



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: August 28, 2019 REPORT NO. HO-19-079

HEARING DATE: September 4, 2019

SUBJECT: B Street Residences MW, Process Three Decision

PROJECT NUMBER: [632290](#)

OWNER/APPLICANT: David L. Schneider

### SUMMARY

Issue: Should the Hearing Officer approve the creation of three residential condominium units that are currently under-construction and waive the requirement to underground existing offsite overhead utilities at 3019, 3021 and 3023 B Street within the Golden Hills Community Plan area?

Staff Recommendation: APPROVE Tentative Map Waiver No. 2278480

Community Planning Group Recommendation: On May 8, 2019, the Golden Hill Community Plan voted 14-0-0 to recommend approval of the proposed project without recommendations.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Minor Alteration in Land Use Limitations). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on June 12, 2019, and the opportunity to appeal that determination ended June 26, 2019.

### BACKGROUND

The 0.16-acre site is located at 3019, 3021 and 3023 B Street in the RM-2-5 zone within, the Greater Golden Hill Community Plan area. The proposed project is located in an area identified as residential medium density (16-29 dwelling units per acre) in the Greater Golden Hill Community Plan and is consistent with the land use density designation of the Greater Golden Hill Community Plan area.

The units under construction consist of three, two-story units totaling 5,075 square feet and two parking space would be provided for each unit. The development is being constructed by-right in accordance with the San Diego Municipal Code (SDMC), and the ministerial building permits were

approved January 11, 2019, under project No. 517082. At the time of the building permit issuance, the applicant paid an in-lieu fee to comply with the City's Affordable Housing Regulations. During the ministerial review, the project was determined to be in compliance with all underlying zone regulations including but not limited to height, floor area ratio, parking, setbacks and landscaping. The currently proposed project is for the creation of condominium units for home ownership opportunity and does not affect the previously approved building permit.

## DISCUSSION

### Project Description:

The proposed project requires a Tentative Map Waiver per [SDMC Section 125.0120\(b\)\(1\)](#) to create three residential condominium units (currently under construction) and a waiver of the requirement to underground existing overhead utilities on a single parcel that was previously mapped. The project as proposed requires a Process Three, Hearing Officer decision with appeal rights to the Planning Commission.

The project requires, and provides, six parking spaces. The proposed subdivision is consistent with the development regulations of the underlying zone and complies with the setback, floor area ratio, density and landscaping requirements. No deviations are requested with this action.

According to [SDMC Section 125.0123](#), Findings for a Tentative Map Waiver, the decision maker may approve a Tentative Map Waiver if the decision maker finds that the proposed subdivision complies with the requirements of the Subdivision Map Act and the Land Development Code. Staff has reviewed the proposed subdivision and determined that it complies with both the Subdivision Map Act and the Land Development Code.

### Greater Golden Hill Community Plan:

The Greater Golden Hill Community Plan designates the 0.16-acre project site for residential medium development at a rate of 16-29 dwelling units per acre, or 3-5 units allowed on site. The density per the RM-2-5 base zone allows a maximum of five dwelling units onsite with no required minimum density. Therefore, the creation of three residential condominium units in the under-construction project complies with the Greater Golden Hill Community Plan and the base zone allowed density.

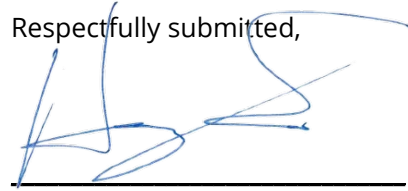
### Waiver of the Requirement to Underground Utilities:

There are existing off-site overhead utilities abutting the project site along the alley public right-of-way. Pursuant to [SDMC Section 144.0240\(b\)\(5\)](#), the applicant has requested a waiver of the requirement to underground these utilities. The project qualifies for the waiver in accordance to [SDMC Section 144.0242\(c\)\(1\)\(B\)](#), 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.

ALTERNATIVES

1. Approve Tentative Map Waiver No. 2278480, with modifications.
2. Deny Tentative Map Waiver No. 2278480, if the findings required to approve the project cannot be affirmed.

