

THE CITY OF SAN DIEGO

### **Report to the Hearing Officer**

DATE ISSUED: July 17, 2019

REPORT NO. HO-19-067

HEARING DATE: July 24, 2019

SUBJECT: PEMBROKE TM/NDP - Process Three Decision

PROJECT NUMBER: <u>580286</u>

OWNER/APPLICANT: Joel Berman

#### <u>SUMMARY</u>

<u>Issue</u>: Should the Hearing Officer approve a Tentative Map and Neighborhood Development Permit for the consolidation of two existing lots with an existing single-family residence and subdivision of a 0.24-acre site into two lots with a deviation to lot depth, and to waive the requirement to underground existing offsite overhead utilities located at 6205 Pembroke Drive in the RS-1-7 zone within the College Area Community Plan area?

#### Staff Recommendation(s):

- 1. Approve Neighborhood Development Permit No. 2096046; and
- 2. Approve Tentative Map No. 2049236;

<u>Community Planning Group Recommendation</u>: On May 9, 2018, the College Area Community Planning Group voted 18-0-0 to recommend approval of the proposed project without recommendations (Attachment 9).

<u>Environmental Review</u>: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA section 15332 (In-Fill Development Projects). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on March 15, 2019, and the opportunity to appeal that determination ended March 29, 2019 (Attachment 8).

#### BACKGROUND

The 0.24-acre site consist of 2 lots, one legal lot (Lot 11) and a portion of Lot 12, except the east 31-feet of Lot 12 (per FIGURE 1), and has one existing single-family residence on-site and is located at 6205 Pembroke Drive within the College Area Community Plan which designates the site for Low Density (5-10 du/ac) or 1-2 dwelling units allowed on site. The site is zoned RS-1-7, which allows for single-family residential development, and is surrounded by single-family residential development on all four sides.



The property is not an individually historically designated resource and is not located within a designated historical district. However, <u>San Diego Municipal Code (SDMC) section</u> <u>143.0212</u> requires City staff to review all projects impacting a parcel that contains a structure 45 years old or older to determine whether a potentially significant historical resource existing on site prior to issuance of a permit. Staff reviewed the project site and determined the property does not meet local designation criteria as an individually significant resource und any adopted Historical Resources Board Criteria. Therefore, no historical research report was required.

#### **DISCUSSION**

#### Project Description:

The Pembroke TM/NDP project proposes a Tentative Map and Neighborhood Development Permit to consolidate two existing lots that contains an existing single-family residence onsite and subdivide the lot into two, 5,318-square-foot parcels. The portion of Lot 12 that's part of the project site is not a legal lot and can't be sold or developed independently, therefore a Tentative Map is required for the consolidation of Lot 11 and portion of Lot 12 and subdivide to create 2 legal lots for two potential single-family residences. The project is requesting a deviation to the lot depth requirements of the RS-1-7 zone per <u>SDMC Table</u> <u>131-04D</u> for the two proposed parcels. The proposed Parcel 1 would accommodate the existing one-story, single-family residence and proposed Parcel 2 would remain vacant. No new development is being proposed with this subdivision. In the future, if a new singlefamily residence were to be proposed for Parcel 2, any applicant would be required to comply with Land Development Code Regulations and Building Permit requirements.

#### Waiver of the Requirement to Underground Utilities:

There are existing off-site overhead utilities abutting the project site along Hobart Street. Pursuant to <u>SDMC Section 144.0242(b)</u>, the applicant has requested a waiver of the requirement to underground these utilities. The project qualifies for the waiver in accordance to <u>SDMC Section 144.0242(c)(1)(B)</u>, as 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.

#### **Deviation:**

The purpose of the RS zones is to provide appropriate regulations for the development of single dwelling units that accommodate a variety of lot sizes and residential dwelling types and which promote neighborhood quality, character, and livability. It is intended that these zones provide for flexibility in development regulations that allow reasonable use of property while minimizing adverse impacts to adjacent properties. The purpose of the Neighborhood Development Permit is to establish a review process for development that allows the applicant to request greater flexibility from the strict application of the regulations that would be allowed through a deviation process for an In-Fill Development Project per <u>SDMC 143.0920</u>. The intent is to encourage imaginative and innovative planning and to assure the development achieves the purpose and intent of the applicable land use plan and the project with deviations would be preferable to the project achieved by strict conformance with the regulations.

Due to the lot depth of the project site, the standard development regulations are difficult to achieve. The project is requesting a deviation to proposed Parcel 1 and 2, to provide a lot depth less than the required minimum of 95 feet. These deviations would allow flexibility in achieving an RS-1-7 zone-equivalent project design that would be consistent with the intent of the RS-1-7 zone.

SAN DIEGO MUNICIPAL CODE REGULATIONS	LOT SIZE	LOT WIDTH	LOT DEPTH	STREET FRONTAGE
REQUIRED	5,000 sq. feet minimum	50 feet	95 feet	50 feet
PROPOSED PARCEL 1	5,318 sq. feet	79 feet	67 feet	79 feet
PROPOSED PARCEL 2	5,318 sq. feet	79 feet	67 feet	79 feet

#### Community Plan Analysis:

The College Area Community Plan designates the 0.24-acre project site for residential Low Density development at a rate of 5-10 dwelling units per acre, or 1-2 units allowed on site. The density per the RS-1-7 base zone allows for one unit per lot and a minimum lot size of 5,000 square-feet. Therefore, the subdivision to create two 5,318 square-foot residential lots complies with the College Area Community Plan and the base zone allowable density.

#### **CONCLUSION**

Staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City policies and regulations of the Land Development Code regulations. Staff has provided draft finding to support approval of the project (Attachment 4 & 6) and draft conditions of approval (Attachments 5 & 7). Staff recommends approval of the project as proposed.

#### **ALTERNATIVES**

- 1. Approve Neighborhood Development Permit No. 2096046, and Tentative Map No. 2049236, with modifications.
- 2. Deny Neighborhood Development Permit No. 2096046, and Tentative Map No. 2049236, if the findings required to approve the project cannot be affirmed.

#### Respectfully submitted,

Hugo Castaneda, Development Project Manager

#### Attachments:

- 1. Project Location Map
- 2. Community Plan Land Use Map
- 3. Aerial Photograph
- 4. Draft Resolution with Findings
- 5. Draft Permit with Conditions
- 6. Draft Map Resolution
- 7. Draft Map Conditions
- 8. Environmental Exemption
- 9. Community Planning Group Recommendation
- 10. Ownership Disclosure Statement
- 11. Project Plans
- 12. Tentative Map





## **Project Location Map**

Pembroke TM/NDP/ Pembroke Drive PROJECT NO. 580286 ATTACHMENT 1

North



DU/AC

Dwelling units permitted/net acre.



