



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: October 13, 2021 REPORT NO. HO-21-048

HEARING DATE: October 20, 2021

SUBJECT: NEWTON TENTATIVE MAP, PROCESS THREE

PROJECT NUMBER: [622389](#)

OWNER/APPLICANT: David Andrews/Alidade Engineering

### SUMMARY

Issue: Should the Hearing Officer approve the conversion of three existing dwelling units into condominium units, and a waiver to the requirement to underground existing utilities, located at 3144-3148 Newton Avenue in the Southeastern San Diego Community Planning Area?

Staff Recommendation: Approve Tentative Map No. 2503383 and a waiver of the requirement to underground existing off-site overhead utilities.

Community Planning Group Recommendation: On November 9, 2020, the Southeastern San Diego Planning Group approved the project 9-0, with no conditions (Attachment 7).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301, Existing Facilities, and 15304, Minor Alterations to Land. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on September 17, 2021, and the opportunity to appeal that determination ended October 1, 2021 (Attachment 6).

Fiscal Impact Statement: All costs associated with this project are paid for by a flat fee provided by the applicant at the time of submittal of the project.

Code Enforcement Impact: None with this action.

## BACKGROUND

The 0.193-acre site is located at 3146-3148 Newton Avenue (Attachment 1), in the RM-1-1 zone and the Residential - Low Medium (10-14 du/ac, Attachment 2) land use designation within the [Southeastern San Diego Community Plan](#) (SSDCP). The site is currently developed with three units. The three units on the site will remain. The units were built in 1908 and 1923 and a review of the existing site was conducted by City staff to determine if potential significant historic resources exist on the site in accordance to San Diego Municipal Code (SDMC) section [143.0212](#). Based on the documentation provided, staff determined the property does not meet local designation criteria as an individually significant historic resource under any adopted Historic Resources Board criteria.

Adjacent properties to the north are zoned CN-1-3 and designated Office Commercial by the SSDCP. Properties to the east and west are the same zone and designation as the project site, and Interstate 5 is to the south. The general neighborhood contains a mix of residential and commercial/retail uses.

## DISCUSSION

The proposed project proposes a tentative map for the creation of three residential condominium units per [SDMC section 125.0420](#), and a request to waive the requirement to underground existing overhead utilities pursuant to [SDMC section 144.0242](#). Pursuant to [SDMC section 125.0430](#) the project requires a Process Three Hearing Officer decision, which is appealable to the Planning Commission.

The project complies with all applicable sections of the San Diego Municipal Code, including the condominium conversion regulations in Chapter 14, Article 4, Division 5 which outline requirements for tenant notice, landscaping and building conditions. No deviations are requested with this Tentative Map. The request to waive the requirement to underground existing utilities is appropriate pursuant to [SDMC section 144.0242\(c\)\(1\)\(B\)](#) 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. Existing tenants will receive all required notice.

According to [SDMC 125.0440](#), Findings for a Tentative Map, the decision maker may approve a Tentative Map if the decision maker finds that the proposed subdivision complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed subdivision and determined that this is the case.


## CONCLUSION

Staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings and conditions (Attachment 4) and recommends the Hearing Officer approve the project as proposed.

ALTERNATIVES

1. Approve Tentative Map No. 2503383 with modifications.
2. Deny Tentative Map No. 2503383 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



