



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: December 11, 2019 REPORT NO. HO-19-114

HEARING DATE: December 18, 2019

SUBJECT: 1217 LINCOLN AVE TMW. - Process Three Decision

PROJECT NUMBER: [414646](#)

OWNER/APPLICANT: William Brauer

SUMMARY

Issue: Should the Hearing Officer approve a Tentative Map Waiver for the conversion of two residential dwellings into two residential condominium units; and to waive the requirements to underground existing utilities, located at 1215-1217 Lincoln Avenue, within the Uptown Community Plan Area?

Staff Recommendations: APPROVE Tentative Map Waiver No. 1459398 and approve a requested waiver of the requirement to underground overhead utilities.

Community Planning Group Recommendation: On June 2, 2015, the Uptown Planners voted 12-0-1 to recommend approval of the proposed project without conditions.

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (k)(Existing Facilities). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made November 15, 2019, and the opportunity to appeal that determination ended December 2, 2019.

BACKGROUND

The 0.161-acre project site is currently developed with two residential condominium units, unit one is 1,105 square feet and unit two 1,564 square feet. The proposal would convert the two single-family dwelling units into two residential condominium units. The project site is located at 1215-1217 Lincoln Avenue in the MCCPD-MR-3000 Zone, the Residential Tandem Parking Overlay zone and Transit Area Overlay zone, within the Uptown Community Planning area, and legally described as Parcel 1 of Parcel Map No. 21670

The project site is within an urban, developed residential neighborhood, surrounded by single and multi-family development on all sides. At the time of building permit issuance, the applicant paid an in-lieu fee to comply with the City's Affordable Housing Regulations.

During ministerial review, the project was determined to be in compliance with all underlying zone regulations, including, but not limited to, height, floor area ratio, parking, setbacks and landscaping. The Tentative Map Waiver would allow for the conversion of condominium units for home ownership opportunities and does not affect the previously approved building permit.

DISCUSSION

The proposed subdivision of two condominium units on a single parcel that was previously mapped requires a Tentative Map Waiver pursuant to SDMC Section [125.0120\(b\)\(1\)](#). A Tentative Map Waiver requires a Process Three, Hearing Officer decision, with appeal rights to the Planning Commission. The project complies with the applicable development regulations. The project site is fully developed and does not contain any form of Environmentally Sensitive Lands. The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 1503 (Existing Facilities).

Community Plan Analysis

The Uptown Community Plan shows the site has a Residential land use designation with a low-medium density of 10-15 du/ac. The property has two units on a 0.16-acre site, or approximately 12 du/ac, which is consistent with the community plan land use density for the site.

Underground Waiver

SDMC section [144.0240](#) requires Tentative Map Waiver projects to underground existing, privately-owned utilities serving a subdivision. However, a waiver of this requirement can be considered by the decision maker concurrently with a Tentative Map Waiver approval. The applicant has requested a waiver of the requirement to underground existing public utilities within the right-of-way per SDMC [144.0242\(c\)\(1\)\(B\)](#). Staff supports granting the waiver because the conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility. The City's Undergrounding Program identifies this area as the UHTS-07 with an unallocated construction date.

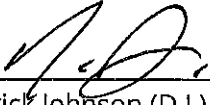
CONCLUSION

Staff recommends approval of the project as proposed. According to SDMC Section [125.0440](#), Findings for a Tentative Map, the decision maker may approve a Tentative Map Waiver if the decision maker finds that the proposed subdivision complies with the requirements of the Subdivision Map Act and the Land Development Code. Staff has reviewed the proposed subdivision and determined that it complies with both the Subdivision Map Act and the Land Development Code. Staff has prepared draft findings and draft conditions of approval (attachments 5 and 6), and recommends the Hearing Officer approves Tentative Map Waiver No. 1459398.

ALTERNATIVES

1. Approve Tentative Map Waiver No. 1459398, with modifications.
2. Deny Tentative Map Waiver No. 1459398, if the findings required to approve the project cannot be affirmed.