## **Community Land Use Map**

Pembroke TM/NDP / Pembroke Drive PROJECT NO. 580286







Aerial Photograph Pembroke TM/NDP / Pembroke Drive

PROJECT NO. 580286



### **ATTACHMENT 4**

#### HEARING OFFICER RESOLUTION NO. \_\_\_\_\_ NEIGHBORHOOD DEVELOPMENT PERMIT No. 2096046 **PEMBROKE TM/NDP PROJECT NO. 580286**

WHEREAS, JOEL BERMAN, Owner/Permittee, filed an application with the City of San Diego for a permit for the subdivision of a site developed with an existing single family residence into two lots, with deviations to lot depth, and to waive the requirement to underground existing offsite overhead utilities (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2096046), on portions of a 0.24-acre site;

WHEREAS, the project site is located at 6205 Pembroke Drive in the RS-1-7 zone of the College Area Community Plan;

WHEREAS, the project site is legally described as Lot 11 and all of Lot 12, excepting the East 31 feet of said Lot 12 of Collwood Park, in the City of San Diego, County of San Diego, State of California, according to map thereof no. 2403, filed in the Office of the County Recorder of San Diego County, May 13, 1947;

WHEREAS, on March 15, 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 15332 (In-Fill Development Projects); and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on July 24, 2019, the Hearing Officer of the City of San Diego considered Neighborhood Development Permit No. 2096046 pursuant to the Land Development Code of the City of San Diego;

#### BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following

findings with respect to Neighborhood Development Permit No. 2096046:

#### A. NEIGHBORHOOD DEVELOPMENT PERMIT [SDMC Section 126.0404]

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

The proposed project is requesting a consolidation and subdivision of two lots with an existing single-family residence into two lots with deviations to lot depth, and to waive the requirement to underground existing offsite overhead utilities. The 0.24acre site is located at 6205 Pembroke Drive, in the RS-1-7 zone within the College Area Community Plan, which designates the site for Low Density (5-10 du/ac) or 1-2 dwelling units allowed on site. The proposed site allows for a density of 8 du/ac, therefore the proposed development to create two single-family dwelling lots is consistent with the density specified within the Community Plan. The proposed site is located within an urban setting and is surround on all four sides by single-family dwelling units. The Community Plan's general land use goal is to provide growth in the community in a manner that ensures preservation of single-family neighborhoods, ensures that multifamily, university-oriented, and commercial development is compatible with adjacent single-family neighborhoods and to maintain the predominately single-family character of the community. Therefore, the proposed development will not adversely affect the applicable land use plan.

# 2. The proposed development will not detrimental to the public health, safety, and welfare; and

The proposed project is requesting a consolidation and subdivision of two lots with an existing single-family residence into two lots with deviations to lot depth, and to waive the requirement to underground existing offsite overhead utilities. The 0.24acre site is located at 6205 Pembroke Drive, in the RS-1-7 zone within the College Area Community Plan area. The project has been reviewed and is in compliance with the SDMC and the Subdivision Map Act. The project includes conditions and corresponding exhibits of approvals relevant to adequate parking, public improvements, and paying applicable fees in order to achieve compliance with SDMC regulations. Future development would be required to comply with Land Development Code Regulations and Building Permit requirements. Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

# 3. The proposed development will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

Project proposes the consolidation and subdivision of two lots with an existing single- family residence into two lots with a deviations to the lot depth requirement.

Due to the depth of the property, this project proposes a deviation to both lots, to allow for a reduced lot depth less than the required minimum of 95-feet as required per the SDMC Table 131-04D.

The deviation was analyzed to determine consistency with the goals and recommendations of the community plan and the purpose and intent of the Neighborhood Development Permit (NDP) ordinance. The purpose of the NDP is to establish a review process for development that allows the applicant to request greater flexibility from the strict application of the regulations that would be allowed through a deviation process for an In-Fill Development Project per SDMC 143.0920. The intent is to encourage imaginative and planning and to assure that the development achieves the purpose and intent of the applicable land use plan and that it would be preferable to what would be achieved by strict conformance with the regulations.

This deviation allows flexibility for one additional single-family dwelling which is allowed by the Community Plan and would achieve a zone-equivalent project design that will be consistent with the intent of the RS-1-7 zone. The Land Development Code allows the applicant to request deviations through a NDP per SDMC 143.0920. Other than the lot depth deviation, the project as proposed complies with all applicable regulations of the Land Development Code and future development would be required to comply with Land Development Code Regulations and Building Permit requirements. Therefore, the proposed development will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

SAN DIEGO MUNICIPAL CODE REGULATIONS	LOT SIZE	LOT WIDTH	LOT DEPTH	STREET FRONTAGE
REQUIRED	5,000 sq. feet minimum	50 feet	95 feet	50 feet
PROPOSED PARCEL 1	5,318 sq. feet	79 feet	67 feet	79 feet
PROPOSED PARCEL 2	5,318 sq. feet	79 feet	67 feet	79 feet

The above findings are supported by the minutes, maps and exhibits, all of which are

incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing

Officer, Neighborhood Development Permit No. 2096046 is hereby GRANTED by the Hearing Officer

to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit

No. 2096046, a copy of which is attached hereto and made a part hereof.

Hugo Castaneda Development Project Manager Development Services

Adopted on: July 24, 2019

IO#: 24007508

RECORDING REQUESTED BY CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

#### WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

INTERNAL ORDER NUMBER: 24007508 SPACE ABOVE THIS LINE FOR RECORDER'S USE

#### NEIGHBORHOOD DEVELOPMENT PERMIT No. 2096046 **PEMBROKE TM/NDP PROJECT NO. 580286** HEARING OFFICER

This Neighborhood Development Permit No. 2096046 is granted by the Hearing Officer of the City of San Diego to Joel Berman, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0404. The 0.24-acre site is located at 6205 Pembroke Drive in the RS-1-7 zone of the College Area Community Plan area. The project site is legally described as: Lot 11 and all of Lot 12, excepting the East 31 feet of said Lot 12 of Collwood Park, in the City of San Diego, County of San Diego, State of California, according to map thereof no. 2403, filed in the Office of the County Recorder of San Diego County, May 13, 1947

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to consolidate and subdivide two lots with an existing single-family residence into two lots with deviations to lot depth, and to waive the requirement to underground existing offsite overhead utilities as described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated July 24, 2019, on file in the Development Services Department. The project shall include:

- a. Project proposed to consolidate two lots with an existing single-family residence to remain and subdivide into two parcels. Existing single-family residence will be within proposed Parcel 1 and proposed Parcel 2 will remain vacant;
- b. The project includes a deviation to minimum lot depth as shown on Exhibit 'A';
- c. Off-street parking;
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

#### STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by August 8, 2022.

2. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

3. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

4. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

5. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

6. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

7. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

8. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

9. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

#### **CLIMATE ACTION PLAN REQUIREMENTS**

10. The Owner/Permittee shall comply with The Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first 3 sheets of the construction plans under the heading "Climate Action Plan Requirements." The Climate Action Plan strategies as identified on Exhibit "A" shall be enforced and implemented to the satisfaction of the Development Services Department.