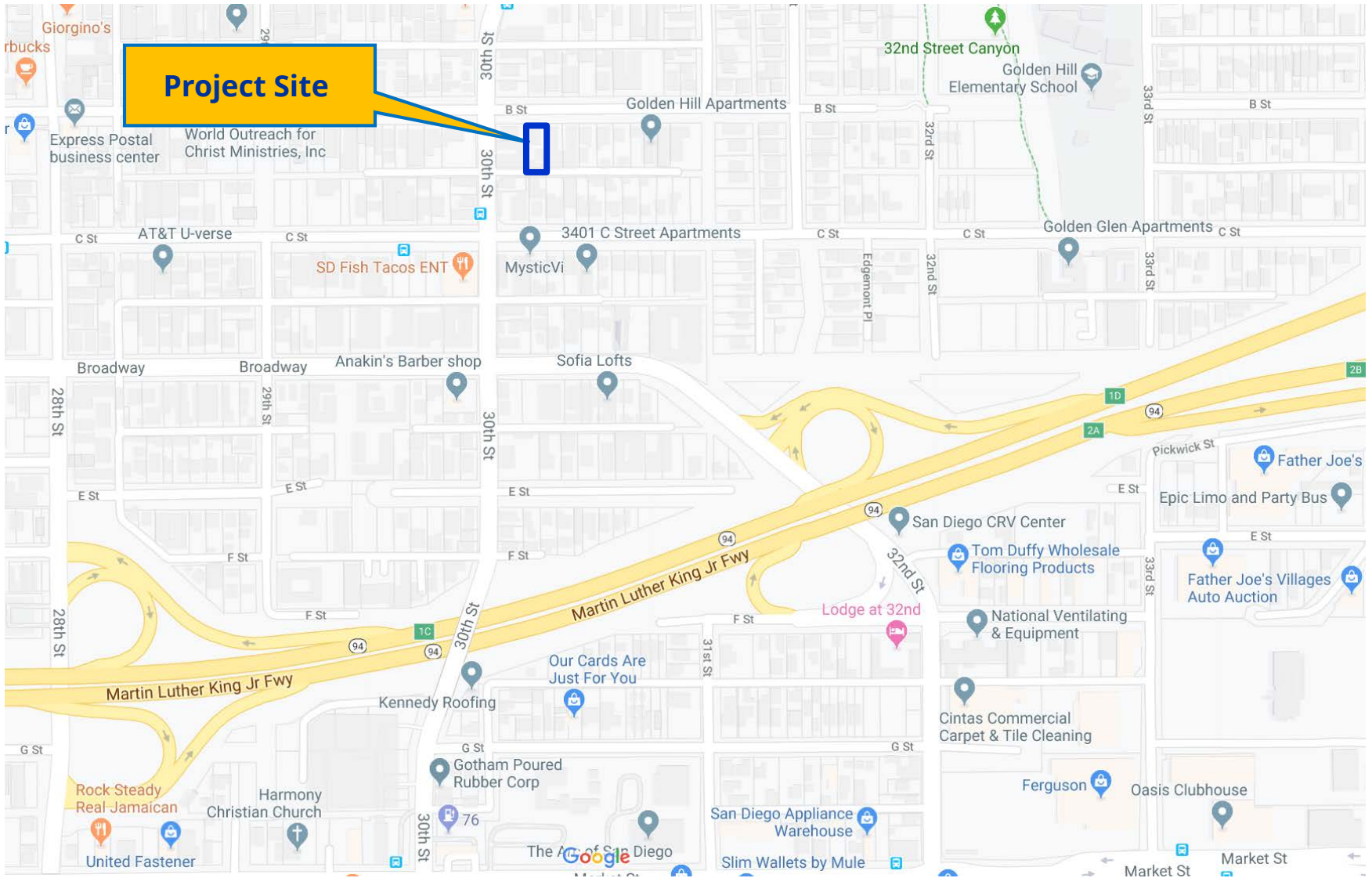
Respectfully submitted,

A handwritten signature in blue ink, appearing to be 'Hugo Castaneda', written over a horizontal line.

Hugo Castaneda, Development Project Manager

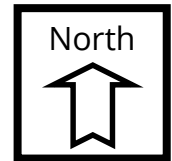
Attachments:

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



## Project Location Map

B Street Residences MW | 3019, 3021 and 3023 B Street  
PROJECT NO. 632290





**LEGEND**

**Residential**

- Residential - Low : 1-9 Du/Ac
- Residential - Low Medium : 10-15 Du/Ac
- Residential - Medium : 16-29 Du/Ac
- Residential - Medium High : 30-44 Du/Ac

**Commercial, Employment, Retail, and Services**

- Community Commercial - Residential Permitted : 0-29 Du/Ac <sup>1</sup>
- Neighborhood Commercial - Residential Permitted : 0-29 Du/Ac <sup>1</sup>

<sup>1</sup>Addition of residential use allowed only as part of mixed-use developments

- Limited Commercial (See Land Use Element)