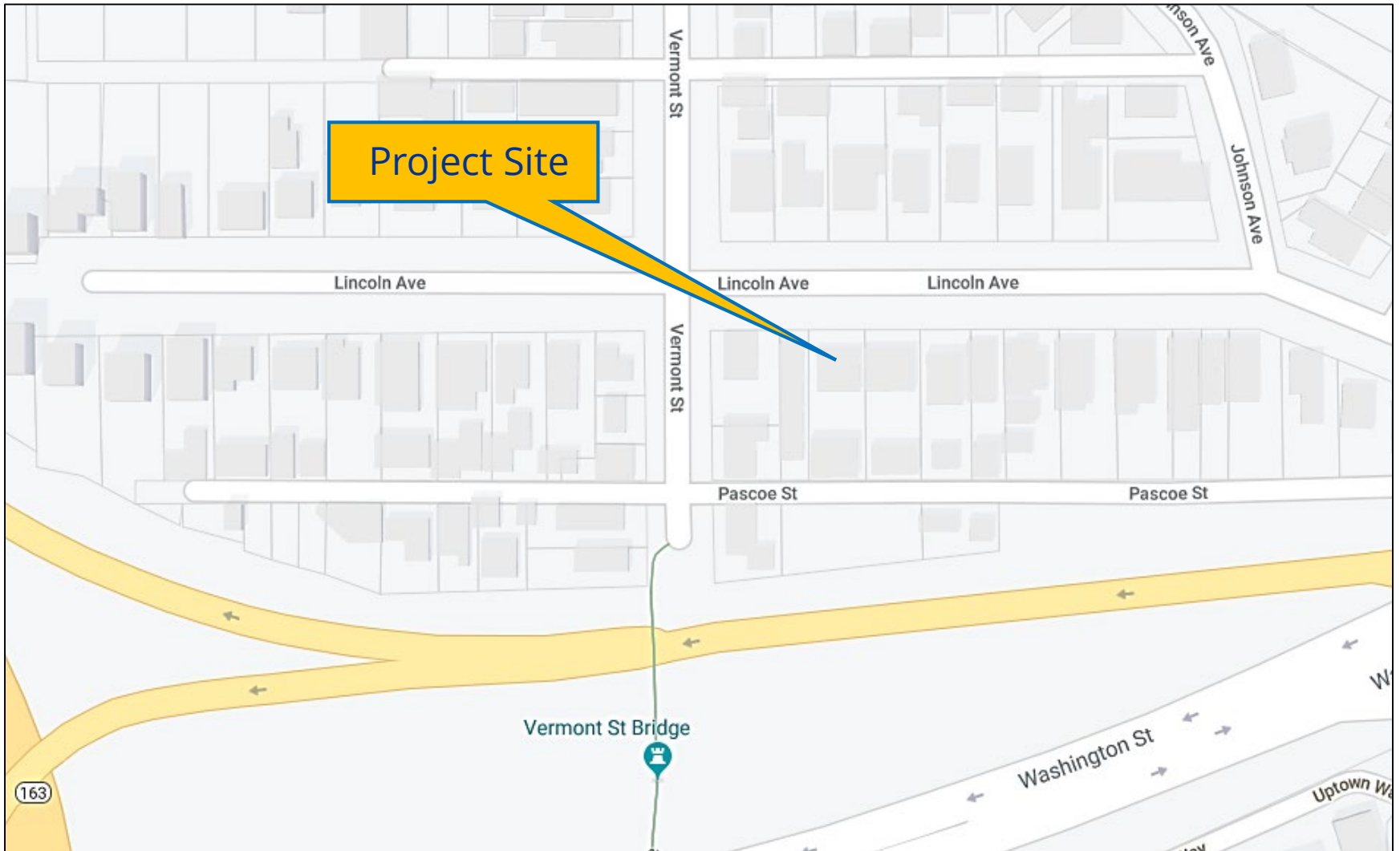
Respectfully submitted,



Derrick Johnson (D.J.), Development Project Manager

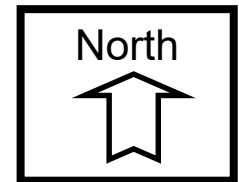
Attachments:

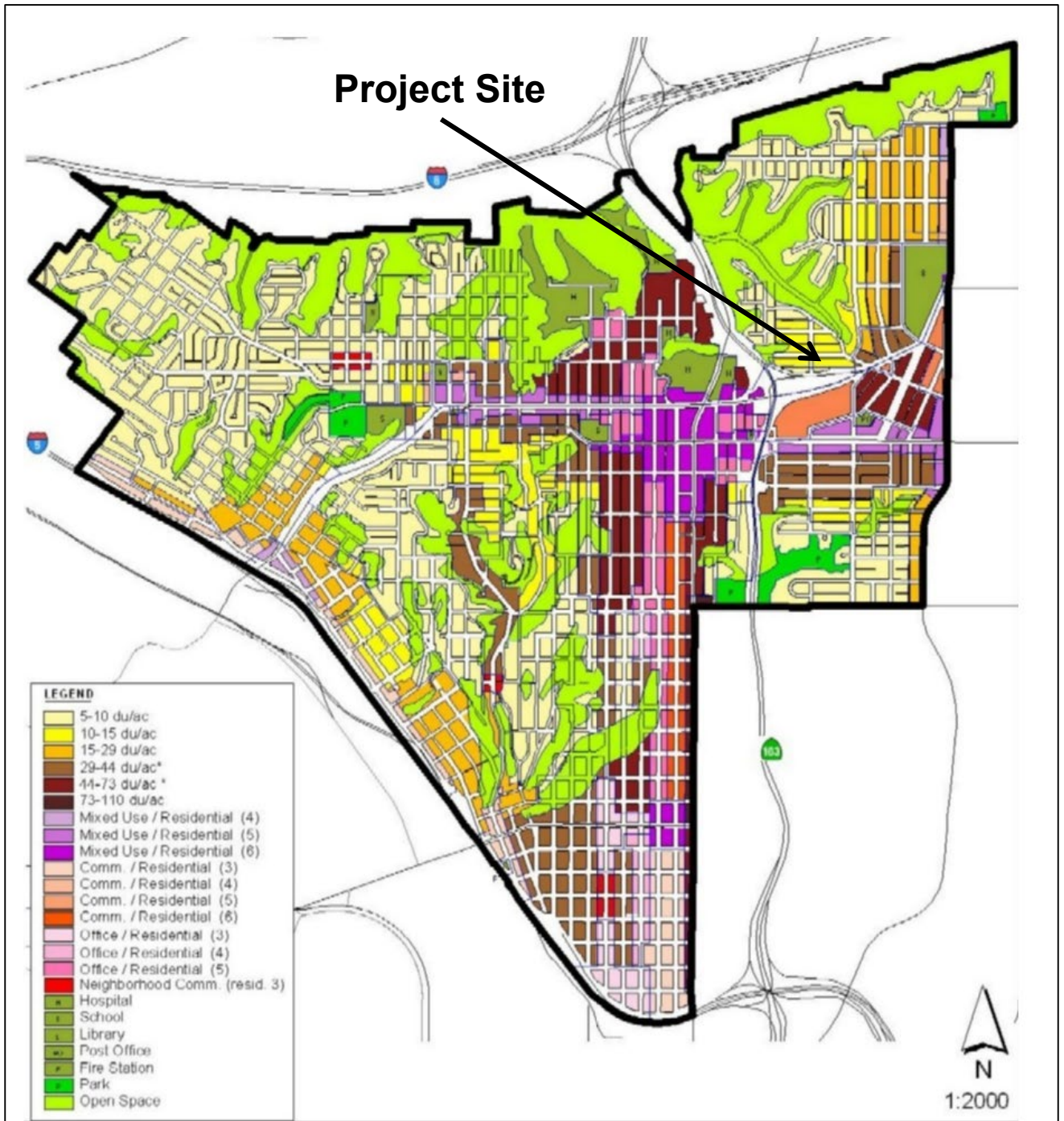
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Project Data Sheet
5. Draft Map Resolution
6. Draft Map Conditions
7. Environmental Exemption
8. Community Planning Group Recommendation
9. Ownership Disclosure Statement)
10. Tentative Map Waiver



Project Location Map

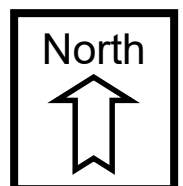
1217 Lincoln Ave TMW/ 1215-1217 Lincoln Avenue
PROJECT NO. 414646