#### **ENGINEERING REQUIREMENTS:**

11. The Neighborhood Development Permit shall comply with all Conditions of the Parcel Map for the Tentative Map No.2049236.

12. Any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

13. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

14. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a new 12-foot driveway per current City Standards, adjacent to the site on Pembroke Drive.

15. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a new 12-foot driveway per current City Standards, adjacent to the site on Hobart Street.

16. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to construct a new sidewalk with current City Standard sidewalk, adjacent to the site on Hobart Street.

17. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct the damaged portions of the sidewalk with current City Standard sidewalk, maintaining the existing sidewalk scoring pattern and preserving the contractor's stamp, adjacent to the site on Pembroke Drive.

18. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct the rolled curb with current City Standard curb and gutter, adjacent to the site on Pembroke Drive.

19. Prior to the issuance of any building permits, the Owner/Permittee shall dedicate an additional 3-feet on Pembroke Drive to provide a 10-foot curb-to-property-line distance, satisfactory to the City Engineer.

20. Prior to the issuance of any building permits, the Owner/Permittee shall dedicate an additional 8-feet on Hobart Street to provide a 10-foot curb-to-property-line distance, satisfactory to the City Engineer.

21. Prior to the issuance of any building permits, the Owner/Permittee shall record a Cross-Lot Drainage Easement, for any portion of the storm water run-off proposed to be discharged from the northern property to the southern property, satisfactory to the City Engineer.

22. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

#### PLANNING/DESIGN REQUIREMENTS:

23. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

#### TRANSPORTATION REQUIREMENTS:

24. All automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC.

All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.

#### **PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

25. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate above ground private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPD's are typically located on private property, in line with the service and immediately adjacent to the right-of-way. The Public Utilities Department will not permit the required BFPDs to be located below grade or within the structure.

26. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of any new water and sewer service(s) outside of any driveway, and the disconnection at the water main of the existing unused water service adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.

27. All proposed public water and sewer facilities, must be designed and constructed in accordance with established criteria in the most current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices pertaining thereto.

28. All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Plumbing Code and will be reviewed as part of the building permit plan check.

29. All on-site water and sewer facilities shall be private.

30. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer and five feet of any water facilities.

#### **GEOLOGY REQUIREMENTS:**

31. Prior to the issuance of any construction permits (either grading or building permit), the Owner/Permittee shall submit a geotechnical investigation report prepared in accordance with the City's "Guidelines for Geotechnical Reports" that specifically addressed the proposed construction plans. The geotechnical investigation report shall be reviewed for adequacy by the Geology Section of Development Services prior to the issuance of any construction permit.

#### **INFORMATION ONLY:**

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on July 24, 2019 and <mark>[Approved Resolution Number].</mark>

### **ATTACHMENT 5**

Neighborhood Development Permit No. 2096046 Date of Approval: July 24, 2019

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Hugo Castaneda Development Project Manager

NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq.

**The undersigned Owner/Permittee**, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

**Joel Berman** Owner/Permittee

Ву \_\_\_\_\_

NAME: TITLE:

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.

#### **ATTACHMENT 6**

#### HEARING OFFICER RESOLUTION NUMBER R-\_\_\_\_

#### TENTATIVE MAP NO. 2049236 PEMBROKE TM/NDP- PROJECT NO. 580286.

WHEREAS, JOEL BERMAN, Subdivider, and LUNDSTROM, Land Surveyor, submitted an application to the City of San Diego for Tentative Map No. 2049236 for the consolidation and subdivision of two lots with an existing single-family residence into two lots with deviations to lot depth, and to waive the requirement to underground existing offsite overhead utilities. The project site is located 6205 Pembroke Drive in the RS-1-7 zone within the College Area Community Plan. The property is legally described as Lot 11 and all of Lot 12, excepting the East 31 feet of said Lot 12 of Collwood Park, in the City of San Diego, County of San Diego, State of California, according to map thereof no. 2403, filed in the Office of the County Recorder of San Diego County, May 13, 1947; and

WHEREAS, the Map proposes the Subdivision of a 0.24-acre site into two lots; and

WHEREAS, on March 15, 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 15332 (In-Fill Development Projects); 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, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, on July 24, 2019, the Hearing Officer of the City of San Diego considered Tentative Map No. 2049236, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to San Diego Municipal Code section(s) 125.0440 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 No. 2049236:

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

Project proposes to consolidate two lots with an existing single-family dwelling and subdivide into two lots. The 0.24-acre site is located at 6205 Pembroke Drive, in the RS-1-7 zone within the College Area Community Plan, which designates the site for Low Density (5-10 du/ac) or 1-2 dwelling units allowed on site. The proposed site allows for a density of 8 du/ac, therefore the proposed subdivision to create two single-family dwelling lots is consistent with the density specified within the Community Plan. The proposed site is located within an urban setting and is surrounded on all four sides by single-family dwelling units. The Community Plan's general land use goal is to provide growth in the community in a manner that ensures preservation of single-family neighborhoods, ensures that multifamily, university-oriented, and commercial development is compatible with adjacent single-family neighborhoods and to maintain the predominately single-family character of the community. 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.

Project proposes the consolidation and subdivision of two lots with an existing single-family residence into two lots with a deviation to the lot depth requirements. Due to the depth of the property, this project proposes a deviation to both lots, to allow for a reduced lot depth less than the required minimum of 95 feet as required per the SDMC Table 131-04D for the RS-1-7 zone.

The neighborhood currently contains SDG&E power poles within the public right-of-way along the Hobart Street. The City's undergrounding Master Plan designates the site within Block 7K and is estimated for construction in June 2038. The proposed subdivision utilities shall be undergrounded, and the project includes a waiver for the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public right-of-way. In conformance with SDMC Section 144.0240(b)(5), the waiver of the requirements to underground privately owned utility systems and services facilities qualifies under the guidelines of SDMC Section 144.0242(c)(1)(B)

as follows: The conversion involves a short span of overhead facility (less than a block in length) and would not represent a logical extension to an underground facility.