**Park, Open Space, and Recreation**

- Open Space

**Institutional and Public/Semi-Public Facilities**

- Institutional

**Density Increase with Planned Development Permit**

- 25th Street Commercial to 30-44 Du/Ac
- C Street (east) to 16-29 Du/Ac

**Community Plan Boundary**

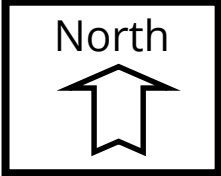


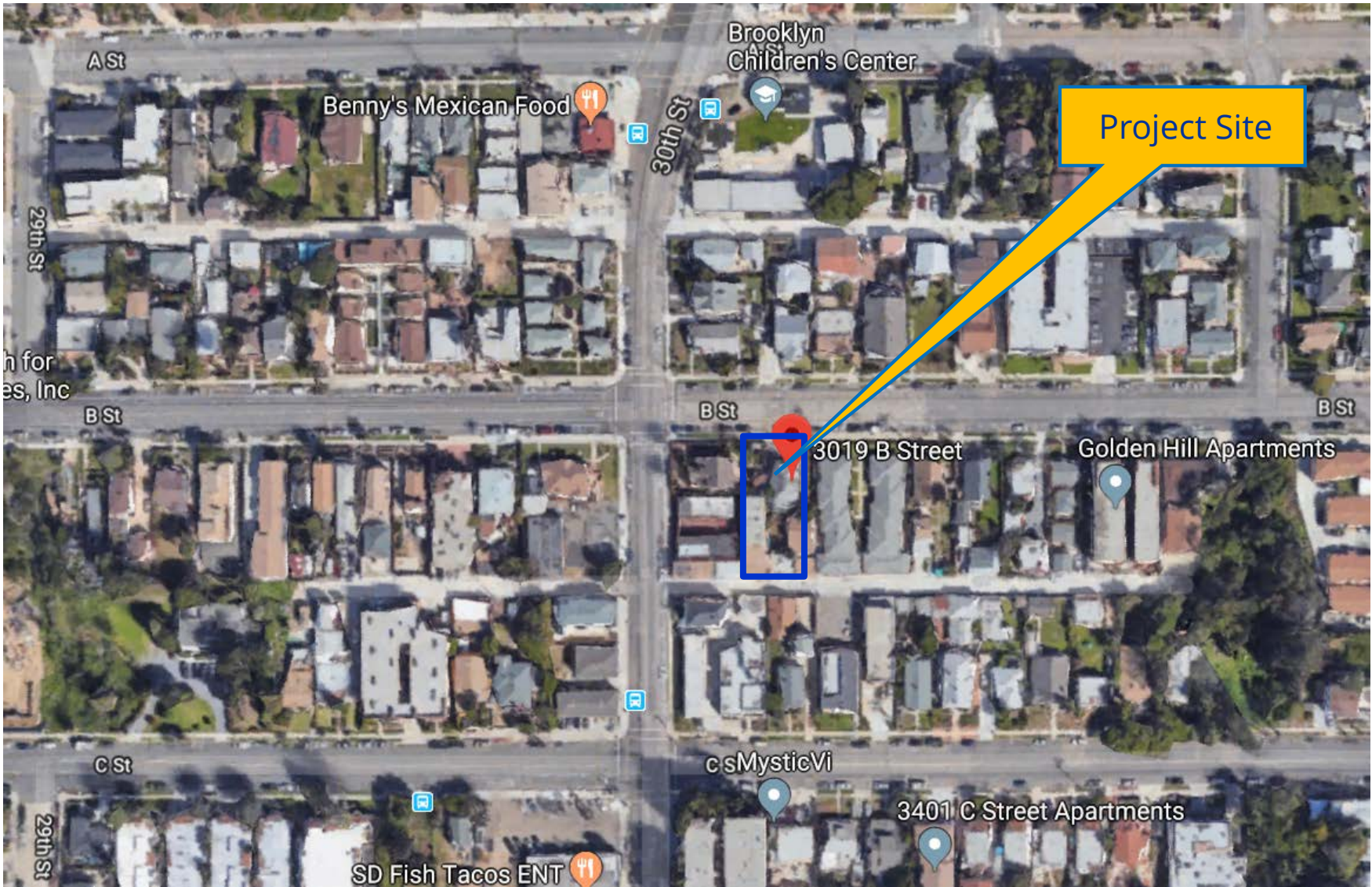
Project Site



# Community Land Use Map

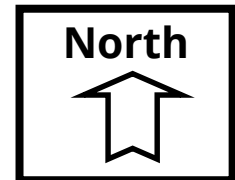
B Street Residences MW | 3019, 3021 and 3023 B Street  
PROJECT NO. 632290





## Aerial Photograph

B Street Residences MW | 3019, 3021 and 3023 B Street  
PROJECT NO. 632290



RESOLUTION NO. \_\_\_\_\_  
DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE HEARING OFFICER ADOPTING THE FINDINGS  
AND APPROVING TENTATIVE MAP WAIVER NO. 2278480  
FOR B STREET RESIDENCES MW – PROJECT NO. 632290

WHEREAS, David L. Schneider, Subdivider, and Victor Rodriguez-Fernandez, Engineer, submitted an application with the City of San Diego for Tentative Map Waiver No. 2278480, to waive the requirement for a Tentative Map for the creation of three residential condominium units within a structure that is currently under construction, and to waive the requirement to underground existing offsite overhead utilities. The project site is located at 3019, 3021 and 3023 B Street in the RM-2-5 zone within the Greater Golden Hill Community Plan area. The property is legally described as Parcel 1 of Parcel Map No. 21665 in the City of San Diego, County of San Diego, State of California, filed in the office to the County Recorder, of San Diego County, March 7, 2019; and

WHEREAS, the Map proposes the subdivision of a 0.16-acre site into three condominium units; and

WHEREAS, on June 12, 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 Guidelines Section 15305 (Minor Alterations); 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 project consists of three units under construction for which Certificates of Occupancy have not been issued; 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, the request to waive the undergrounding of existing overhead utilities has been determined to be appropriate pursuant to San Diego Municipal Code section 144.0242(c)(1)(B) because the conversion involves a short span of overhead facility (less than a full block length) and would not represent a logical extension to an underground facility; and

WHEREAS, on September 4, 2019, the Hearing Officer of the City of San Diego considered Tentative Map Waiver No. 2278480, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to sections 125.0122 (Tentative Map Waiver), and 144.0240 (underground) 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 Waiver No. 2278480:

**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 to create three residential condominium units, currently under construction, within a single lot, and to waive the requirement to underground existing offsite overhead utilities. The 0.16-acre site is located at 3019, 3021 and 3023 B Street in the RM-2-5 zone, within the Greater Golden Hill Community Plan area. The proposed Tentative



Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The proposed project is consistent with the land use residential designation of the Greater Golden Hill Community Plan. The Community Plan designates the project site for 16-29 dwelling units per acre (Figure 2-1, pg. 28), or 3-5 units allowed on site. The density per the RM-2-5 base zone allows a maximum of five dwellings onsite with no required minimum density. Therefore, the creation of three residential condominium units in this under-construction project complies with the Greater Golden Hill Community Plan and base zone allowed density. This project also meets the San Diego Municipal Code development regulations to include but not limited to height, setbacks, parking, landscape and floor area ratio. Therefore, the proposed development is in conformity with the adopted Community Plan and complies with the regulation of the Land Development Code. The proposed subdivision and its design or improvements are consistent with the policies, goals, and objectives of the applicable land use plan.

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

The project proposes to create three residential condominium units, currently under construction, within a single lot, and to waive the requirement to underground existing offsite overhead utilities. The 0.16-acre site is located at 3019, 3021 and 3023 B Street in the RM-2-5 zone, within the Greater Golden Hill Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The development is being constructed by-right in accordance with the San Diego Municipal Code's base zone regulations. On January 11, 2018, the City of San Diego approved the residential development's ministerial construction permits under Project No. 517082. During the ministerial review, the project was determined to be in compliance with all underlying zone regulations including but not limited to height, floor area ratio, parking, setbacks, and landscaping and no deviations were proposed. The Tentative Map Waiver proposes condominiums for home ownership opportunities and does not affect the previously approved building permits. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code.

The neighborhood currently contains SDG&E power poles within the public right-of-way along the alley. The City's undergrounding Master Plan designates the site within Block 8C and was estimated for construction in June 2012, however, overhead utilities along the public right-of-way alley side has not yet been constructed and the City's undergrounding Master Plan has not been updated. 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 project does not propose any deviation. Therefore, the proposed subdivision complies with the applicable zoning and development regulation of the Land Development Code.

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

The project proposes to create three residential condominium units, currently under construction, within a single lot, and to waive the requirement to underground existing offsite overhead utilities. The 0.16-acre site is located at 3019, 3021 and 3023 B Street in the RM-2-5 zone, within the Greater Golden Hill Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The development is being constructed by right in accordance with the San Diego Municipal Code's base zone regulations. The ministerial building permits were approved on January 11, 2018, project No. 517082 and the right of way permit was approved on November 8, 2017, under project No. 534261. This mapping action complies with all development regulation including lot area, lot dimension, setbacks and will not affect the previously approved construction and right of way permits. The structure is being constructed in compliance with all geologic and engineering requirements included applicable building code requirements. The graded, level project site is located in a developed, urban neighborhood surrounded by similar development and is served by existing developed right-of-way and public utilities. The public right-of-way would be improved by replacing existing sidewalk, curb, gutter and street trenching for lateral connections. Utility services would be provided through existing utility infrastructure in the surrounding area. Therefore, the site is physically suitable for the type and density of development.