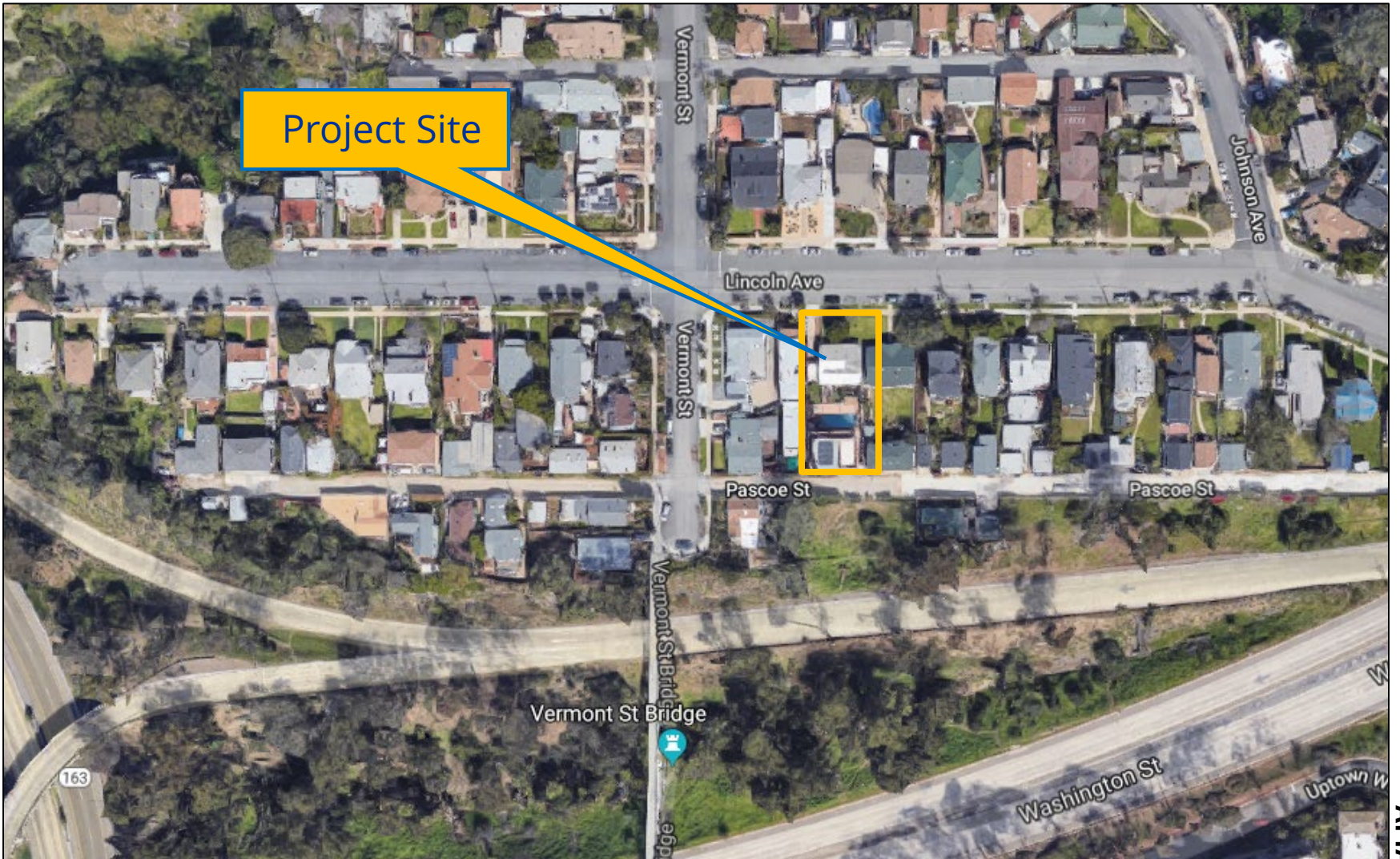




Land Use Map

1217 Lincoln Ave TMW / 1217 Lincoln Avenue
PROJECT NO. 414646





Project Site

Lincoln Ave

Johnson Ave

Vermont St

Vermont St

Pascoe St

Pascoe St

Vermont St Bridge

Washington St

Uptown W

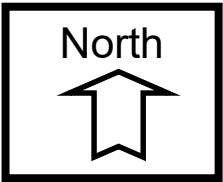
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Aerial Photo

1217 Lincoln Ave TMW/ 1215-1217 Lincoln Avenue

PROJECT NO. 414646



PROJECT DATA SHEET		
PROJECT NAME:	1217 Lincoln Ave TMW	
PROJECT DESCRIPTION:	Tentative Map Waiver for the conversion of two residential dwellings into two residential condominium units; and to waive the requirements to underground existing utilities	
COMMUNITY PLAN AREA:	Uptown	
DISCRETIONARY ACTIONS:	Tentative Map Waiver	
COMMUNITY PLAN LAND USE DESIGNATION:	Residential: Low/Medium Density (10 – 15 du/ac)	
<u>ZONING INFORMATION:</u>		
ZONE: MR-3000 HEIGHT LIMIT: 30 Feet LOT SIZE: 0.161 Acres FLOOR AREA RATIO: .40 FRONT SETBACK: 10 Feet SIDE SETBACK: 5 Feet REAR SETBACK: 4 Feet PARKING: 4 Spaces		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Residential: Low/Medium Density (10 – 15 du/ac)	Residential
SOUTH:	Residential: Low/Medium Density (10 – 15 du/ac)	Residential
EAST:	Residential: Low/Medium Density (10 – 15 du/ac)	Residential
WEST:	Residential: Low/Medium Density (10 – 15 du/ac)	Residential
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On June 2, 2015, the Uptown Planners voted 12-0-1 to recommend approval of the proposed project without conditions.	

HEARING OFFICER RESOLUTION NUMBER R-_____

TENTATIVE MAP WAIVER No. 1459398- PROJECT No. 414646.