The deviation was analyzed to determine consistency with the goals and recommendations of the community plan and the purpose and intent of the Neighborhood Development Permit (NDP) ordinance. The purpose of the NDP is to establish a review process for development that allows the applicant to request greater flexibility from the strict application of the regulations that would be allowed through a deviation process for an In-Fill Development Project per SDMC 143.0920. The intent is to encourage imaginative and planning and to assure that the development achieves the purpose and intent of the applicable land use plan and that it would be preferable to what would be achieved by strict conformance with the regulations. This deviation allows flexibility for one additional single-family dwelling which is allowed by the Community Plan and would achieve a zoneequivalent project design that will be consistent with the intent of the RS-1-7 zone. The Land Development Code allows the applicant to request deviations through a NDP per SDMC 143.0920. Other than the lot depth deviation, the project as proposed complies with all applicable regulations of the Land Development Code and future development would be required to comply with Land Development Code Regulations and Building Permit requirements. Therefore, 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.

SAN DIEGO MUNICIPAL CODE REGULATIONS	LOT SIZE	LOT WIDTH	LOT DEPTH	STREET FRONTAGE
REQUIRED	5,000 sq. feet minimum	50 feet	95 feet	50 feet
PROPOSED PARCEL 1	5,318 sq. feet	79 feet	67 feet	79 feet
PROPOSED PARCEL 2	5,318 sq. feet	79 feet	67 feet	79 feet

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

The proposed project is requesting a Tentative Map to allow for the consolidation of two lots with an existing single-family dwelling and subdivide into two lots. The proposed site is located in a developed, residential area that is zoned RS-1-7 and designated for Low Density Residential development in the College Area Community Plan. The proposed subdivision meets the density requirement of the zone and designation. Proposed Parcel 1 would front on and take access from Pembroke Drive and proposed Parcel 2 would front on and take access from Hobart Street. The project has been conditioned to construct public improvements along Pembroke Drive and Hobart Street, as shown on Exhibit A. Project site has one existing single-family dwelling unit scheduled to remain within proposed Parcel 1, no development is proposed for proposed Parcel 2. The future single-family dwelling unit would be required to comply with the Land Development Code Regulations and construction permit requirements. The site is located 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 two lots 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.

Project proposes to consolidate two lots with an existing single-family dwelling and subdivide into two lots. The 0.24-acre site is located at 6205 Pembroke Drive, in the RS-1-7 zone within the College Area Community Plan area. This urban infill project is located in a developed, urban neighborhood and is surrounded on all four sides by single-family residential development. There are no watercourses, Environmentally Sensitive Lands (ESL) or Multi-Habitat Planning Area (MHPA) lands located on or adjacent to the site. The project was determined to be exempt from CEQA pursuant to State CEQA Guidelines Section 15332 (Infill Development Projects). Therefore, the subdivision or the proposed improvements are not likely to 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 proposed project is requesting a Tentative Map to allow for the consolidation of two lots with an existing single-family dwelling and subdivide into two lots. The project has been reviewed and is in compliance with the SDMC and the Subdivision Map Act. The Tentative Map includes conditions and corresponding exhibits of approvals relevant to adequate parking, public improvements, and paying applicable fees in order to achieve compliance with SDMC regulations. Future development would be required to comply with Land Development Code Regulations and Building Permit requirements. 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.

Project proposes to consolidate two lots with an existing single-family dwelling and subdivide into two lots. The 0.24-acre site is located at 6205 Pembroke Drive, in the RS-1-7 zone within the College Area Community Plan area. There are no existing access easements through the property. The proposed subdivision will continue to be accessed from an existing public street, proposed Parcel 1 would front on and take access from Pembroke Drive and proposed Parcel 2 would front on and take access from Hobart Street. Future development would be required to comply with Land Development Code Regulations and Building Permit requirements. 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 project proposes a subdivision of a 0.24-acre parcel to consolidate two lots with an existing single-family dwelling and subdivide into two lots for residential development will not impede or inhibit any future natural heating and cooling opportunities. The design of the subdivision has taken into account the best use of the land to minimize grading. 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 spacing for natural light and air movement between the existing and future structure. 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.

Project proposes to consolidate two lots with an existing single-family dwelling and subdivide into two lots. This project is a subdivision only and no development is proposed. Any future development would be subject to the underlying zone regulations at the time of the application, including the City's Inclusionary Affordable Housing requirements and payment of all applicable Developer Impact Fees (DIF). The site is served by existing public infrastructure, including the developed Pembroke Drive and Hobart Street right-of-way and water, sewer, electrical and gas lines. Impacts to environmental resources would be avoided in that the site is located in a developed, urban neighborhood and does not contain nor is adjacent to such resources. Therefore, 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 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 No. 2049236, including the waiver of the requirement to underground

existing offsite overhead utilities, is hereby granted to Joel Berman subject to the attached

conditions which are made a part of this resolution by this reference.

By

Hugo Castaneda Development Project Manager Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24007508

### **ATTACHMENT 7**

#### HEARING OFFICER CONDITIONS FOR TENTATIVE MAP NO. 2049236 PEMBROKE TM/NDP - PROJECT NO. 580286 ADOPTED BY RESOLUTION NO. R-\_\_\_\_\_ ON \_\_\_\_\_

#### <u>GENERAL</u>

- 1. This Tentative Map will expire August 8, 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 Parcel Map, unless otherwise noted.
- 3. Prior to the recordation of the Parcel Map, 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 Tentative Map shall conform to the provisions of Neighborhood Development Permit No. 2096046.
- 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 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.

#### **ENGINEERING**

- 6. Engineering Review has determined that this Subdivision will not be required to install street lights because existing street lights are located less than 300 feet from the project street frontage. Therefore the project is in compliance with current street light standards according to the City of San Diego Street Design Manual and Council Policy 200-18.
- 7. The following will be conditions of the Tentative Map Resolution that the subdivider will need to satisfy/assure before the Parcel Map is recorded.

- 8. The Subdivider shall ensure that all 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.
- 9. The Subdivider shall construct the required Public Improvements per approved Neighborhood Development Permit Permit No. 2096046 including new curbs, gutters, sidewalks, and driveways.
- 10. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
- 11. 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**

- 12. "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].
- 13. "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."
- 14. The Parcel Map shall:
  - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (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 distances shall be shown on the map.
- 15. Prior to the expiration of the Tentative Map, if approved, a Parcel Map to subdivide the properties into two parcels shall be recorded in the office of the County Recorder.

16. Prior to the recordation of the Parcel Map, 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.

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 along with the associated \$34.00 compliance fee to avoid delaying the recordation of the Parcel Map.