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

The project proposes to create three residential condominium units, currently under construction, within a single lot, and to waive the requirement to underground existing offsite overhead utilities. The 0.16-acre site is located at 3019, 3021 and 3023 B Street in the RM-2-5 zone, within the Greater Golden Hill Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

This site is located in a developed, urban neighborhood and is surrounded by similar development. The site does not contain nor is adjacent to any watercourses, sensitive biological resources, Multiple Habitat Planning Area (MHPA) lands or Environmentally Sensitive Lands (ESL). The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Minor Alterations in Land Use Limitations) of the State CEQA Guidelines. Therefore, the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

The project proposes to create three residential condominium units, currently under construction, within a single lot, and to waive the requirement to underground existing offsite overhead utilities. The 0.16-acre site is located at 3019, 3021 and 3023 B Street in the RM-2-5 zone, within the Greater Golden Hill Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The project proposes condominiums for home ownership opportunities and does not affect the previously approved building permits. The project has been reviewed and is in compliance with the Municipal Code and the Subdivision Map Act. The Tentative Map Waiver includes conditions and corresponding exhibits of approvals relevant to adequate parking, public improvements, and paying applicable fees in order to achieve compliance with the regulations of the San Diego Municipal Code. The proposed subdivision is consistent with the development regulations of the underlying zone of the Land Development Code and all Uniform Building, Fire, Plumbing, Electrical and Mechanical Code regulations and permitting requirements that govern this project. Therefore, the design of the subdivision or the type of improvements will not be detrimental to the public, health, safety and welfare.

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

The project proposes to create three residential condominium units, currently under construction, within a single lot, and to waive the requirement to underground existing offsite overhead utilities. The 0.16-acre site is located at 3019, 3021 and 3023 B Street in the RM-2-5 zone, within the Greater Golden Hill Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The proposed subdivision does not contain any easements acquired by the public at large for access through or use of property within the subdivision. The site has frontage on B Street and is accessed from the existing developed alley right of way. Therefore, the design of the subdivision and proposed improvement would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

The project proposes to create three residential condominium units, currently under construction, within a single lot, and to waive the requirement to underground existing offsite overhead utilities. The 0.16-acre site is located at 3019, 3021 and 3023 B Street in the RM-2-5 zone, within the Greater Golden Hill Community Plan area. The proposed Tentative

Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The proposed subdivision will not impede or inhibit any future passive or natural heating and cooling opportunities. Each unit is exposed on two sides (east and west) to ensure passive cooling through cross-ventilation for the interior spaces. Therefore, the design of the proposed subdivision provides sufficient future passive or natural heating and cooling opportunities.

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

The project proposes to create three residential condominium units, currently under construction, within a single lot, and to waive the requirement to underground existing offsite overhead utilities.

The 0.16-acre site is located at 3019, 3021 and 3023 B Street in the RM-2-5 zone, within the Greater Golden Hill Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The project proposes a Tentative Map Waiver to create three residential condominium units (under construction). Other than the subdivision to allow condominium ownership within a built out urbanized community with adequate infrastructure, no other changes are requested, and the project does not include additional development of the property. The site consists of three units with garages that were permitted on January 11, 2018, project No. 517082 and have paid the In-Lieu Fee to comply with the City's Affordable Housing Regulations and also paid the required Impact Fees for financing public facilities. Therefore, the decision maker has reviewed the administrative record including the project plans, environmental documentation and public testimony to determine the effects of the proposed subdivision on the housing needs of the region and determined that those needs were balanced against the needs for public services and the available fiscal and environmental resources.

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 Waiver No. 2278480 including the waiver of the requirement to underground existing offsite overhead utilities is hereby granted to David L. Schneider 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 Waiver Conditions  
Internal Order No. 12002110

DRAFT

## ATTACHMENT 5

HEARING OFFICER  
CONDITIONS FOR TENTATIVE MAP WAIVER NO. 2278480  
**B STREET RESIDENCES MW - PROJECT NO. 632290**  
ADOPTED BY RESOLUTION NO. \_\_\_\_\_ ON \_\_\_\_\_

### **GENERAL**

1. This Tentative Map Waiver will expire on September 19, 2022.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Certificate of Compliance unless otherwise noted.
3. A Certificate of Compliance shall be recorded in the Office of the San Diego County Recorder, prior to the Tentative Map Waiver expiration date.
4. Prior to the recordation of the Certificate of Compliance, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
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.

### **AFFORDABLE HOUSING**

6. Prior to recordation of the Certificate of Compliance, the Subdivider shall enter into a written agreement with the San Diego Housing Commission to pay the condominium conversion inclusionary housing fee pursuant to the Inclusionary Affordable Housing Regulations (San Diego Municipal Code § 142.1301 *et seq.*).

### **ENGINEERING**

7. The Subdivider shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
8. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written

## ATTACHMENT 5

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 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 Tentative 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.

### **MAPPING**

10. "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).
11. "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."
12. Prior to the recordation of the Certificate of Compliance, all conditions in the Tentative Map Waiver Resolution of Approval must be satisfied.
13. Prior to the issuance of a Certificate of Compliance, City staff will perform a field monument inspection to verify that all property corners are being marked with survey monuments. If any of the survey monument was missing, it must be replaced with a new monument, and a Corner Record or Record of Survey (whichever is applicable) shall be filed with the County Recorder pursuant to the Professional Land Surveyors Act. A copy of the filed Corner Record or Record of Survey must be submitted to satisfy this requirement prior to the approval and recordation of the Certificate of Compliance.
14. Prior to the recordation of the COC, 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 COC.

15. Every Certificate of Compliance 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.

## ATTACHMENT 5

- 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.

### **ENVIRONMENTAL**

16. 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.

### **INFORMATION:**

- The approval of this Tentative Map Waiver 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 Waiver will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map Waiver, may protest the imposition within 90 days of the approval of this Tentative Map Waiver by filing a written protest with the San Diego City Clerk pursuant to Government Code Sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).