WHEREAS, William Brauer, Subdivider, Landmark Engineering Corporation, Engineer, submitted an application to the City of San Diego for a Tentative Map Waiver No. 1459398 for the conversion of two residential dwellings into two residential condominium units, 1217 Lincoln Ave. Tentative Map Waiver, and to waive the requirement to underground existing offsite overhead utilities. The project site is located at 1215-1217 Lincoln Avenue in the MCCPD-MR-3000 Zone, the Residential Tandem Parking Overlay zone and Transit Area Overlay zone, within the Uptown Community Planning area. The property is legally described as Parcel 1 of Parcel Map No. 21670, filed in the office of the County Recorder of San Diego County on April 2, 2019, official records; and

WHEREAS, the Map proposes the Subdivision of 0.16-acre project site into two residential condominiums units; and

WHEREAS, on December 18, 2019, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act [CEQA] (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15301 (k), Existing Facilities, and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineer pursuant to Subdivision Map Act section 66491(a) and San Diego Municipal Code sections 144.0220(a) and 144.0220(b); and

ATTACHMENT 5

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 4125 and filed pursuant to the Subdivision Map Act. The total number of residential condominium units is two; and

WHEREAS, the request to waive the undergrounding of existing overhead utilities has been determined to be appropriate pursuant to San Diego Municipal Code section 144.0242(c) based on a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility; and

WHEREAS, on December 18, 2019, the Hearing Officer of the City of San Diego considered Tentative Map Waiver No. 1459398, and pursuant to Hearing Officer Resolution No. __ the Hearing Officer voted to approve the map; and

WHEREAS, December 18, 2019 the Hearing Officer of the City of San Diego considered Tentative Map Waiver No. 1459398, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to San Diego Municipal Code sections 125.0440, 125.0444, and 144.0240 and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Hearing Officer having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Tentative Map Waiver No. 1459398:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

The project proposes a Tentative Map Waiver to create two residential condominium units.

The 0.16-acre site is located at 1215-1217 Lincoln Avenue in the MCCPD-MR-3000 Zone, the Residential Tandem Parking Overlay zone and Transit Area Overlay zone, within the Uptown

Community Planning area. The proposed Tentative Map Waiver is to create residential condominiums units for individual ownership. The proposed project is consistent with the land use residential designation of the Uptown Community Plan. The Uptown Community Plan shows the site has a residential land use designation with a low-medium density of 10-15 du/ac. The property has two units on a 0.16-acre site, or approximately 12 du/ac, which is consistent with the community plan land use density for the site. Therefore, the creation of two residential condominium units will not adversely affect the Uptown Community Plan allowed land use and the base zone allowed density. The Uptown Community Plan recommends a diversity of housing options. The proposed subdivision to residential condominiums provides variety and affordable home ownership opportunities in the area. Therefore, the proposed subdivision and its design or improvements are consistent with the policies, goals and objectives of the applicable land use plan.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

The project proposes a Tentative Map Waiver to create two residential condominium units. The 0.16-acre site is located at 1215-1217 Lincoln Avenue in the MCCPD-MR-3000 Zone, the Residential Tandem Parking Overlay zone and Transit Area Overlay zone, within the Uptown Community Planning area. The proposed Tentative Map Waiver will create residential condominiums units for individual ownership. The density per the RM- 1-1 base zone allows a maximum of 12 dwelling units per acre with no required minimum density.

The 1215 single family residential unit was constructed in 1930 and met all Municipal Code regulations at that time. Subsequently an additional unit was constructed on the second parcel. The 1217 residential dwelling unit was constructed by right in accordance with the San Diego Municipal Code's base zone regulations. On January 13, 2009, the City of San Diego approved the residential development's ministerial construction permits under Project No. 166986 at 1217 Lincoln Avenue. During the ministerial review, Project No. 166986 for the construction of a single family residential unit was determined to be in compliance with all of the underlying zone regulations, including, but not limited to density, height, floor area ratio, parking, setbacks, and landscaping and no deviations were proposed. The Tentative Map Waiver proposes condominiums for home ownership opportunities and does not affect the previously approved building permits. The project complies with lot depth, width and zone requirements and does not propose any deviations. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code.

3. The site is physically suitable for the type and density of development.

The proposed Tentative Map Waiver is to create residential condominiums units for individual ownership. The site is located in an urban, developed neighborhood, is served by existing public infrastructure/utilities, and fronts on the fully developed Lincoln Avenue. The project was constructed in compliance with all geologic, engineering, and building code requirements, as reviewed under the issued building permit (Project No. 166986). The approved construction permits also included a new gutter, curb and sidewalk with the installation of pedestrian ramp, alley apron, and utilities along Lincoln Avenue. Therefore, the site is physically suitable for the type and density of development.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The project was reviewed for conformance with the applicable zoning and development regulations of the Land Development Code. The site does not contain nor is adjacent to any fish or wildlife habitats, environmentally sensitive lands or Multiple Habitat Planning Area lands. The project is exempt from CEQA pursuant to CEQA Guidelines section 15301(k)(Existing Facilities). The project is located within an urbanized and built environment. Therefore, the design of the proposed subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare.

The project has been reviewed and is in compliance with the San Diego Municipal Code and the Subdivision Map Act. The Tentative Map Waiver includes conditions and corresponding exhibits of approvals relevant to adequate parking, public improvements, and payment of applicable fees in order to achieve compliance with the regulations of the SDMC. The site was constructed in compliance with all applicable geologic, engineering, and building code requirements, as reviewed under the issued building permit (Project No. 166986). The proposed subdivision is consistent with the development regulations of the underlying zone of the Land Development Code regulations, and permitted requirements continue to govern this project. Therefore, the design of the subdivision or the type of improvements will not be detrimental to the public, health, safety and welfare.

6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

The proposed subdivision does not contain any easements acquired by the public at large for access through or use of property within the subdivision. The site fronts on Lincoln Avenue and is accessed from Lincoln Avenue. Therefore, the design of the subdivision and proposed improvement would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

The proposed subdivision to create two residential condominium units will not impede or inhibit any future passive or natural heating and cooling opportunities. The units are existing and the building code provides opportunity through building materials, site orientation, architectural treatments, placement and selection of plant materials to provide, to the extent feasible, for future passive or natural heating and cooling opportunities. Each residential unit, is exposed on two sides (north and south) to ensure passive cooling through cross-ventilation for the interior spaces. Therefore, the design of the proposed subdivision provides sufficient future passive or natural heating and cooling opportunities.