- 17. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.
- 18. 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 on the Parcel Map in accordance with Section 144.0130 of the City of San Diego Land Development Codes.

#### <u>GEOLOGY</u>

19. Prior to the issuance of a grading permit, the Subdivider shall submit a geotechnical report prepared in accordance with the City of San Diego's "Guidelines for Geotechnical Reports," satisfactory to the City Engineer.

#### **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 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 ninety 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. 24007508

(Check one or both)

- TO: <u>X</u> Recorder/County Clerk P.O. Box 1750, MS A-33 1600 Pacific Hwy, Room 260 San Diego, CA 92101-2400
  - Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814
- FROM: City of San Diego Development Services Department 1222 First Avenue, MS 501 San Diego, CA 92101
- Project Name/Number: Pembroke TM/NDP/ 580286

SCH No.: N.A.

Project Location-Specific: 6205 Pembroke Drive, San Diego, CA 92115

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

**Description of nature and purpose of the Project:** A Tentative Map (TM) and Neighborhood Development Permit (NDP) for the subdivision of one parcel into two parcels with deviation for the lot depth, and the project proposes the construction of a two-story, single-family residence with detached garage on Parcel 2. The existing single-family residence will remain on Parcel 1. The 0.24-acre site is in the RS-1-7 zone within the College Area Community Plan, Transit Priority Area, Parking Impact Overlay Zone (Campus Impact), Airport Influence Area (Review Area 2) and the Airport Land Use Compatibility Overlay Zone. The site is designated Low Density Residential (5-10 du/ac) in the College Area Community Plan, and Residential in the General Plan.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Joel Berman, 5610 Dorothy Drive, San Diego, CA 92115, (619) 244-1608

#### 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))
- (X) Categorical Exemption: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15332 (In-Fill Development Projects)

**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 15332. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations. The proposed development occurs within city limits on a project site of no more than 5 acres and is substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species. The project would not result in any significant effects related to air quality, noise, traffic or water quality. The site can be adequately serviced by all required utilities and public services. 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

April 2, 2019 Date

Check One: (X) Signed By Lead Agency ( ) Signed by Applicant

Date Received for Filing with County Clerk or OPR:

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### College Area Community Council (CACC) and College Area Community Planning Board (CACPB)

#### Approved Minutes From the Regular Meeting held on: May 9, 2018, 7:00PM Held in: College Rolando Library, 6600 Montezuma Road San Diego, CA 92115

Gary Campbell	Chair	Р	Saul Amerling	Р	Robert Montana	Р
Jim Jennings	Vice- Chair	Р	Ellen Bevier	Р	Troy Murphree	P A(1)
Ann Cottrell	Secretary	Р	David Cook	Р	B.J. Nystrom	Р
John Putman	Treasurer	Р	Michael D'Ambrosia	Р	Jerry Pollock	Р
Rachel Gregg	SDSU Rep	Р	Keith Henderson	Р	Jose Reynoso	Р
Carmel Alon	AS Rep	A(2)	Robert Higdon	Р	Jason Wills	Р
Jim Schneider	BID Rep	Р	Jean Hoeger	Р		

P =Present L=Late A=Absent; (1), (2), (3), (4)= 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> absence TOTALS 20

CP600-24, Art. IV, Sec. 1: "a vacancy exists upon the 3<sup>rd</sup> consecutive absence or the 4<sup>th</sup> absence in 12 months (April through March)

#### M/S/C = Moved/Seconded/Carried

The College Area Community Council (CACC) and the College Area Community Planning Board (CACPB) are two separate entities with a common board and officers and joint meetings. The items highlighted below with asterisks are CACPB business items, subject to City Council Policy 600-24 governing community planning groups. Items are reported in agenda outline order, although some items may have been considered in a different sequence.

#### I. CALL TO ORDER/PLEDGE OF ALLEGIANCE: 7:00 p.m.

#### II. APPROVAL OF AGENDA

Delete Items 1 and 3. Add Planning Board Retreat information.

- \* Move: Reynoso
- \* Second: Nystrom
- \* Ayes 19 Nays 0 Abstain 0
- \* Agenda approved as amended

#### III. Approval of Minutes of April 11, 2018

- Higdon: Correct spelling of Higdon and Wills
- \* Move to accept as amended: Nystrom
- \* Second: Putman

\* Ayes 19 Nays 0 Abstain 0

\* Minutes approved as amended

#### **IV. PUBLIC COMMENTS O N NON-AGENDA ITEMS**

#### A. Julie Hamilton.

I suggest a housing needs assessment specific to the College Area. We do not have an accurate estimate from SDSU of number of beds needed. And we do not know how many units and beds exist. Information on existing beds/units can be obtained from SDSU and from apartment managers. We might consider having a student intern collect data. A formal proposal has been suggested. I can do that; Montana offered to help.

#### V. GOVERNMENTAL & UNIVERSITY LIAISON REPORTS

#### A. Mark Peterson, community relations SDSUPD

- 1. Graduation next weekend.
- 2. We are participating in Tip a Cop at restaurant, proceeds to Special Olympics. Details will be posted on Next Door
- 3. CARPUS next week. Representative from Greek life will discuss alcohol moratorium.

#### B. Roberto Torres, Council District 9 office

- City budget hearings have concluded. Public is invited to sessions at City Council chambers and CD9 district budget town hall meeting. Budget includes requested funding for Tubman joint use park as well as funding for sidewalks, street lights and some undergrounding throughout CD9. We haven't heard about the crosswalk at 58<sup>th</sup> & El Cajon.
- 2. There are some additional code enforcement officers but limited because most resources are going to Mayor's Clean San Diego initiative targeting homeless, mainly downtown. Gomez wants these funds distributed outside down town, but that is not as likely.
- 3. Tubman joint use park is now with school board and city attorney for finalizing legal details. It should go to Parks and Recreation in June; final council approval is expected in July. We hope for final approval at the end of 2018 or early 2019.
- 4. Regarding complaints about SBMI realtor signs up at many occupied rental properties, Code Enforcement confirms they are illegal. You can help by recording them and submitting to "get it done." Mayor's office checks that log and pays more attention to a lot of posts. Code will contact SBMI and let them know they are in violation. Email addresses with large for rent signs to Code Enforcement and Torres.
- 5. We won't have information about the community plan amendment until July because the new Director of Planning just starting. The City has asked SANDAG for funding to update plans. College Area is at the top of the list. Won't know how much money until July. There will be many funding sources. Total cost is unknown.