## 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:** B Street Residences- Map Waiver/ 632290

**SCH No.:** N.A.

**Project Location-Specific:** 3019, 3021, and 3023 B Street, San Diego, CA 92102

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

**Description of nature and purpose of the Project:** Tentative Map Waiver for the creation of three residential condominium units within a structure that is currently under construction, located at 3019, 3021, and 3023 B Street, San Diego, CA. The 0.16-acre site is in the RM-2-5 zone of the Greater Golden Hill Community Plan, Transit Priority Area, Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, 65-70 dB ALUCP Noise Contours (CNEL), Airport Influence Area (Review Area 1), and the Federal Aviation Administration Part 77 Notification area. The community plan designates the site as Residential-Medium (16-29 Du/Ac).

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

**Name of Person or Agency Carrying Out Project:** Deren Schneider, 1942 Sonett Street, El Cajon, CA 92019, (619) 405-2939

**Exempt Status:** (CHECK ONE)

- Ministerial (Sec. 21080(b)(1); 15268);  
 Declared Emergency (Sec. 21080(b)(3); 15269(a));  
 Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))  
 Categorical Exemption: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15305 (Minor Alterations in Land Use Limitations)

**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 15305 which addresses minor alterations in land use limitations, in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density. In addition, the exceptions listed in CEQA Section 15300.2 would not apply.

Lead Agency Contact Person: Rhonda Benally

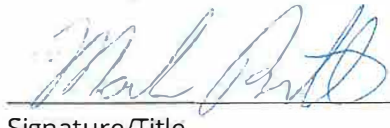
Telephone: (619) 446-5468

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

**ATTACHMENT 6**

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



Senior Planner

June 27, 2019

Signature/Title

Date

Check One:

Signed By Lead Agency

Signed by Applicant

Date Received for Filing with County Clerk or OPR:



THE CITY OF SAN DIEGO

Date of Notice: June 12, 2019

# NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 12002049

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**Project Name / Number:** B Street Residences- Map Waiver/ 632290

**Community Plan Area:** Greater Golden Hill Community Plan

**Council District:** 3

**Location:** 3019, 3021, and 3023 B Street, San Diego, CA 92102

**Project Description:** Tentative Map Waiver for the creation of three residential condominium units within a structure that is currently under construction, located at 3019, 3021, and 3023 B Street, San Diego, CA. The 0.16-acre site is in the RM-2-5 zone of the Greater Golden Hill Community Plan, Transit Priority Area, Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone, 65-70 dB ALUCP Noise Contours (CNEL), Airport Influence Area (Review Area 1), and the Federal Aviation Administration Part 77 Notification area. The community plan designates the site as Residential-Medium (16-29 Du/Ac).

**Entity Considering Project Approval:** City of San Diego Hearing Officer

**Environmental Determination:** Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15305 (Minor Alterations in Land Use Limitations)

**Entity Making Environmental Determination:** City of San Diego

**STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:** 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 15305 which addresses minor alterations in land use limitations, in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density. In addition, the exceptions listed in CEQA Section 15300.2 would not apply.

**DEVELOPMENT PROJECT MANAGER:** Hugo Castaneda

**MAILING ADDRESS:** 1222 First Avenue, MS 501, San Diego, CA 92101-4153

**PHONE NUMBER / EMAIL:** (619) 446-5220/ HCastaneda@sandiego.gov

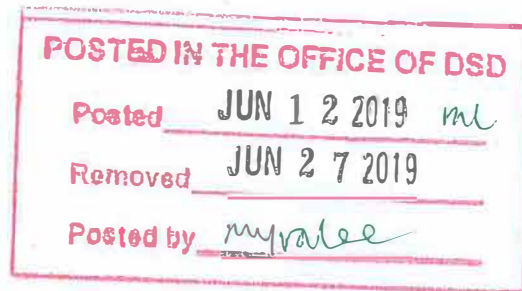
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On June 12, 2019, the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City

Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (June 26, 2019). The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.





City of San Diego  
Development Services  
1222 First Ave., MS 302  
San Diego, CA 92101  
(619) 446-5000

# Ownership Disclosure Statement

FORM  
DS-318

October 2017

**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:** B ST RESIDENCES **Project No. For City Use Only:** 517082  
**Project Address:** 3019-3023 B ST. SAN DIEGO CA 92102 637290

**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 L. SCHNEIDER  Owner  Tenant/Lessee  Successor Agency  
Street Address: 7430 FORTUNA VISTA CT. #11  
City: SANTEE State: CA Zip: 92071  
Phone No.: 619-316-1947 Fax No.: 858-939-1999 Email: DESIGNITER@COMCAST  
Signature: David L. Schneider Date: 1/8/2019  
Additional pages Attached:  Yes  No


**Applicant**

Name of Individual: DEREN L. SCHNEIDER  Owner  Tenant/Lessee  Successor Agency  
Street Address: 1942 SONETT ST.  
City: EL CAJON State: CA Zip: 92019  
Phone No.: 619-405-2939 Fax No.: 858-939-1999 Email: DERENSD@gmail.com  
Signature: Deren L. Schneider Date: 1/8/2019  
Additional pages Attached:  Yes  No

**Other Financially Interested Persons**

Name of Individual: N/A  Owner  Tenant/Lessee  Successor Agency  
Street Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Additional pages Attached:  Yes  No

