



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: June 21, 2017 REPORT NO. HO-17-044

HEARING DATE: June 28, 2017

SUBJECT: EMERSON, Tentative Map Waiver, Process Three Decision

PROJECT NUMBER: [503585](#)

OWNER/APPLICANT: Emerson Street LLC.

SUMMARY

Issue: Should the Hearing Officer approve a Tentative Map Waiver for the creation of four residential condominium units (currently under construction). The project is located at 3144 Emerson Street in the RM-3-7 Zone, within the Peninsula Community Plan area?

Staff Recommendation: APPROVE Tentative Map Wavier No. 1772919.

Community Planning Group Recommendation: On January 19, 2017, the Peninsula Community Planning Board voted 12-0-1 to recommend denial of the proposed project without conditions (Attachment No. 8). The group wanted the previous code violations associated with the project cleared.

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15305 (Minor alterations 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 April 21, 2017, and the opportunity to appeal that determination ended May 5, 2017.

BACKGROUND

The 0.11-acre site is located at 3144-3148 Emerson Street and 1355-1359 Evergreen Street in the RM-3-7 Zone, within the Peninsula Community Plan area. The proposed project is located in an area identified as medium density (30-44 Dwelling Units per acre) residential in the Peninsula Community Plan and is consistent with that land use.

The construction of the residential units was previously approved under two separate ministerial approvals, Combination Building Permit Nos. 1664647 and 1664642. Due to a citizen complaint, it was determined the project was not in compliance with the SDMC. Therefore, a construction

change was required to bring the project into compliance with the 30-foot height limit requirements and for the modification of retaining walls that were over six-feet. On May 15, 2017, Construction Change 'A' to PTS No. 415278, was approved. The scope included change of grade elevation between structures, curb cut and driveway location revised at Emerson Street, curb cut and driveway enlarged at Evergreen Street, and modifications to multiple retaining walls. The project is now consistent with the required 30-foot height limit and the retaining walls have been reduced to six feet.

The project proposes a Tentative Map Waiver for the creation of four residential condominium units, currently under construction. The project is surrounded by both multi-family and single-family residential developments zoned RM-3-7 with a community plan designation of multi-family residential development. The site is not within or adjacent to Multiple Habitat Planning Area (MHPA) lands and does not contain any other type of Environmentally Sensitive Lands (ESL) as defined in the SDMC section 113.0103.

DISCUSSION

The applicant is requesting the approval of a Tentative Map Waiver, per San Diego Municipal Code (SDMC) Section 125.0120(b)(2)(A) to four under-construction residential units to condominiums, The project requires a Process Three, Hearing Officer decision.

The neighborhood has already had the overhead utility lines undergrounded, with exception of the high voltage power lines. San Diego Municipal Code (SDMC) Section 144.0240 allows the subdivider to apply for a waiver from the requirement to underground existing overhead utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined that the requested 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 full block in length) and would not represent a logical extension to an underground facility.

Notwithstanding the requested waiver, the project is required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 6 of the Tentative Map Waiver. The City's Undergrounding Master Plan designated the site within Block 2J with an estimated date for undergrounding for January 2016.

Conclusion

Staff has determined that the project complies with applicable sections of the San Diego Municipal Code, including the RM-2-7 development regulations and all City and State subdivision requirements, and that the required findings can be made. Staff recommends approval of the project as proposed.

