewer and water service will be provided via laterals within Benton Place. The project also proposes stormwater infrastructure, a driveway, a deck, and retaining walls. The project includes standard brush management, which includes a 35-foot Zone One and a 65-foot Zone Two. Trees and fencing located within the proposed Brush Management Zone One would be removed, along with an existing wall located toward the front of the lot.

Permits Required

- The project is subject to a Site Development Permit, which is required for the proposed development on a site that contains Environmentally Sensitive Lands (ESL) (Sensitive Biological Resources and Steep Hillsides), per [\(SDMC\) Section 126.0502\(a\)\(1\)\(B\)](#). Per [\(SDMC\) Section 126.0502\(a\)](#), a decision on a Site Development Permit shall be made in accordance with Process Three; and
- A decision on an application to vacate a public service easement requested in accordance with [\(SDMC\) Section 125.1010\(a\)](#) shall be made in accordance with Process Two. Per [\(SDMC\) 125.1030\(b\)](#), the decision is appealable to City Council.

Site Condition and Development Footprint

The property contains Environmentally Sensitive Lands, including sensitive biological resources and steep hillsides. The project has a total development footprint of 2,880 square feet on the 31,798-square-foot lot. Construction will occur on the upper and middle northeast portion of the lot along Benton Place, and the project has been designed to avoid structural encroachment near the steep hillside.

In accordance with ([SDMC Section 131.0431](#)) Table 131-04D, Footnote 1, the project is permitted a reduced front-yard setback from 20 feet to 6 feet, allowing the proposed residence to be located closer to the street. The site lies partially within the Multi-Habitat Planning Area (MHPA); therefore, the development must comply with all applicable MHPA Land Use Adjacency Guidelines and conditions of coverage for MSCP-covered species with the potential to occur on-site.

Lighting, drainage, landscaping, grading, access, and noise, including conditions of coverage for the coastal California gnatcatcher and Cooper's hawk, have all been conditioned to avoid adverse effects on the MHPA, as detailed in the Biological Assessment Report and permit conditions. A Covenant of Easement (COE) will be recorded over areas outside the development footprint containing ESL. The site is physically suitable for development, and the project design minimizes disturbance to environmentally sensitive lands.

Community Plan Analysis:

The project is within the [Mid-City Communities Plan: Normal Heights](#) (Community Plan) and is designated as Single-Family Residential and recommends (1-5 dwelling units per acre).

A Residential Land Use policy (page 98) recommends to "consider the use of companion units or 'granny flats,' as defined and regulated by the Municipal Code, as a method of meeting affordable housing goals." The project proposes one market-rate ADU and one deed-restricted affordable ADU; therefore, it meets the Community Plan's Residential Land Use policy.

The Community Plan also recommends, "fostering well-designed and maintained development in existing neighborhoods" (page 96) and "ensuring that new development is consistent with the neighborhood vision" (page 97). The project meets these recommendations by orienting the structure west of the steep hillside and canyon, respecting the relationship of the canyon and hillside. Additionally, the single-story dwelling unit and two-story ADU structure follows the west contours of the existing hillside topography by placing the primary dwelling unit on the west side of the property. The design orientation will maintain a connection to the surrounding open space by incorporating natural elements, such as stone pavers and earthy tones.

The proposed development complies with the development standards for floor area ratio, height, and is consistent with the established neighborhood scale and character. The project's contemporary design is appropriate for the neighborhood, as there are other examples of this design type that align with the Community Plan's varied housing styles, including northeast of the subject site on Benton and 35th Street. The flat roof reduces the main structure's bulk, and the detached structure's streamlined, pitched roof creates a harmonious visual relationship with the horizon and surrounding established residential properties.

Conclusion:

All issues raised during the review process have been addressed, and the project conforms with the

regulations of the Land Development Code and policies of the Community Plan. City staff recommends that the Hearing Officer approve Site Development Permit PMT-3283998 and Easement Vacation No. PMT-3283997.

ALTERNATIVES

1. Approve Site Development Permit No. PMT-3283998 and Easement Vacation No. PMT-3283997 with modifications.
2. Deny Site Development Permit No. PMT-3283998 and Easement Vacation No. PMT-3283997 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Ollie Shepherd", is written over a horizontal line.

Ollie Shepherd
Development Project Manager
Development Services Department

Attachments:

1. Aerial Photographs
2. Community Plan Land Use Map
3. Project Location Map
4. Draft Permit with Conditions
5. Draft Resolution with Findings
6. Draft Easement Vacation Resolution with Conditions
7. Environmental Notice of Right to Appeal
8. Ownership Disclosure Statement
9. Project Plans