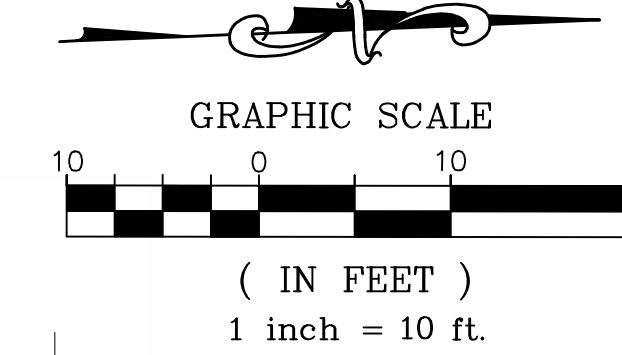
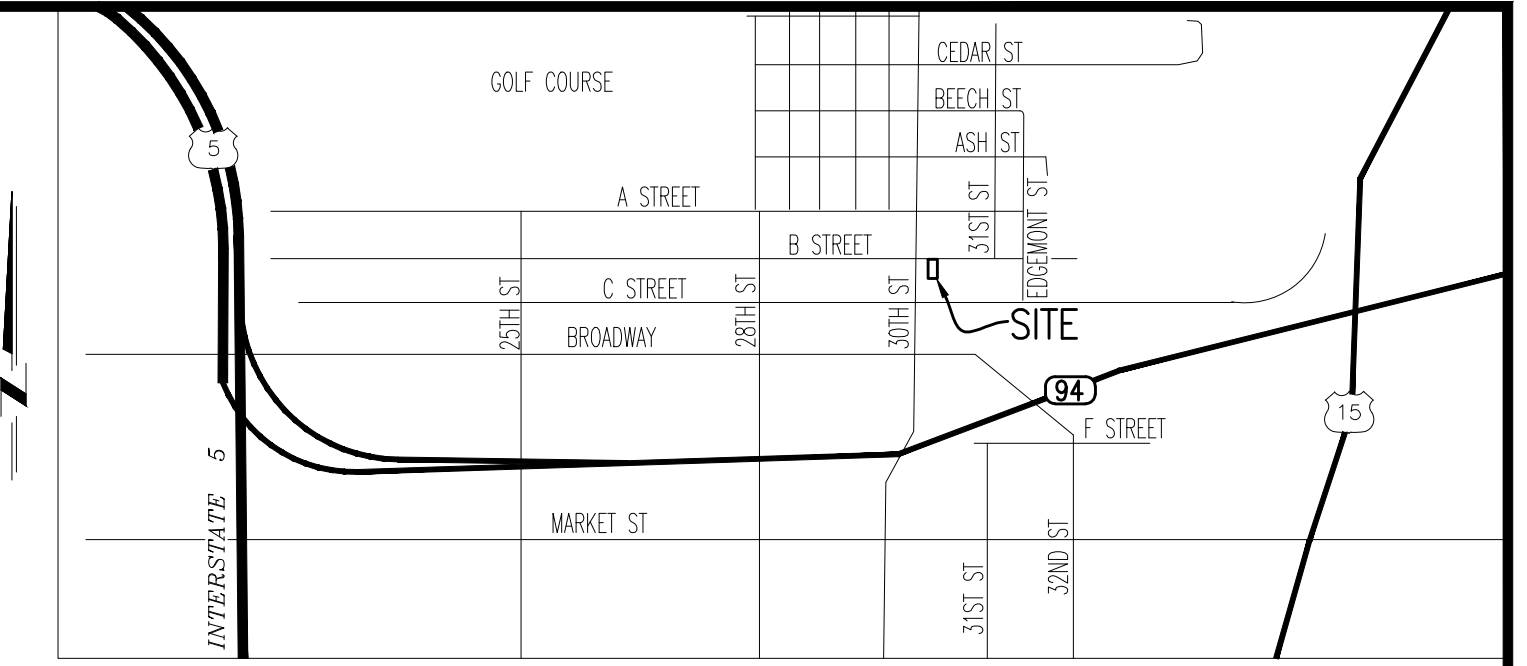
Page 3	City of San Diego · Information Bulletin 620		August 2018
	<b>City of San Diego Development Services</b> 1222 First Ave., MS-302 San Diego, CA 92101		<h2 style="text-align: right;">Community Planning Committee</h2> <h1 style="text-align: right;">Distribution Form Part 1</h1>
Project Name: B Street Residences	Project Number: PTS No. 632290	Distribution Date: May 30, 2019	
Project Scope/Location: 3019, 3021 and 3023 B Street, San Diego 92102. Process 3 tentative map waiver to create three residential condominiums			
Applicant Name: Deren Schneider		Applicant Phone Number: 619-405-2939	
Project Manager:		Phone Number:	Email Address:
<p>Project Issues (To be completed by Community Planning Committee for Initial Review):</p> <p>The Greater Golden Hill Planning Committee (GGHPC) requested that Mr. Schneider work with the City to put a "no left turn" sign at the alley exit due to heavy traffic in the area of the project site. Security lighting for the alley was recommended. In addition, the committee wanted to confirm that the project landscaping included planting of canopy trees in accordance with our Community Plan.</p>			
<i>Attach Additional Pages if Necessary.</i>		Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	

Page 4		City of San Diego · Information Bulletin 620		August 2018	
		<b>City of San Diego Development Services</b> 1222 First Ave., MS-302 San Diego, CA 92101		<h1>Community Planning Committee Distribution Form Part 2</h1>	
Project Name: B Street Residences		Project Number: PTS No. 632290		Distribution Date: May 30, 2019	
Project Scope/Location: 3019, 3021 and 3023 B Street, San Diego 92102. Process 3 tentative map waiver to create three residential condominiums					
Applicant Name: Deren Schneider			Applicant Phone Number: 619-405-2939		
Project Manager: Hugo Castaneda			Phone Number: 619.446.5220		Email Address: HCastaneda@sandiego.gov
Committee Recommendations (to be completed for Initial Review): To support a process 3 tentative map waiver, to create three residential condominiums.					
<input checked="" type="checkbox"/> Vote to Approve		Members Yes 14	Members No 0	Members Abstain 0	
<input type="checkbox"/> Vote to Approve With Conditions Listed Below		Members Yes	Members No	Members Abstain	
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below		Members Yes	Members No	Members Abstain	
<input type="checkbox"/> Vote to Deny		Members Yes	Members No	Members Abstain	
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)				<input type="checkbox"/> Continued	
CONDITIONS:					
NAME: Kathy Vandeneuvel			TITLE: Chair		
SIGNATURE: Kathy Vandeneuvel <small>Digitally signed by Kathy Vandeneuvel Date: 2019.06.02 07:45:42 -07'00'</small>			DATE: May 30, 2019		
Attach Additional Pages if Necessary.			Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101		

# TENTATIVE MAP WAIVER NO. 2278480

## "B" STREET RESIDENCES

A THREE UNIT CONDOMINIUM PROJECT: 3019, 3021 & 3023 "B" STREET, SAN DIEGO CA. 92102



### DEVELOPMENT SUMMARY

THIS IS A MAP OF A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4125 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA, AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. TOTAL NUMBER OF RESIDENTIAL/COMMERCIAL UNITS IS: (3) THREE