ALTERNATIVES

1. Approve Tentative Map Waiver No. 1772919, with modifications.

2. Deny Tentative Map Waiver No. 1772919, if the findings required to approve the project cannot be affirmed.

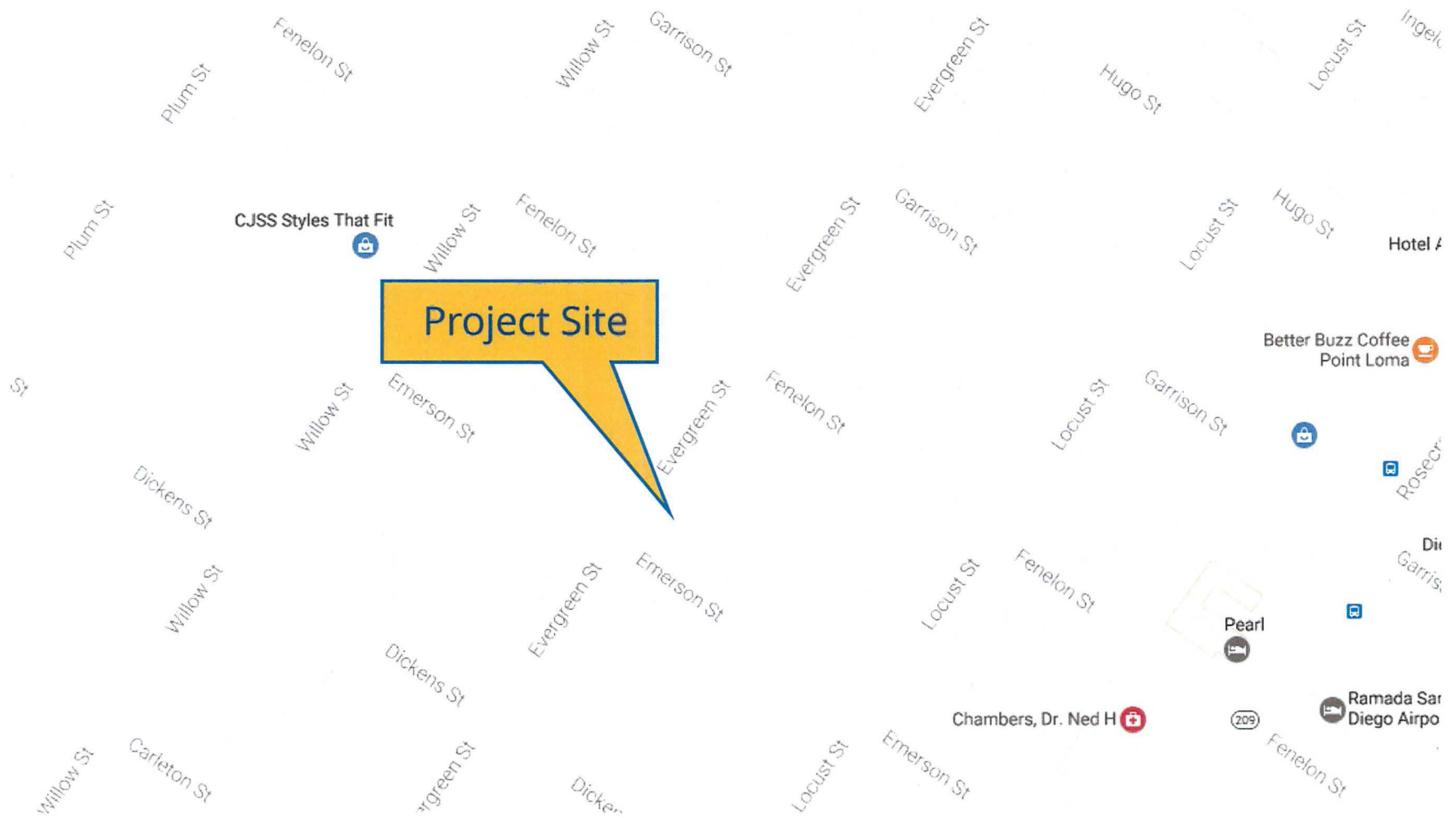
Respectfully submitted,



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

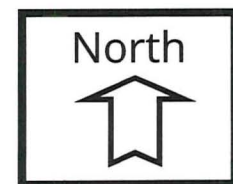
Attachments:

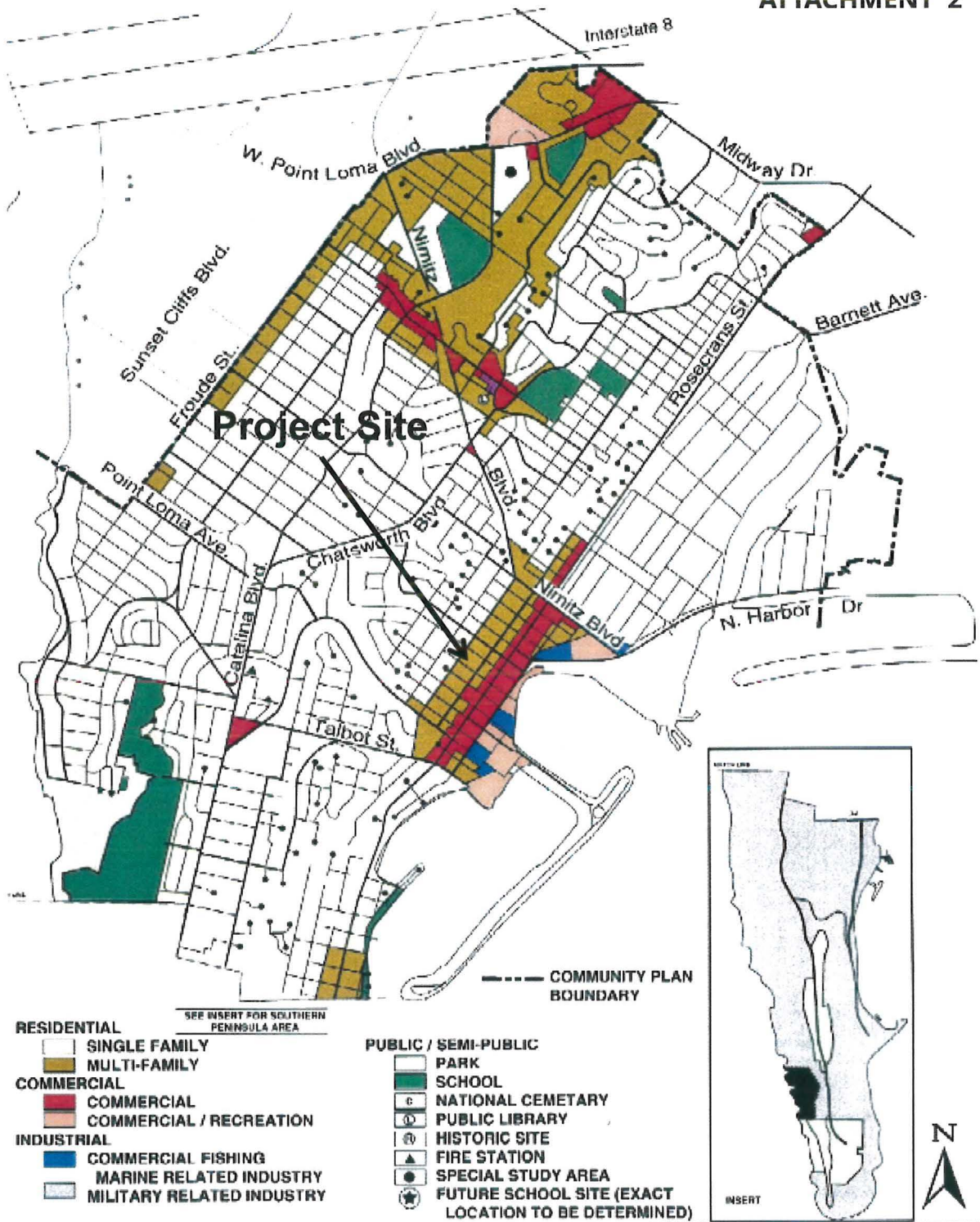
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Project Data Sheet
5. Draft Map Resolution
6. Draft Map Conditions
7. Environmental Exemption
8. Community Planning Group Recommendation
9. Ownership Disclosure Statement
10. Map Exhibit-Tentative Map Waiver