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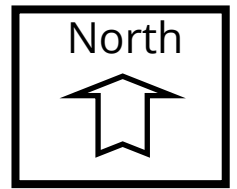
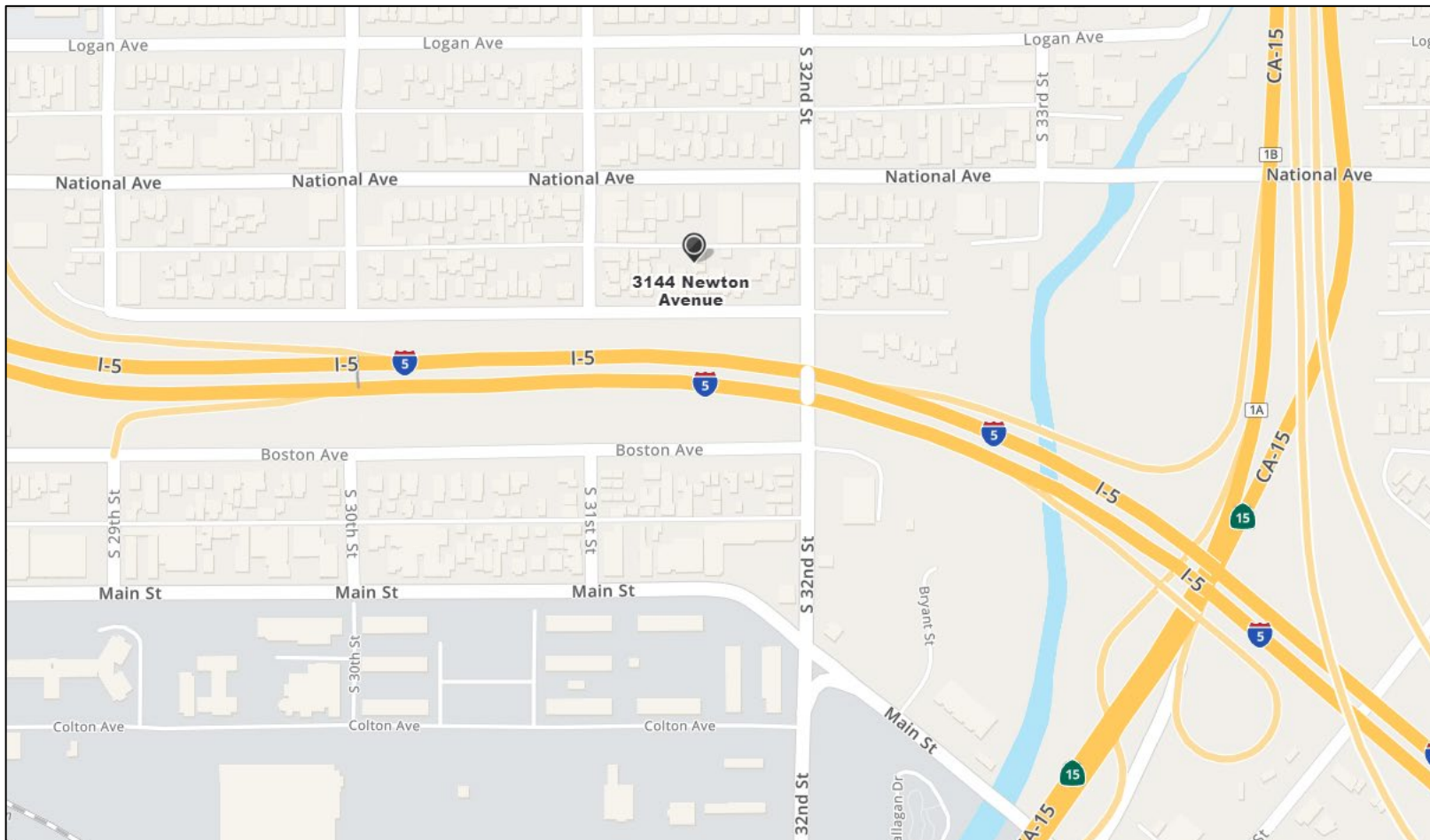
Bryan Hudson  
Development Project Manager

Attachments:

1. Project Location
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Map Resolution with Findings and Conditions
5. Tentative Map Exhibit
6. Environmental Exemption
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement



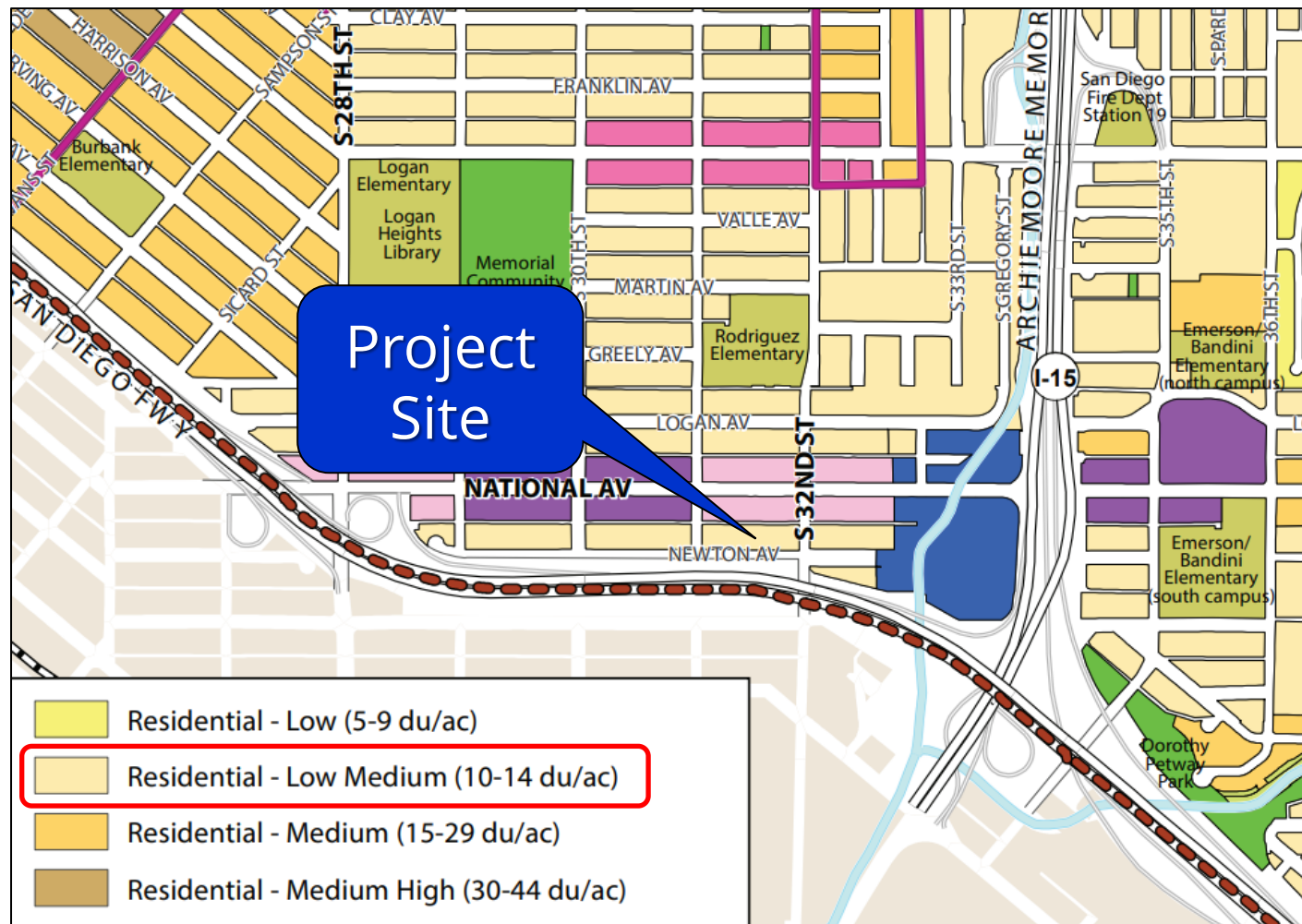
# Project Location Map



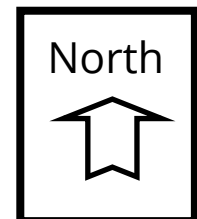
**Newton Tentative Map, Project Number 622389**  
**3144-3148 Newton Avenue**



# Community Plan



**Newton Tentative Map, Project Number 622389**  
**3144-3148 Newton Avenue**



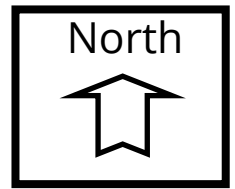




# Aerial Photo



**Newton Tentative Map, Project Number 622389**  
**3144-3148 Newton Avenue**



RESOLUTION NO. HO-21-048

**A RESOLUTION OF THE HEARING OFFICER  
ADOPTING THE FINDINGS AND APPROVING TENTATIVE MAP NO.  
2503383 FOR THE NEWTON TENTATIVE MAP  
PROJECT NO. 622389**

WHEREAS, DAVID NORMAN ANDREWS, Subdivider, and ALIDADE ENGINEERING, Engineer, submitted an application with the City of San Diego for Tentative Map No. 2503383, a Tentative Map for the creation of three residential condominium units. The 0.193-acre site is located at 3146-3148 Newton Avenue in the RM-1-1 zone and the Residential - Low Medium (10-14 du/ac) land use designation within the Southeastern San Diego Community Plan. The property is legally described as: The easterly 15 feet of Lot 32, all of Lot 33, and the westerly 20 feet of Lot 34, all in Block 40 of H.P. Whitney's Addition, according to Map thereof no. 168, filed in the office of the County Recorder, in the City of San Diego, County of San Diego, State of California; and

WHEREAS, the map proposes the subdivision of a 0.193-acre site into one (1) lot for three (3) residential condominium units and requests the waiver of the requirements to underground existing offsite overhead facilities; and

WHEREAS, on September 17, 2021, 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 Guidelines Sections 15301, Existing Facilities, and 15304, Minor Alterations to Land, 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

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 condominium dwelling units is three; and

WHEREAS, on October 20, 2021, the Hearing Officer of the City of San Diego considered Tentative Map No. 2503383 including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to sections 125.0430, 125.0444, 144.0240, and 125.0440 of the San Diego Municipal Code 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 No. 2503383:

**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 the conversion of three residential units into condominiums. The 0.193-acre site is located at 3146-3148 Newton Avenue, in the RM-1-1 zone and the Residential - Low Medium (10-14 du/ac) land use designation within the Southeastern San Diego Community Plan.