### GENERAL NOTES:

- ZONING : (RM-2-5) EXISTING & PROPOSED.
- ASSESSOR'S PARCEL NUMBER: 539-541-10-00
- SEWER SERVICE: CITY OF SAN DIEGO.
- WATER SERVICE: CITY OF SAN DIEGO.
- GAS: SAN DIEGO GAS & ELECTRIC COMPANY.
- UTILITY TABLE
 

SERVICE TYPE	FRANCHISE	CURRENT LINES STATUS
ELECTRIC	SAN DIEGO GAS & ELECTRIC CO.	OVERHEAD
TELEPHONE	AT&T AND CO. COMMUNICATION	OVERHEAD
CABLE	COX COMMUNICATIONS	OVERHEAD
- GRADING: NONE
- NAD 27 COORDINATE INDEX (LAMBERT) : 200-1725
- NAD 83: 1840 N, 6285 E
- NO EASEMENTS EXIST WITHIN PROPERTY
- SITE NET ACREAGE = 0.161 AC. (7,004 SF)
- TOPOGRAPHY PER FIELD SURVEY BY VICTOR RODRIGUEZ-FERNANDEZ, LS 5335, IN MARCH 2019.
- TOTAL NUMBER OF EXISTING LEGAL LOTS IS: ONE.  
TOTAL NUMBER OF PROPOSED LOTS IS: ONE.  
TOTAL NUMBER OF PROPOSED UNITS IS:  
(3) THREE RESIDENTIAL/COMMERCIAL CONDOMINIUM UNITS.
- FLOOR AREA SIZES: PROPOSED ONE BUILDING, 3 UNITS, 2 LEVELS:
 

UNIT 3019:	UNIT 3021:	UNIT 3023:
1ST FLOOR 402 S.F.	1ST FLOOR 419 S.F.	1ST FLOOR 419 S.F.
2ND FLOOR 847 S.F.	2ND FLOOR 864 S.F.	2ND FLOOR 864 S.F.
TOTAL LIVABLE: 1,249 S.F.	TOTAL LIVABLE: 1,283 S.F.	TOTAL LIVABLE: 1,283 S.F.
- PARKING TABLE:
 

2 PARKING SPACES PER UNIT (20'x21') = (420 SF) x 3 = 1,260 SF
BICYCLE PARKING SPACE REQUIRED= 0.1 PER UNIT=0.1x3=1 SPACE
BICYCLE PARKING SPACE PROVIDED= 2 SPACES
- BASIS OF BEARINGS: SOUTH 7' OFFSET LINE OF "B" STREET PER PARCEL MAP NO. 21665  
IE. N 89°51'15" W
- REFERENCE DRAWINGS: MAP 547, ROS 9428, CR 4381, CR 6948, DWG # 26034-11-D, PM 21665
- (3) RESIDENTIAL UNITS UNDER CONSTRUCTION PER BUILDING PERMIT PLAN FILE # 517082.
- CURB, GUTTER AND SIDEWALK ON "B" STREET PER APPROVED SIDEWALK ON "B" STREET CONSTRUCTED PER PTS NO. 534261 (PERMIT # 1878815)
- MINIMUM SETBACKS REQUIRED: FRONT = 10', SIDE = 5' INTERIOR/ 6' STREET, REAR = 1'
- ENGINEERING REVIEW HAS BEEN DETERMINED THERE IS AN EXISTING STREET LIGHT ON "B" STREET LESS THAN 300 FEET FROM THE PROJECT SITE AND THEREFORE THIS MAPPING PROCESS PROJECT WILL NOT BE REQUIRED TO CONSTRUCT A CURRENT CITY STANDARD STREET LIGHT.
- VISIBILITY AREA REQUIREMENTS FOR THE INTERSECTION OF THE ALLEYS WERE REVIEWED AND APPROVED BUILDING PERMIT PLAN FILE # 517082.
- NO ALLEY RIGHT-OF-WAY DEDICATION FOR THE EXISTING 10 FEET WIDE HALF ALLEY WAS REVIEWED AND APPROVED BUILDING PERMIT PLAN FILE # 517082.
- THIS PROJECT IS PROPOSED IN 3 BUILDINGS (UNDER CONSTRUCTION). WAS REVIEWED AND APPROVED BUILDING PERMIT PLAN FILE # 517082.
- THE SUBDIVIDER SHALL PREPARE CC&R'S FOR THE OPERATION AND MAINTENANCE OF ALL PRIVATE WATER AND SEWER FACILITIES THAT SERVE OR TRAVERSE MORE THAN A SINGLE CONDOMINIUM UNIT OR LOT.
- THE SUBDIVIDER SHALL ENSURE THAT ALL OUTSIDE UTILITIES SERVING THE SUBDIVISION SHALL BE UNDERGROUND WITH THE APPROPRIATE PERMITS.

### LEGAL DESCRIPTION

PARCEL 1 OF PARCEL MAP NO. 21665 IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER, OF SAN DIEGO COUNTY, MARCH 7, 2019.

### BENCHMARK

DESCRIPTION: NW BP LOCATION: "B" STREET & 30TH STREET ELEVATION: 224.172 M.S.L.