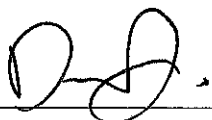
8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

The creation of two residential condominium units would assist the housing needs of the Uptown Community Area. All applicable Development Impact Fees (DIF), school, water/sewer connection, and other impact fees have been paid at building permit issuance under Project No. 166986. The applicant has complied with the City's Affordable Housing Regulations through payment of the in-lieu fee at the time of building permit issuance. The project is located in an urban, developed neighborhood and served by existing public infrastructure, including improved right-of-way and water, sewer, electrical, and gas lines. The subdivision would not place a significant impact on public resources such as police, fire, parks and library resources. The decision maker has reviewed the administrative record including the project plans, environmental documentation, and public testimony and considered the effects of the proposed subdivision on the housing needs of the region and determined that those needs were balanced against the needs for public services and the available fiscal and environmental resources.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Tentative Map Waiver No. 1459398, including the waiver of the requirement to underground existing offsite overhead utilities, hereby granted to William Brauer subject to the attached conditions which are made a part of this resolution by this reference.

By



Derrick Johnson (D.J.)
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24005698

HEARING OFFICER
CONDITIONS FOR TENTATIVE MAP WAIVER No. 1459398

1217 LINCOLN AVENUE TMW - PROJECT No. 414646

ADOPTED BY RESOLUTION No. R-_____ ON DECEMBER 18, 2019

GENERAL

1. This Tentative Map Waiver will expire on December 18, 2022.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Certificate of Compliance, unless otherwise noted.
3. Prior to the recordation of the Certificate of Compliance, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
4. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

CONDOMINIUM CONVERSION

5. The Subdivider shall provide a Notice of Tenants Rights and Notices for Condominium Conversion, consistent with the Land Development Manual to be provided as follows:
 - a. For existing tenants, within ten days of the project application for the condominium conversion being deemed complete; or
 - b. For prospective tenants, upon application for the rental of a unit in the proposed condominium conversion.
6. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the Subdivision Map Act.

ATTACHMENT 6

7. The Subdivider shall provide the tenants a Notice of Application for a Public Report at least ten days prior to the submittal to the Department of Real Estate [DRB], pursuant to Subdivision Map Act section 66427.1(a).
8. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion in conformance with Subdivision Map Act section 66427.1(a)(2)(E). The provisions of this subdivision shall not alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by California Civil Code sections 1941, 1941.1 and 1941.2.
9. The Subdivider shall provide the tenants of the proposed condominiums with written notification within ten days or approval of a Certificate of Compliance for the proposed conversion, in conformance with Subdivision Map Act section 66427.1(a)(2)(D).
10. The Subdivider shall give each tenant a notice of termination of tenancy sixty days prior to being required to vacate the property. (San Diego Municipal Code § 125.0431(a)(4)).
11. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Subdivision Map Act section 66427.1(a)(2)(F) and San Diego Municipal Code section 125.0431(a)(5). The right shall commence on the date the subdivision public report is issued, as provided in section 11018.2 of the Business and Professions Code, and shall run for a period of not less than 90 days, unless the tenant gives prior written notice of his or her intention not to exercise the right. (San Diego Municipal Code § 125.0431(a)(5)).
12. The Subdivider shall provide a copy of the Building Conditions Report to a prospective purchaser prior to the opening of an escrow account. (San Diego Municipal Code section 144.0504(c)).
13. Prior to the recordation of the Certificate of Compliance, the Subdivider shall demonstrate conformance with the San Diego Municipal Code provisions for building and landscape improvements (San Diego Municipal Code § 144.0507), to the satisfaction of the City Engineer.

ENGINEERING

14. The subdivider shall reconstruct the existing dirt/gravel alley adjacent to the site with current City Standard Drawing full width concrete alley.
15. The subdivider shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
16. The subdivider shall reconstruct the existing curb, with new curb and gutter per current City Standard, adjacent to the site on Lincoln Avenue.

17. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
18. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

19. A Certificate of Compliance (COC) shall be recorded with the County Recorder prior to the expiration date of the Tentative Map Waiver (TMW). Prior to the recordation of the Certificate of Compliance, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition.

20.

If a tax bond is required as indicated in the tax certificate, ensure that it is paid or posted at the County Clerk of the Board of Supervisors Office and supply proof prior to the recordation of the Certificate of Compliance. Prior to the issuance of a Certificate of Compliance, City staff will perform a field monument inspection to verify that all property corners are being marked with survey monuments. If any of the survey monument was missing, it must be replaced with a new monument, and a Corner Record or Record of Survey (whichever is applicable) shall be filed with the County Recorder pursuant to the Professional Land Surveyors Act. A copy of the filed Corner Record or Record of Survey must be submitted to satisfy this requirement prior to the approval and recordation of the Certificate of Compliance.

LANDSCAPE/BRUSH MANAGEMENT

21. Prior to the Certificate of Compliance Recordation, an inspection is required to verify landscape and irrigation installed as per Approval No. 589713.

INFORMATION:

- The approval of this Tentative Map by the Hearing Officer of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the

ATTACHMENT 6

City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.

- Subsequent applications related to this Tentative Map Waiver will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map Waiver, may protest the imposition within ninety days of the approval of this Tentative Map Waiver by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 24005698

NOTICE OF EXEMPTION

(Check one or both)

TO: Recorder/County Clerk
 P.O. Box 1750, MS A-33
 1600 Pacific Hwy, Room 260
 San Diego, CA 92101-2400

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 Name/Number: 1217 Lincoln Avenue TMW/ 414646

SCH No.: N.A.

Project Location-Specific: 1215-1217 Lincoln Avenue, San Diego, CA 92103

Project Location-City/County: San Diego/San Diego

Description of nature and purpose of the Project: Tentative Map Waiver (TMW) for the conversion of two detached residential units to condominiums; unit one is 1,105 square-feet and unit two is 1,564 square-feet. The project also proposes to waive the requirements to underground existing utilities. The 0.161-acre site is in the MR-3000 zone of the Uptown Community Plan, Mid-City Communities Planned District, Transit Area Overlay Zone, Residential Tandem Parking Overlay Zone, Very High Fire Hazard Severity Zones, Airport Influence Area (Review Area 2), and the Federal Aviation Administration (FAA) Part 77 Notification Area.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Rhett V. Butler, 1217 Lincoln Avenue, San Diego, CA 92103, (619) 806-0808

Exempt Status: (CHECK ONE)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- Categorical Exemption: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15301 (k), Existing Facilities.