The project is consistent with Community Plan goals and policies, including Policy P-LU-14: Support rental and ownership opportunities in all types of housing. The project supports this goal by creating ownership opportunities. Therefore, the proposed subdivision is 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 is a subdivision only and does not facilitate any additional development. All required noticing has been and will be given as required by law. The residential units were previously approved in compliance with all applicable development regulations. Future purchasers of the units will be required to observe the requirements of the RM-1-1 zone, such as floor area ratio, setbacks, allowed uses, etc. The request to waive the requirement to underground existing utilities is appropriate pursuant to SDMC 144.0242(c)(1)(B) 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. 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 project is a subdivision only and does not facilitate any additional development. The infill project site is located in a developed area. The project would continue to front on and take pedestrian access from Newton Avenue, with vehicular access from an alley to the rear. No additional development is proposed with this Tentative Map. Future operations at the site would be required to comply with Land Development Code Regulations and construction permit requirements. The site is in a developed, urban neighborhood with no watercourses, Environmentally Sensitive Lands (ESL) or Multi-Habitat Planning Area (MHPA) lands located on or adjacent to the site. Therefore, the subdivision to create four condominium units 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 is a subdivision only and does not facilitate any additional development. There are no watercourses, Environmentally Sensitive Lands (ESL) or Multi-Habitat Planning Area (MHPA) lands located on or adjacent to the site, which is surrounded by existing development. The project was determined to be exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). Therefore, 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 on their habitat.

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

This project is in a developed, urban neighborhood and does not propose or facilitate any additional development. The Tentative Map includes conditions and corresponding exhibits of approval, including installation of public improvements, and payment of applicable taxes in order to achieve compliance with the regulations of the San Diego Municipal Code.

The developed project site is served by existing utilities and access to the site is provided via an existing alley. The frontage is developed with existing curb, gutter, and sidewalk that would

remain. Future development would be required to comply with Land Development Code Regulations and Building Permit requirements.

**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 site will continue to be accessed from the existing public street which is developed with curb, gutter, and sidewalk. Future development would be required to comply with Land Development Code Regulations and Building Permit requirements and there are no existing access easements through the property. Therefore, the design of the subdivision and proposed improvements 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 condominium subdivision will not impede or inhibit any future passive or natural heating and cooling opportunities. The project proposes no additional development, and future development would be required to comply with Land Development Code Regulations and Building Permit requirements, which includes setback and height limitations to ensure adequate natural light and air movement between the future structures. Therefore, the design of the proposed subdivision provides, to the extent feasible, for 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 subdivision does not propose additional development; therefore, it is not anticipated to have employment or housing impacts beyond those which have already occurred. Future development on the property would be subject to the underlying zone regulations at the time of the application. The site is served by existing public infrastructure, including developed rights-of-way and utility lines. Impacts to environmental resources would be avoided because the site is in a developed, urban neighborhood and does not contain nor is adjacent to such resources. Therefore, there would be no additional demand for public services or available fiscal and environmental resources associated with the creation of three new condominium units.

**9. The notices required by San Diego Municipal Code section 125.0431 have been given in the manner required.**

All public notice has been given in accordance with SDMC 125.0431, and all future notices required to be given will be given by the applicant in the manner outlined in SDMC 125.0431.

**10. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing.**

The proposed project is privately funded and was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low-income housing.

**11. For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed.**

The proposed project is privately funded and was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low-income housing. As such, this finding is inapplicable to this project.

That said 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 No. 2503383 is hereby granted to David Norman Andrews subject to the attached conditions which are made a part of this resolution by this reference.