### APPLICANT

DEREN L SCHNEIDER  
1942 SONNET STREET  
EL CAJON, CA. 92109  
PH 619-405-2939

### OWNER:

DAVID L. SCHNEIDER, TRUSTEE OR HIS SUCCESSOR IN TRUST UNDER THE DAVID L. SCHNEIDER LIVING TRUST DATED APRIL 17, 2009, 7430 FORTUNA VISTA SANTEE CA. 92071

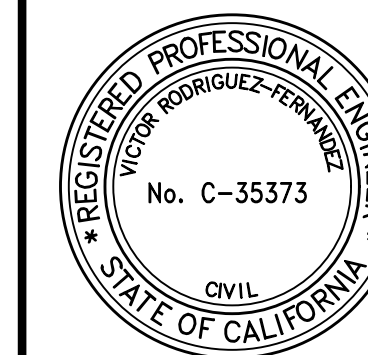
BY: \_\_\_\_\_

DATE: \_\_\_\_\_

Project Address:  
3019, 3021 & 3023 "B" STREET  
SAN DIEGO CA. 92102

Prepared By:

Name: VICTOR RODRIGUEZ-FERNANDEZ  
1283 E MAIN STREET, SUITE 109  
EL CAJON, CA 92021  
Phone #: (760) 357-2434

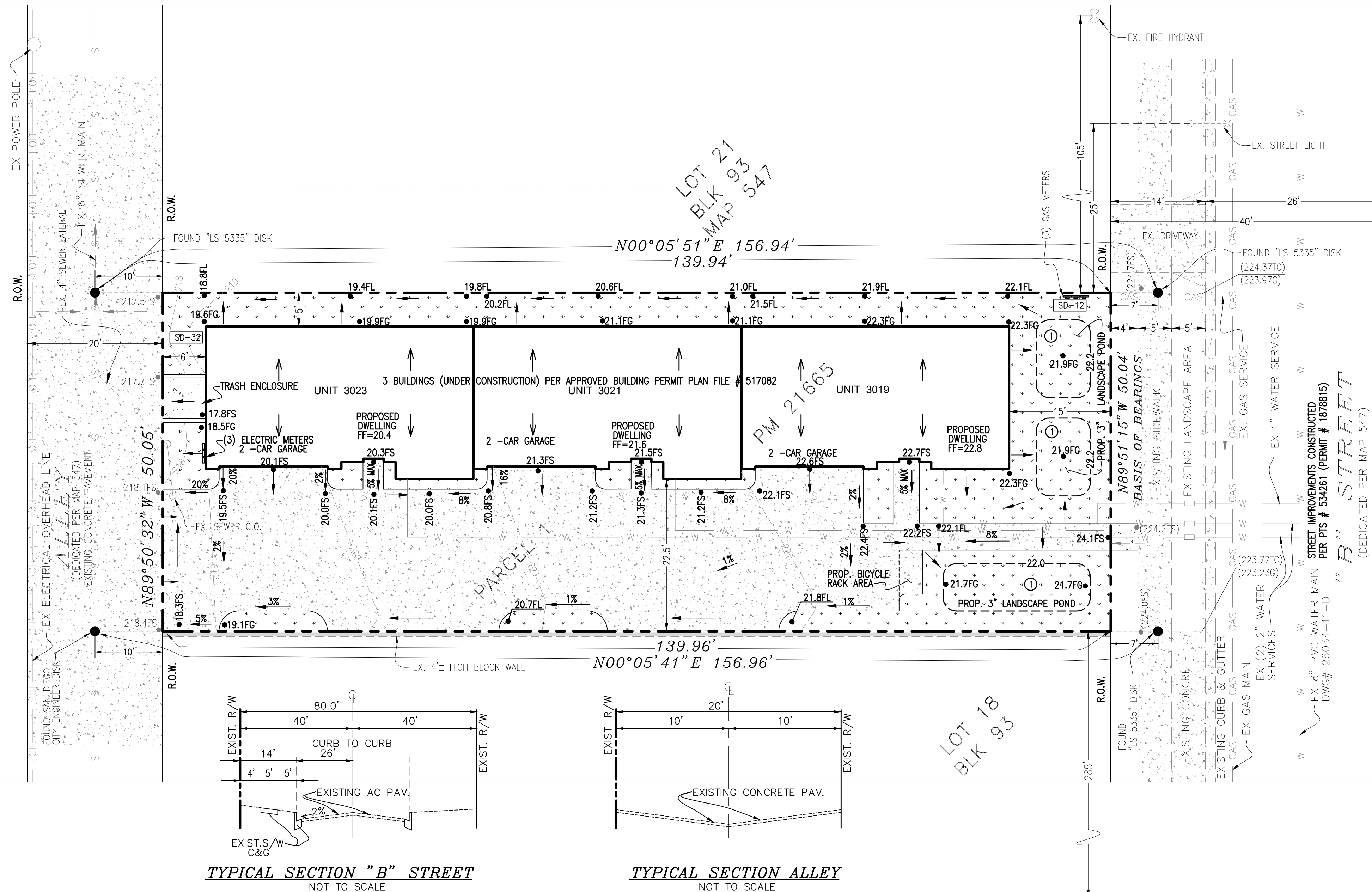


7/11/19  
VICTOR RODRIGUEZ-FERNANDEZ DATE

JOB. No. 17-943

Project Name:  
"B" STREET RESIDENCES  
Sheet Title:  
TENTATIVE MAP WAIVER

Date: 7/11/19  
Sheet 1 of 1



TYPICAL SECTION "B" STREET NOT TO SCALE

TYPICAL SECTION ALLEY NOT TO SCALE

### LEGEND

ITEM	SYMBOL	ITEM	SYMBOL	ITEM	SYMBOL
PROPERTY LINE / TM BOUNDARY	---	EXISTING WOOD FENCE	— — —	EXISTING DRAINAGE DIRECTION	→
RIGHT OF WAY LINE	—ROW—	EXISTING IRON FENCE	— — —	RIGHT OF WAY	R.O.W.
CENTER LINE	—CL—	EXISTING BLOCK WALL	— — —	GUTTER ELEVATION	G
EXISTING ELEVATION	○ 218.3	EXISTING WATER MAIN LINE	—W—	FINISH SURFACE ELEVATION	FS
EXISTING CONTOUR ELEVATION	- - - 222	EXISTING SEWER MAIN LINE	—S—	FINISH FLOOR ELEVATION	FF
EXISTING CURB	====	EXISTING ELECTRICAL OVERHEAD	—EOH—	FINISH GRADE ELEVATION	FG
EXISTING CURB & GUTTER	==== ====	EXISTING GAS MAIN LINE	—GAS—	FLOW LINE ELEVATION	FL
EXISTING STREET LIGHT	○	EXISTING FIRE HYDRANT	⊗		
		EXISTING SURVEY MONUMENT AS DESCRIBED	●		

CONDOMINIUM NOTE: THIS IS A MAP OF A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4125 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA, AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. TOTAL NUMBER OF RESIDENTIAL/COMMERCIAL UNITS IS: (3) THREE