Reasons why project is exempt: The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15301(k) which allows the division of existing multiple family or single-family residences into a common-interest ownership, where no physical changes occur which are not otherwise exempt. In addition; the exceptions listed in CEQA Section 15300.2 would not apply.

Lead Agency Contact Person: Rhonda Benally

Telephone: (619) 446-5468

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

It is hereby certified that the City of San Diego has determined the above activity to be exempt from CEQA



Signature/Title

Senior Planner

December 5, 2019

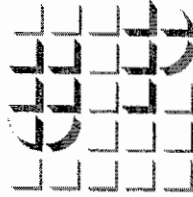
Date

Check One:

(X) Signed By Lead Agency

() Signed by Applicant

Date Received for Filing with County Clerk or OPR:



UPTOWN PLANNERS
MEMORANDUM OF MOTION
MOTION APPROVED ON JUNE 2, 2015
BY THE BOARD OF UPTOWN PLANNERS

Motion Approved By Uptown Planners on June 2, 2015:

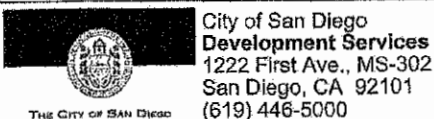
Uptown Planners recommended support of the following project at its June 2, 2015 meeting. The item was noticed on the agenda as follows:

- 1. 1217 LINCOLN AVENUE MAP WAIVER -- Process Three -- University Heights -- Map Waiver** for the conversion of two detached residential units to condominiums, unit one is 1,105-square feet and unit two is 1,564-square feet, and to waive the requirements to underground existing utilities located at 1215 & 1217 Lincoln Avenue. The 0.16-acre site is in the MR-3000 zone.

The applicant was present and spoke at the meeting. After public comment and board discussion, the board voted unanimously to approve.

Voting YES 12 Voting NO 0 Abstain 1 (non-voting chair)

Respectfully Submitted
Leo Wilson
Leo Wilson
Chair, Uptown Planners



Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other _____

Project Title _____ Project No. For City Use Only _____
 1215-1217 Lincoln Avenue

Project Address:
 1215-1217 Lincoln Avenue, San Diego, CA 92103

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached Yes No

Name of Individual (type or print):
 William Brauer
 Owner Tenant/Lessee Redevelopment Agency
 Street Address:
 1215 Lincoln Avenue
 City/State/Zip:
 San Diego, CA 92103
 Phone No: * 619-722-3139 Fax No:
 Signature: *[Signature]* Date: 3-9-15

Name of Individual (type or print):
 Rahim Panjwani
 Owner Tenant/Lessee Redevelopment Agency
 Street Address:
 1215 Lincoln Avenue
 City/State/Zip:
 San Diego, CA 92103
 Phone No: * 619-957-9280 Fax No:
 Signature: *[Signature]* Date: 3-9-15

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
 Street Address:
 City/State/Zip:
 Phone No: Fax No:
 Signature: Date:

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
 Street Address:
 City/State/Zip:
 Phone No: Fax No:
 Signature: Date:

TENTATIVE MAP WAIVER NO. 1459398

1215-1217 LINCOLN AVENUE CONDOMINIUMS P.T.S. 414646

PROJECT NOTES:

- THE SUBDIVIDER SHALL PROVIDE A LETTER, AGREEING TO PREPARE CC&Rs FOR THE OPERATION AND MAINTENANCE OF ALL PRIVATE WATER AND SEWER FACILITIES THAT SERVE OR TRAVERSE MORE THAN A SINGLE CONDOMINIUM UNIT OR LOT.

PROJECT NOTE:

THE PROJECT CONSISTS OF 2 TWO-BEDROOM / TWO BATH UNITS.

THIS IS A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4125 ET SEQ. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND FILED PURSUANT TO THE SUBDIVISION MAP ACT. THE TOTAL NUMBER OF RESIDENTIAL CONDOMINIUM DWELLING UNITS ON THIS SITE IS TWO.

THE PROJECT CONSISTS OF 4 OFFSTREET PARKING SPACES

NUMBER OF EXISTING LOTS = 1
 NUMBER OF PROPOSED LOTS = 1
 EXISTING EASEMENTS - NONE

1215 LINCOLN AVENUE: YEAR BUILT 1930
 1217 LINCOLN AVENUE: YEAR BUILT 2009

LEGAL DESCRIPTION:

PARCEL 1 OF PARCEL MAP NO. 21670, IN THE CITY OF SAN DIEGO COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

ZONE

BASE ZONE: MR 3000
 PLANNED DISTRICT: MCCPD
 COMMUNITY PLAN: UPTOWN
 TANDEM PARKING OVERLAY ZONE
 TRANSIT OVERLAY ZONE
 AIRPORT INFLUENCE AREA (SAN DIEGO INTERNATIONAL AIRPORT - REVIEW AREA 2)
 FAA PART 77 NOTIFICATION AREA (SAN DIEGO INTERNATIONAL AIRPORT)

AREA

0.161 ACRES

OWNER/DEVELOPER:

WILLIAM BRAUER & RAHIM PANJWANI
 1215 LINCOLN AVENUE
 SAN DIEGO, CA 92103

SITE ADDRESS

1215-1217 LINCOLN AVENUE
 SAN DIEGO, CA 92103

WILLIAM BRAUER DATE
 OWNER

COORDINATE INDEX

LC: 214-1721
 NAD83: 1854-6281

RAHIM PANJWANI DATE
 OWNER

UNIT DATA TABLE

UNIT	S.F.	BR	PKG PER 142-05C	PKG PROV
1215 LINCOLN AVENUE	1105	2	2.0	
1217 LINCOLN AVENUE	1564	2	2.0	
TOTAL	2669		4.0	4.0

UTILITY TABLE:

ELECTRIC - OVERHEAD
 GAS - UNDERGROUND
 CABLE - OVERHEAD

TOPOGRAPHY:
 TOPOGRAPHY SHOWN HEREON IS PER A FIELD SURVEY PERFORMED BY OR UNDER THE DIRECTION OF LAWRENCE E. COLE LS 5097 EXP. 6/30/15

MONUMENTATION & MAPPING:
 ALL PROPERTY CORNERS WILL BE SET AND A PARCEL MAP WILL BE FILED. A DETAILED PROCEDURE OF SURVEY WILL BE SHOWN ON THE PARCEL MAP.