By \_\_\_\_\_  
Bryan Hudson  
Development Project Manager  
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 12002110

## ATTACHMENT 4

HEARING OFFICER  
CONDITIONS FOR TENTATIVE MAP NO. 2503383  
**NEWTON TENTATIVE MAP - PROJECT NO. 622389**  
ADOPTED BY RESOLUTION NO. \_\_\_\_\_ ON OCTOBER 20, 2021

### **GENERAL**

1. This Tentative Map will expire November 3, 2024.
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 Parcel Map unless otherwise noted.
3. Prior to the expiration of the tentative map, a Parcel Map to consolidate and subdivide the properties into 3 residential condominium units shall be recorded at the Office of the San Diego County Recorder.
4. Prior to the recordation of the Parcel Map, 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.

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 Parcel Map.

5. 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 the Subdivider of any claim, action, or proceeding, or if the 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 bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not be required to pay or perform any settlement unless such settlement is approved by the Subdivider.

### **CONDOMINIUM CONVERSION**

6. 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 10 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

## ATTACHMENT 4

condominium conversion.

7. 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.
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 condition shall neither 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 Civil Code sections 1941, 1941.1 and 1941.2.
9. The Subdivider shall provide the tenants of the proposed condominiums with written notification within 10 days after approval of a Parcel Map 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 60 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 Parcel Map, 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.

### **MAPPING**

14. The Parcel Map shall be based on field survey and all lot corners must be marked with durable survey monuments pursuant to Section 144.0311(d) of the City of San Diego Land Development Codes and Subdivision Map Act Section 66495

All survey monuments shall be set prior to the recordation of the Parcel Map, unless the setting of monuments is deemed impractical due to the proposed improvements and/or grading associated with the project, in which case, delayed monumentation may be applied



## **ATTACHMENT 4**

on the Parcel Map in accordance with Section 144.0130 of the City of San Diego Land Development Codes.

15. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
16. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
17. The Parcel Map shall:
  - a. Use the California Coordinate System for its "Basis of Bearings" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true meridian (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
  - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground shall be shown on the map.

### **ENGINEERING**

18. The Subdivider shall assure, by permit and bond, the reconstruction of the existing curb with curb and gutter per current City Standards, adjacent to the site on Newton Avenue, satisfactory to the City Engineer.
19. The Subdivider shall comply with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980. Only those exceptions to the General Conditions which are shown on the Map Waiver 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.

### **LANDSCAPING**

20. Prior to recordation of the parcel map, the Owner/Permitee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall provide a 40 sq-ft area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per LDC 142.0403(b)5.

## **ATTACHMENT 4**

21. Prior to recordation of the parcel map, the Owner/Permittee shall obtain a landscape inspection from the Development Services Department to verify installation of required landscaping and irrigation.
22. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.
23. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees shall not be permitted.
24. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

### **AFFORDABLE HOUSING**

25. Prior to filing a final map, the applicant shall either show evidence that relocation assistance has been paid to eligible tenants or enter into an agreement with the San Diego Housing Commission to demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5, §144.0505). In addition, applicant must pay the appropriate fees incurred by the Housing Commission for compliance monitoring (Chapter 14, Article 4, Division 5, §144.0503).
26. Owner/Permittee shall comply with the provisions of Chapter 14, Article 2, Division 13 of the San Diego Municipal Code ("Inclusionary Affordable Housing Regulations") by paying the Condominium Conversion Inclusionary Affordable Housing Fee in one of the following manners:
  - a. Deferring payment of the Condominium Conversion Inclusionary Affordable Housing Fee until the close of escrow of the first condominium sold at the development by entering into a written agreement with the San Diego Housing Commission securing payment of the Condominium Conversion Inclusionary Affordable Housing Fee, which shall be recorded against the development and secured by a recorded deed of trust in favor of the San Diego Housing Commission. If Owner/Permittee elects future payment of the Condominium Conversion Inclusionary Affordable Housing, the fee shall be calculated using the rate in effect at the close of escrow of the first condominium unit sold at the development; or
  - b. Pre-paying the Condominium Conversion Inclusionary Affordable Housing Fee to the City based upon the aggregate square footage of all residential units in the project. If Owner/Permittee pre-pays the Condominium Conversion Inclusionary Affordable Housing, the fee shall be calculated using the rate in effect on the date of pre-payment

### **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 U.S.C. § 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 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 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, may protest the imposition within 90 days of the approval of this Tentative Map 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. 12002110