#### C. Jim Schneider, College Area Business Improvement District

- 1. Events: Hosting bike to work day pit stop with goods from several businesses, BID Fund Raiser Meat Up at Corbin's Q, Grand opening DO Beauty Boutique
- 2 Second annual Art St. free art/stage entertainment June 23, 11 am-9pm on Art St. south of El Cajon Blvd. We're looking for artists and volunteers.
- 3. Since last year we have begun acting more like an economic development corporation and less like a business improvement district.; our focus is increasingly attracting and retaining businesses. primarily on El Cajon Blvd.

#### D. Javier Gomez, representative for State Assemblymember Todd Gloria.

1. We're awaiting the Governor's May revised budget, hoping for funds to address homeless.

- 2. AB 2843 requires counties to spend designated mental health funds. It specifies that unspent mental health money be redistributed.
- 3. Applications still accepted for California Latino Legislative Caucus Foundation Scholarship Program, \$1,000 scholarships not limited to Latino students. Deadline June 1.

#### E. Rachel Gregg, SDSU Representative

Times on graduation ceremonies. Top majors: Psychology, criminal justice, business administration finance.

#### VI. UPDATE ON MID-CITY PIPELINE PROJECT 2A

Vick Salazar Community Liaison for Mid-City pipeline project

Mid City Pipeline Phase 2A will install a main from Mohawk St. and 69<sup>th</sup> St. to just west of 69<sup>th</sup> and El Cajon Boulevard. The final phase, still in design, will install the remaining one mile of transmission main from Mohawk and 69<sup>th</sup> to the Alvarado Water Treatment Plant. When complete the old Trojan Pipeline will be out of service for maintenance and repair. Streets will be resurfaced. Anticipated construction is May 2018 through July 2019. Work will be done one lane at a time to not interrupt traffic. Information is available on City Public Works website.

<u>Schneider:</u> The irrigation system on El Cajon Blvd is not on the city's radar. You need to make sure that is not damaged.

#### **VII. OLD BUSINESS**

A. Consideration of sending letter of concern regarding City's failure to enforce existing codes important to communities in support of letter from City Heights Area Planning committee. (CHAPC). (Action Item)

<u>Hoeger:</u> Board has been sent letter drafted by CHAPC and NEAC suggestions for letter in support; these show what letter might say. Letter asks City to divide large category of code violations no longer enforced into two, identifying some codes of importance to local communities ,e.g. illegal parking, signage, for low priority enforcement rather than non-enforcement.

- \* Move to approve a letter to be sent to names on the letter: Hoeger
- \* Second: Nystrom
- \* Ayes 16 Nays 3 Abstain 0
- \* Motion Passes
- B. Approval of Dollar Per Ticket (DPT) project recommendations of: 1) \$15,000 -- I8 & College ave signal coordination 2) \$400,000 -- traffic signal repair Montezuma Rd. and College Ave 3) \$100,000 -- Montezuma wall mural 4) \$275,000 -- electronic parking supply signs. (Action Item)

<u>Putman:</u> These were submitted last month as possible solutions but some on Board objected and asked committee to reevaluate. Last week we discussed possibilities and how to move forward. SDSU is between Presidents so there is no hurry. Committee members disagreed on wording of the original MOU: are projects limited to traffic mitigation or can they include beautification projects as well? We will all read the original MOU. I asked City about removing parking on Montezuma between Campanile and 55<sup>th St</sup>. That would require a proposal from the board, a petition from neighbors and other support organizations. It could then be a DPT project if approved by all three signatories.

- \* Move to return recommendations to DPT committee for discussion bringing recommendations to board in the fall: Putman
- \* Second: Jennings

<u>Pollock</u>: I see no reason to bring it back to the board as board does not understand it. Let's have an attorney come to explain what it means.

<u>Reynoso</u>: I will send the original documents to the board and invite the attorney, Marshall Lewis, to speak to the board.

<u>Hamilton:</u> Some items on this list are actually mitigation for other projects which those projects should have paid for, e.g. 5030 College, S. Campus Plaza. They should not be able to use DPT to avoid obligations.

<u>Hoeger</u>: Can you provide documents showing what projects should have done that are in the DPT list?

Hamilton. I can probably pull them up.

Call for Vote:

- \* Ayes 18 Nays 0 Abstain: Gregg conflict of interest
- \* Motion Passes
- C. Reconsideration of request from Mesa Colony community group of \$250 to defray cost of circulars welcoming new residents to Mesa Colony and surrounding areas and inviting them to join the Group and the CACC. (Action Item)

<u>Amerling</u>: Not just for circulars, but to fund things like lawn signs. We have no funds to reach out to unrepresented neighborhoods especially east of Mesa Colony. There is now a line for this in the budget.

<u>Campbell & Cottrell:</u> concerned that other groups cover expenses with their own fund raising. Can see this as seed money to help new groups start, rather than to an existing group. Funds should then go to all communities in College Area, not just Mesa Colony.

<u>Amerling:</u> We should reach out to all neighborhoods that aren't organized. I will put an article in College News and offer Mesa Colony to train new groups.

<u>Hoeger:</u> Objected to board member calling CVE representatives greedy and reminded board of pledge to be civil.\_

\* Move to allocate \$250 for this purpose contingent on budget approval: Putman

\* Second: Nystrom

- \* Ayes 17 Nays 1 Abstain Amerling (conflict of interest)
- \* Motion Passes

#### VIII. NEW BUSINESS

- **A. Consideration of lot split on Reservoir Dr. Project # 592426** Removed from agenda
- B. Consideration of lot split on Pembroke Dr. Project 580286 (Possible action item)
   <u>Jennings</u> Planning Committee recommended it unanimously.
   \* Move to approve the lot split if all city comments are addressed and resolved. Jennings

\* Second: Montana

\* Ayes 18 Nays 0 Abstain 0 (Henderson absent)

- \* Motion passes
- **C. Consideration of Proposed Apartment Project at 6195 Montezuma Rd.** Removed from agenda
- D. Consideration of Request from Mesa Colony for a letter in Support of Final approval and Completion of the Harriet Tubman Charter School Joint-Use Park (Action item)
  - \* Move to write letter of support from CACC/PB: Amerling
  - \* Second: Pollock
  - \* Ayes 19 Nays 0 Abstain 0
  - \* Motion Passes

E. Discussion Regarding Board Technical Knowledge and Awareness Survey and Proposal to dedicate 15 minutes per meeting, as possible, to have speakers present information and materials that will assist the Board in making informed decisions on projects. (Action Item)

<u>Reynoso.</u> Amerling survey shows Board has very little knowledge of tools or important documents needed for decision making. We should have experts speak to the board on these topics as time is available in agenda.