BASIS OF BEARINGS:
 THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NORTHERLY LINE OF LINCOLN AVENUE, ACCORDING TO CORNER RECORD NO. 27142. I.E. N90°00'00"W

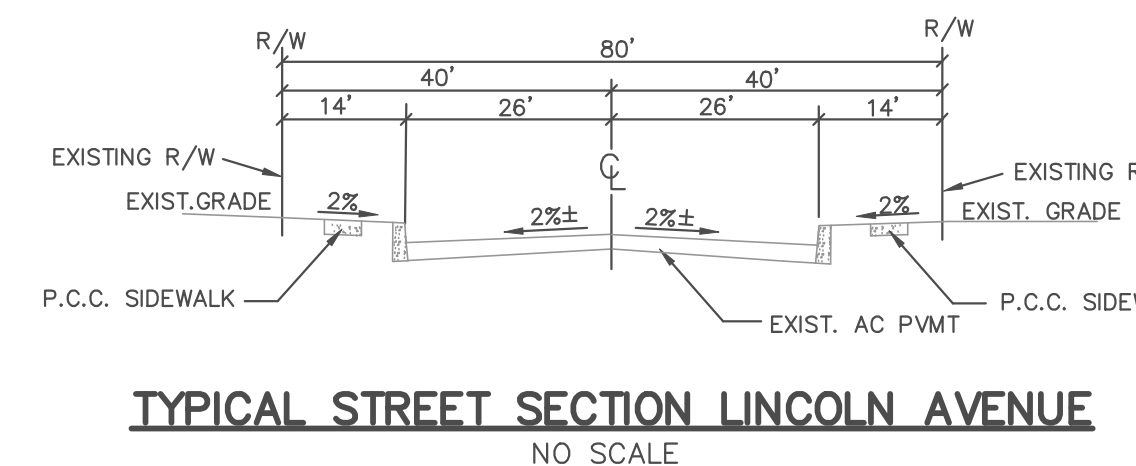
TITLE REPORT BY:
 LAWYERS TITLE
 FILE NO.: 314322593

LANDSCAPE NOTE:

A LANDSCAPE FIELD INSPECTION WILL BE REQUIRED PRIOR TO RECORDATION OF THE CERTIFICATE OF COMPLIANCE TO VERIFY ALL REQUIRED LANDSCAPING IS INSTALLED.