## 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:** Newton MW / 622389

**SCH No.:** Not Applicable

**Project Location-Specific:** 3144-3148 Newton Avenue, San Diego, California 92113

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

**Description of nature and purpose of the Project:** A request for a TENTATIVE MAP WAIVER for the conversion of three existing detached single dwelling units into three condominium units. No development is proposed with this project. The project site is located at 3144-3148 Newton Avenue. The 0.10-acre project site is designated Residential and zoned RM-1-1 within the Southeastern Community Plan area. Additionally, the project site is within the Airport Influence Area (San Diego International Airport- Review Area 2), the FAA Part 77 Noticing Area (San Diego International Airport), the Parking Standards Transit Priority Area, the Promise Zone, and the Transit Priority Area. (LEGAL DESCRIPTION: The easterly 15 of Lot 32, all of Lot 33 and the westerly 20 feet of Lot 34 in the block 40 of H.P. Whitney's Addition, According to Map thereof No. 168.)

**Name of Public Agency Approving Project:** City of San Diego

**Name of Person or Agency Carrying Out Project:** David Andrews, 2805 Palomino Circle, San Diego, California 92037, (619) 518-8598

**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: Section 15301 (Existing Facilities) and 15304 (Minor Alterations to Land)
- ☐ Statutory Exemptions:
- ☐ Other:

**Reasons why project is exempt:** The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to CEQA Section 15301 (Existing Facilities) which allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Additionally, the project would qualify to be categorically exempt from CEQA pursuant to CEQA Section 15304 (Minor Alterations to Land) which allows for minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environment were identified; the project is not adjacent to a scenic highway; nor is the project identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.



**Lead Agency Contact Person:** M. Dresser

**Telephone:** (619) 446-5404

**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

\_\_\_\_\_  
Senior Planner

Signature/Title

\_\_\_\_\_  
October 4, 2021


Date

**Check One:**

- ☒ Signed By Lead Agency  
☐ Signed by Applicant

Date Received for Filing with County Clerk or OPR:

Page 3	City of San Diego • Information Bulletin 620		May 2020
	<p align="center"><b>City of San Diego Development Services</b></p>	<p align="center"><b>Community Planning Committee Distribution Form</b></p>	
Project Name: 3144, 3146 and 3148 Newton Tentative Map		Project Number: 622389,	
Community: Southeastern San Diego			
<p align="center">For project scope and contact information (project manager and applicant), log into OpenDSD at <a href="https://aca.accela.com/SANDIEGO">https://aca.accela.com/SANDIEGO</a>.</p> <p align="center">Select "Search for Project Status" and input the Project Number to access project information.</p>			
<p><input checked="" type="radio"/> Vote to Approve</p> <p><input type="checkbox"/> Vote to Approve with Conditions Listed Below</p> <p><input type="checkbox"/> Vote to Approve with Non-Binding Recommendations Listed Below</p> <p><input type="checkbox"/> Vote to Deny</p>			
# of Members Yes 9	# of Members No 0	# of Members Abstain 0	
Conditions or Recommendations: Motion to support this project #622389			
<p><input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)</p>			
NAME: Myron Taylor			
TITLE: Chair, Southeastern San Diego Planning Group		DATE: November 09, 2020	
<p align="center"><i>Attach additional pages if necessary (maximum 3 attachments).</i></p>			

	<b>City of San Diego Development Services</b> 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1>Ownership Disclosure Statement</h1>	<b>FORM DS-318</b>  October 2017
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**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:** Newton Map Waiver

**Project No. For City Use Only:** 622389

**Project Address:** 3144, 3146, and 3148 Newton Avenue

**Specify Form of Ownership/Legal Status (please check):**

☐ Corporation ☐ Limited Liability -or- ☐ General - What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_  
☐ Partnership ☒ Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter 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), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of ANY person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. 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.

**Property Owner**

Name of Individual: David Norman Andrews ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 2805 Palomino Circle

City: La Jolla

State: CA Zip: 92037

Phone No.: 619-518-8918

Fax No.: NA

Email: dandrews@san.rr.com

Signature: David Andrews

Date: 11/6/18

Additional pages Attached: ☐ Yes ☒ No

**Applicant**

Name of Individual: David Norman Andrews ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 2805 Palomino Circle

City: La Jolla

State: CA Zip: 92037

Phone No.: 619-518-8198

Fax No.: NA

Email: dandrews@san.rr.com

Signature: David Andrews

Date: 11/6/18

Additional pages Attached: ☐ Yes ☒ No

**Other Financially Interested Persons**

Name of Individual: \_\_\_\_\_ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_

Email: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Additional pages Attached: ☐ Yes ☒ No

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 Upon request, this information is available in alternative formats for persons with disabilities.