<u>Points of discussion</u>: Presenters should be independent of projects, with no interest in local issues as activists. They should be neutral experts, e.g. city staff. All board members should be familiar with existing community plan; the link to the College Area plan is: <u>https://www.sandiego.gov/citycouncil/cd9/neighborhoods/college</u>

\* Move to invite presentations on information important to board decision making; Reynoso \* Second: Nystrom

- \* Ayes 17 Nays 0 Abstain Gregg, Schneider (oppose spending more time not the idea) \* Motion Passes
- F. Discussion regarding sending a letter to the City regarding its response to the Grand Jury's April 18, 2018 Report on CPGs. (Action Item)

Montana: I propose we respond only to the five recommendations individually.

- 1. 18-0: Review Community Planning Group boundaries; determine if some CPGs could be consolidated.
  - \* Move to reject recommendation: Montana
  - \* Second: Schneider
  - \* Ayes 19 Nays 0 Abstain 0
  - \* Motion to reject passes
- 2. 18-02: Determine if Planning Department should develop methods and provide resources to improve recruiting that could result in more diverse CPG membership. <u>Points made in board discussion</u>
  - a) Would city tell us what to do or recruit board members, or would it just create tools for communities to use if they want? We can identify our own tools.
  - b) It isn't clear what "diversity" means, it can be code word for something we don't want imposed; we all have different understanding of diversity
  - \* Move to reject recommendation: Montana
  - \* Second: Amerling
  - \* Ayes 14 Nays 5 Abstain 0
  - \* Motion to reject passes.
  - \* Move to reword our response to say we reject planning commission devising methods but want the community to increase membership to better reflect community. We want clarification of terms diversity and methodology: Amerling
  - \* Second Montana
  - \* Ayes 18 Nays 1 Abstain 0
  - \* Motion passes

#### 3.18-03: Determine if members of Planning Department staff should attend all CPG meetings.

- \* Move to support recommendation: Montana
- \* Second: Jennings
- \* Ayes 18 Nays 1 Abstain 0
- \* Motion passes

4. 18-04: Consider directing San Diego City Neighborhood Services Department staff to closely monitor CPG actions and provide timely guidance to preclude requests for inappropriate project additions or modifications.

<u>Points in Board Discussion</u>: We don't want the city telling us what to do. We already get feedback from staff on project decisions; staff input is helpful.

- \* Move to reject recommendation: Montana
- \* Second: Jennings
- \* Ayes 15 Nays 1 Abstain Cook, D'Ambrosia, Henderson, (all confused)
- \* Motion passes.
- 5. 18-05: Determine if all CPG members should be required to complete the eCOW training each time they are reelected or reappointed.
  - \* Move to support recommendation: Montana
  - \* Second: Nystrom
  - \* Ayes 17 Nays 1 Abstain Pollock (no opinion)
  - \* Motion passes

#### G Approval of Board Committee and Delegate Assignments for 2018-9 (Action Item)

- 1. Long Range Planning Committee (a PB committee)
  - <u>Reynoso</u> PB committees cannot have more than 10 because that is a quorum; This has 11. <u>Points of Board discussion</u>: Long Range Planning Committee does not function as a planning committee; its goal is developing a long range vision for College Area with significant community input; it has a CACC function. Though not required of CACC committee, meetings should be noticed and minutes posted to keep community involved.
  - \* Move that Long Range Planning and Beautification committees operate as a single committee, Long Range Vision and Beautification, and that it be a CACC committee.: Campbell
  - \* Second: Amerling
  - \* Ayes 19 Nays 0 Abstain 0
  - \* Motion Passes

#### 2 Committee Assignments

Add Bevier to Project Review Committee (a PB committee)

- \* Move to approve committee list: Putman
- \* Second: Jennings
- \* Ayes 19 Nays 0 Abstain 0
- \* Motion passes
- 3. <u>Reynoso</u> Points of information:

CACC committees are not indemnified by city. Any Board member may attend Planning Committee as observer but cannot participate per Brown Act

#### H. Approval of the 2018-19 CACC/PB Budget (Action Item).

Items in the budget approved at the Board retreat have been reallocated to conform to the committee realignment discussed above. Originally \$3,900 was budgeted for Long Range Planning (LRP) and \$1600 of restricted funds for Beautification. The reallocated distribution moves \$2,500 from LRP to a new line item, Campus Coalition Committee (CCC), leaving \$3,000 for Long Range Vision and Beautification Committee (\$1400 remaining in LRP and the restricted \$1600 in beautification).

- \* Moved to approve 2018-19 Budget: Schneider
- \* Second: Pollock

\* Ayes 19 Nays 0 Abstain 0

\* Motion Passes

#### I. Planning Board Retreat. (Information item)

Special Board retreat , May 19<sup>th</sup> 9am – noon at the BID office, to clarify CACC vs CACPB functions and consider reorganizing the Board meetings to better distinguish CACPB and CACC.

#### IX TREASURER'S REPORT (Putman)

April was a slow month with a net gain of \$4.56. Cash balance (Checking, CDs, Savings) is \$25,072.47. SDSU provided a revised amount in the DPT fund, now \$776,719.92.

#### **X** COMMITTEE REPORTS

- A. Project Review: Will meet June 4
- B. Dollar Per Ticket: Report covered earlier
- **C. NEAC:** No meeting will meet May 23.
- D. Long Range Planning: Did not meet, will meet first Wednesday of June
- E. Community Outreach: Committee is in development
- F. Campus Community Committee: No report

#### XI DELEGATE REPORTS

#### A. Community Planners Committee (D'Ambrosia)

Rejected Circulate San Diego's recommendation that city appoint members to Planning Boards. Met Mike Hansen is the new planning department Update on storm water maintenance

#### B. College Area Public Safety (CARPUS) (Hoeger)

Neighborhood Prosecutor spoke. Of bikes are beginning to be a problem. Fewer Party Administrative citations, Number of CAPP Houses is holding steady.

#### **XII PRESIDENT'S REPORT**

I plan to update the board on calls I get so you aware of what is happening, for example projects in the early planning stages such as at corner of College and Montezuma.