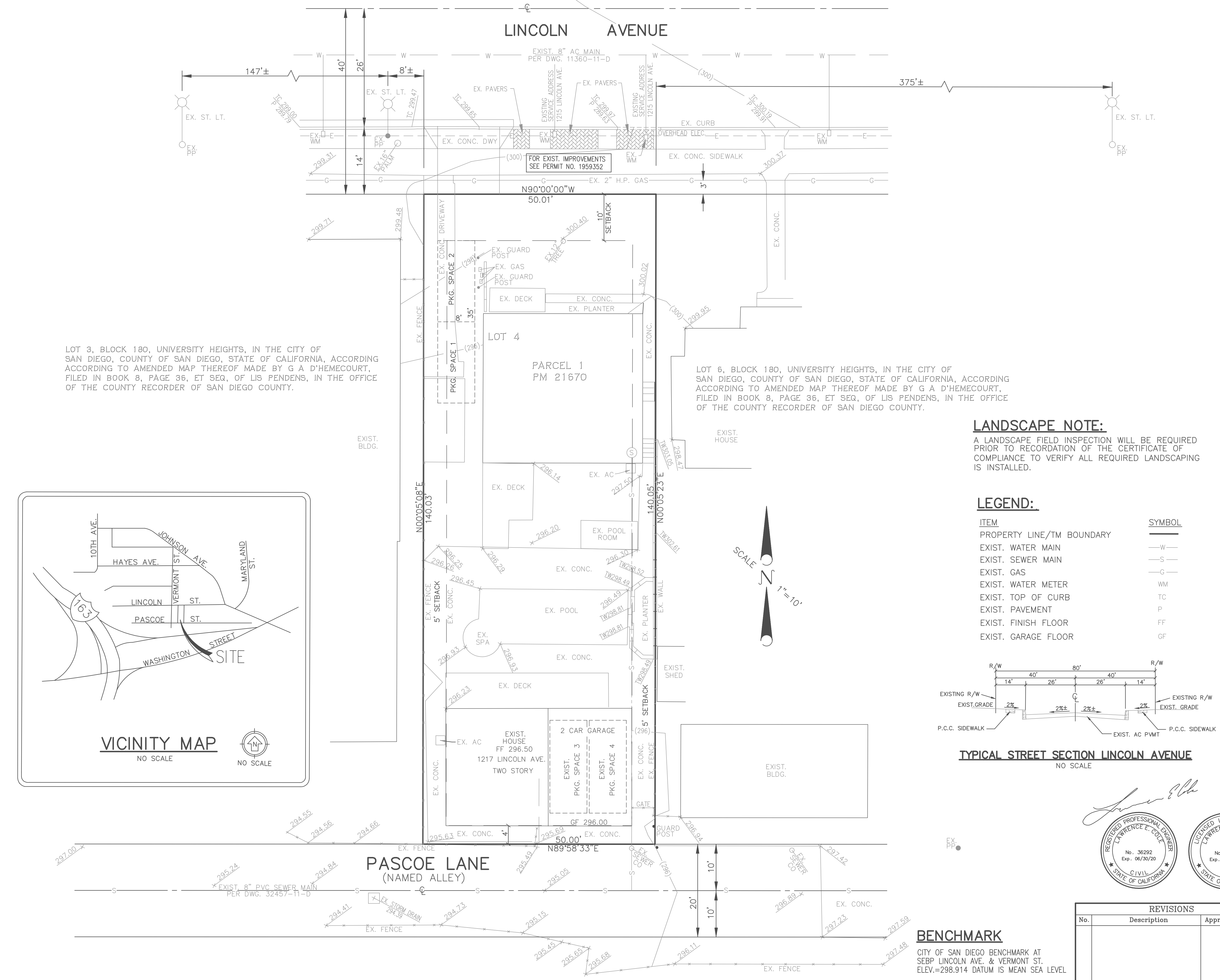
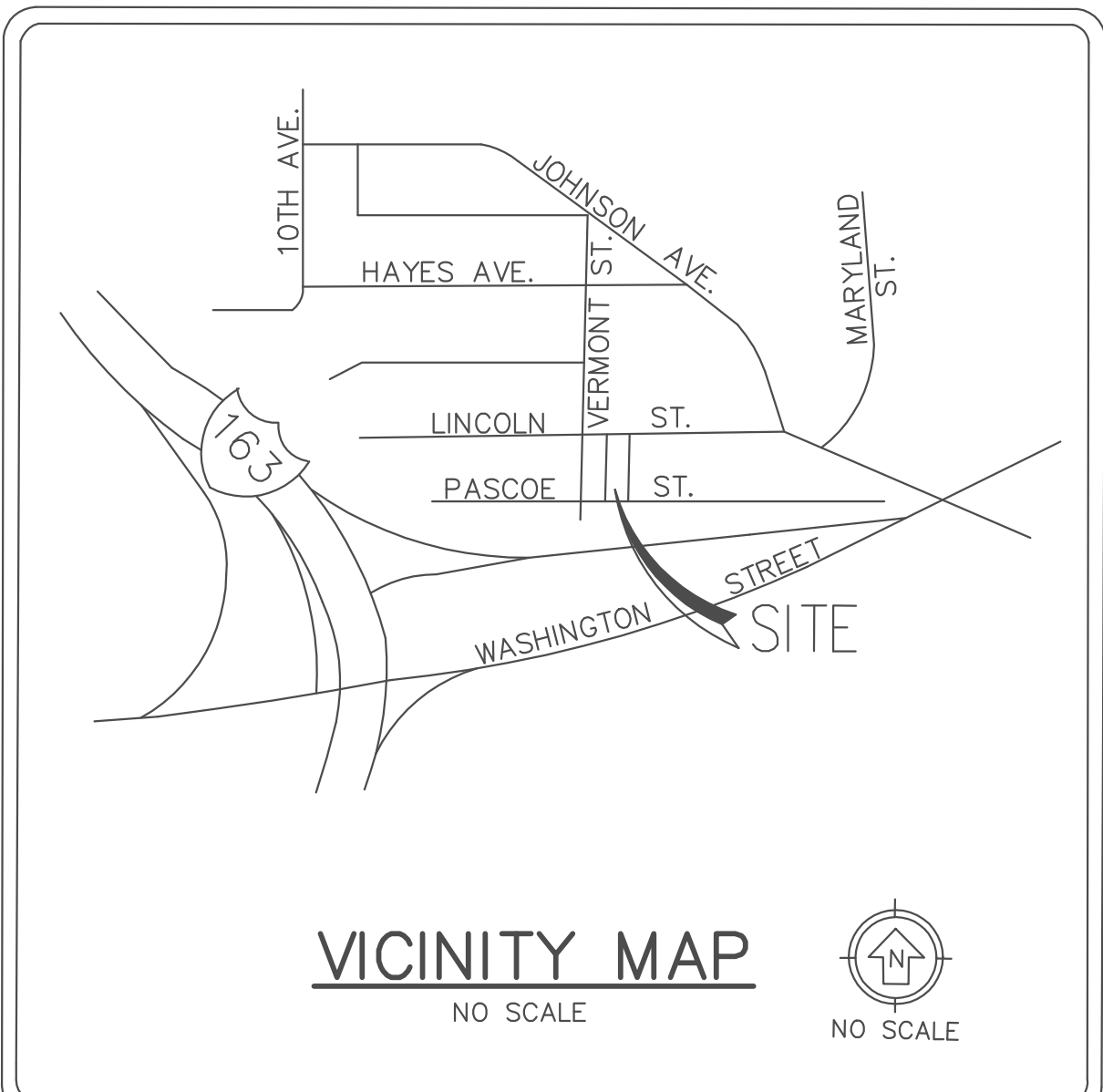
LEGEND:

ITEM	SYMBOL
PROPERTY LINE/TM BOUNDARY	---
EXIST. WATER MAIN	—W—
EXIST. SEWER MAIN	—S—
EXIST. GAS	—G—
EXIST. WATER METER	WM
EXIST. TOP OF CURB	TC
EXIST. PAVEMENT	P
EXIST. FINISH FLOOR	FF
EXIST. GARAGE FLOOR	GF



LOT 3, BLOCK 180, UNIVERSITY HEIGHTS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO AMENDED MAP THEREOF MADE BY G A D'HEMECOURT, FILED IN BOOK 8, PAGE 36, ET SEQ, OF LIS PENDENS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

LOT 6, BLOCK 180, UNIVERSITY HEIGHTS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO AMENDED MAP THEREOF MADE BY G A D'HEMECOURT, FILED IN BOOK 8, PAGE 36, ET SEQ, OF LIS PENDENS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.



BENCHMARK
 CITY OF SAN DIEGO BENCHMARK AT
 SEBP LINCOLN AVE. & VERMONT ST.
 ELEV.=298.914 DATUM IS MEAN SEA LEVEL

REVISIONS			
No.	Description	Approved	Date

APN: 445-480-05 P.T.S. 414646

TENTATIVE MAP WAIVER FOR:

1215-1217 LINCOLN AVENUE

PREPARED FOR:
 RHETT V. BUTLER
 1217 LINCOLN AVENUE
 SAN DIEGO, CA 92103
 PH. (619) 806-0808

LANDMARK ENGINEERING CORPORATION
 3443 Camino Del Rio South
 Suite 204
 San Diego, CA 92108
 Ph. (619) 260-0420
 FAX (619) 260-0456

Sht 1 of 1 Date: 4/12/19 Dwn. MC Apr. LEC Dwg. No. 2387-T-1