#### XIII ADJOURN 9:05p.m.

Minutes by Ann Cottrell

THE CITY OF BAN DIREC	City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 (619) 446-5000	Ownership Disclosure Statemen
Approval Type: Cl	neck appropriate box for type of approval (s) req	uested: Neighborhood Use Permit Coastal Development Permit Planned Development Permit Waiver Land Use Plan Amendment • Other
Project Title	mative Map   Vesting Tentative Map   Map	o Waiver   Land Use Plan Amendment •   Other
Pembroke		Project No. For City Use Only
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Part L. To be com		
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lanager of any changer a le Project Manager a	uses in ownership during the time the application at least thirty days prior to any public hearing	t one of the property owners. Attach additional pages if needed. A signature ant Agency shall be required for all project parcels for which a Disposition and he City Council. Note: The applicant is responsible for notifying the Project is being processed or considered. Changes in ownership are to be given to on the subject property. Failure to provide accurate and current ownership
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**ATTACHMENT 10** 

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PROPOSED SITE PLAN SCALE: 1/8"= 1'-0"





VICINITY MAP

**A-1.0** 







PROPOSED GARAGE FLOOR PLAN Scale: ¼" = 1'-0"



FRONT/ SOUTH ELEVATION SCALE: 1/4" = 1'-0"



LEFT/ WEST ELEVATION - GARAGE SCALE: 1/4" = 1'-0"







REAR/ NORTH ELEVATION SCALE: ½" = 1'-Ø"

**A-3.1** 

JOB

SHEET





REVISIONS

BY

ATTACHMENT 11



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DATE	06-21-2018
SCALE	
DRAWN	KK
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SHEET	

**A-4.0** 







# PEMBROKE DRIVE TENTATIVE MAP NO. 2049236

THERE IS NO DISABLED OFF-STREET PARKING SPACES IN REQUIRED ON-SITE PARKING: 2 SPACES PER DWELLING UNIT

<b>WATER:</b> EXISTING—UNDERGROUND	PROPOSED-UN
<b>SEWER:</b> EXISTING—UNDERGROUND	PROPOSED-UN
<b>GAS:</b> EXISTING—UNDERGROUND	PROPOSED-UN
<b>POWER:</b> EXISTING—OVERHEAD	PROPOSED-UN



# **GENERAL NOTES**

- 1. THE CURRENT RECORD OWNER OF THE PROPERTY INCLUDED IN THIS SURVEY IS THE JOEL BERMAN AS SET FORTH BY GRANT DEED RECORDED AUGUST 31, 2017 AS DOCUMENT NO. 2017–0400501 OF OFFICIAL RECORDS OF SAN DIEGO COUNTY.
- 2. STREET ADDRESS: 6205 PEMBROKE DRIVE, SAN DIEGO, CA.
- 3. ASSESSOR'S PARCEL NUMBER: 467–320–01.
- 4. TOTAL NUMBER OF EXISTING PARCELS IS 2.
- 5. TOTAL NUMBER OF PROPOSED PARCELS IS 2.
- 6. TOTAL AREA WITHIN THE EXTERIOR BOUNDARY OF THIS SUBDIVISION IS 10,636 SQ. FT. / 0.244 ACRES GROSS.
- 7. CURRENT LAND USE: THE SURVEYED PROPERTY IS CURRENTLY A SINGLE FAMILY RESIDENCE. 8. ALL ONSITE UTILITIES TO BE PRIVATE.
- 9. NO TREES OR SHRUBS EXCEEDING THREE FEET IN HEIGHT AT MATURITY SHALL BE INSTALLED WITHIN TEN FEET OF ANY SEWER AND FIVE FEET OF ANY WATER FACILITIES.
- 10. ALL PROPOSED DRIVEWAYS AND DRIVEWAY ENTRIES SHALL BE CONSTRUCTED TO CURRENT CITY STANDARDS.
- 11. NO OBJECTS HIGHER THAN 36 INCHES WILL BE PROPOSED IN THE VISIBILITY TRIANGLES. 12. ALL PROPOSED PUBLIC WATER AND SEWER FACILITIES SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH CURRENT CITY GUIDELINES AND STANDARDS.
- 13. SITE TO BE GRADED TO CONTAIN SURFACE FLOW AND DISCHARGE ONTO HOBART STREET.

# LEGAL DESCRIPTION

LOT 11 AND ALL OF LOT 12, EXCEPTING THE EAST 31 FEET OF SAID LOT 12 OF COLLWOOD PARK, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 2403, FILED IN THE OFFICE OF THE COUNTY RECORDER MAY 31, 1947.

## EASEMENT LEGEND

AS PER WFG NATIONAL TITLE INSURANCE COMPANY TITLE REPORT, ORDER NO. SD10001004-J&M, DATED 9/26/17

THERE ARE NO EASEMENTS ENCUMBERING THE SUBJECT PARCEL.

### TOPOGRAPHY

TOPOGRAPHY DERIVED FROM GROUND SURVEY PERFORMED BY LUNDSTROM ENGINEERING & SURVEYING, INC. IN SEPTEMBER 2017.

## BENCHMARK

ELEVATIONS FOR THIS SURVEY DERIVED FROM RTK GPS OBSERVATIONS TO CITY OF SAN DIEGO SURVEY CONTROL BENCHMARK LOCATED AT THE NE CORNER OF STEWART STREET AND 62ND STREET. BRASS PLUG IN TOP OF CURB NORTH SIDE STEWART STREET. ELEVATION=467.76' MSL

# **BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CCS '83, ZONE 6, GRID BEARING BETWEEN SURVEY CONTROL STATION NO. 3098 AND STATION NO. 3104, AS DESCRIBED ON RECORD OF SURVEY MAP NO. 14492, RECORDS OF SAN DIEGO COUNTY. HAVING A BEARING OF S58°48'52"E

# PUBLIC UTILITIES/DISTRICTS

SEWER
WATER
STORM DRAIN
TELEPHONE
GAS & ELECTRIC
CABLE T.V.
POLICE & FIRE
TOPICE & TIME

CITY OF SAN DIEGO CITY OF SAN DIEGO CITY OF SAN DIEGO COX SDG&E COX CITY OF SAN DIEGO

# **OWNER/SUBDIVIDER**

JOEL BERMAN P.O. BOX 9757 SAN DIEGO, CA 92169

JOEL BERMAN

DATE

# **SURVEYOR**

DARRELL BEGLEY PLS 8172 EXPIRES: 12/31/2018

DATED:\_\_



	PREPARED BY:	NO.		REVISIONS		DATE	BY
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	Engineering and Surveying, Inc.	3	SITE DR.	AINAGE		7–27–18	LES
	5333 Mission Center Road, #115 • San Diego, CA 9210	<b>4</b>					
	Phone (619) 814-1220 • Fax (619) 641-5910	5					
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REQUIRED SIDE YARD – 6.3 FT [79'(LOT WIDTH) x 0.08] REQUIRED REAR YARD - 6.7 FT (MIN. 10% OF LOT DEPTH)

NDERGROUND

NDERGROUND

NDERGROUND

	- PROPOSED RIGHT-OF-WAY DEDICATION
8.0'	
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- -	_

~PROPOSED CONC. SID EXISTING. 6" CURB AND GUTTER

NDERGROUND