Project Location Map

EMERSON MAP WAIVER/3144 EMERSON STREET
PROJECT NO. 503585





Land Use Map

EMERSON MAP WAIVER/3144 EMERSON STREET
PROJECT NO. 503585





Aerial Photo

EMERSON MAP WAIVER/3144 EMERSON STREET
PROJECT NO. 503585



PROJECT DATA SHEET		
PROJECT NAME:	Emerson Tentative Map Waiver	
PROJECT DESCRIPTION:	Tentative Map Waiver for the creation of four residential condominium units (under construction) at 3144-3148 Emerson Street and 1355-1359 Evergreen Street at a 0.11-acre site in the RM-3-7 zone within the Peninsula Community Plan Area in Council District 2.	
COMMUNITY PLAN AREA:	Peninsula Plan	
DISCRETIONARY ACTIONS:	Map Waiver (Process 3)	
COMMUNITY PLAN LAND USE DESIGNATION:	Multi-Family Residential.	
<p style="text-align: center;"><u>ZONING INFORMATION:</u></p> <p style="text-align: center;">ZONE: RM-3-7: (Multi-Family)</p> <p style="text-align: center;">HEIGHT LIMIT: 40-Foot maximum height limit, 30-foot Coastal Height Limit</p> <p style="text-align: center;">LOT SIZE: 7,000 square-foot minimum lot size</p> <p style="text-align: center;">FLOOR AREA RATIO: 1.8 maximum</p> <p style="text-align: center;">FRONT SETBACK: 10 ft minimum/20 ft standard</p> <p style="text-align: center;">SIDE SETBACK: 5 ft minimum</p> <p style="text-align: center;">STREETSIDE SETBACK: 10 feet</p> <p style="text-align: center;">REAR SETBACK: 5 feet</p> <p style="text-align: center;">PARKING: 8 spaces required</p>		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Multi-Family Residential; RM-3-7	Multi-Family Residential
SOUTH:	Multi-Family Residential; RM-3-7	Multi-Family Residential
EAST:	Multi-Family Residential; RM-3-7	Multi-Family Residential
WEST:	Single-Family Residential; RS-1-7	Single -Family Residential
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On January 19, 2017, the Peninsula Community Planning Board voted 12-0-1 to recommend denial of the proposed project without conditions.	

HEARING OFFICER RESOLUTION NUMBER R-_____

TENTATIVE MAP WAIVER NO. 1772919, EMERSON TMW
PROJECT NO. 503585.

WHEREAS, Emerson Street LLC, a California Limited Liability Corporation, Subdivider, and Robert Russell, Accurate Land Surveys, Surveyor, submitted an application to the City of San Diego for a Tentative Map Waiver No. 1772919, to create four condominium units in an under-construction project, and to waive the requirement to underground existing offsite overhead utilities. The project site is located at 3144 Emerson Street in the RM-3-7 Zone, within the Peninsula Community Plan area. The property is legally described as Lot 1, Block 48 of Roseville, Map No 165, filed in the office of the County Recorder of San Diego County; and

WHEREAS, the Map proposes the subdivision of a 0.11-acre-site to create four residential condominiums in a project that is currently under construction; and

WHEREAS, on April 21, 2017, 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 15303 (New Construction or Conversion of Small Structures); 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, 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 four; and

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

WHEREAS, on June 28, 2017, the Hearing Officer of the City of San Diego considered Tentative Map Waiver No. 1772919, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to San Diego Municipal Code sections 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 Waiver No. 1772919:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan. SDMC, Section 125.0440(a).

The project proposes a Tentative Map Waiver for the subdivision of the 0.11-acre site to create four residential condominium units. The 0.11-acre site is located at 3144 Emerson Street in the RM-3-7 Zone, within the Peninsula Community Plan area. The proposed project is located in an area identified as medium density (15-29 du/ac) residential in the Peninsula Community Plan and the project is consistent with that land use. The Peninsula Community Plan encourages a wide variety of housing types for all age, income and social groups. The project would provide four, three-bedroom units in an area that largely consists of two-bedroom units, thereby providing a wider variety of housing types.

The project site is designated Multiple Use in the General Plan and is consistent with existing General Plan designations by providing multi-family housing within a medium- high-density range within an urbanized core of the City. The proposed subdivision implements General Plan Policy UD-A.5 by contributing to a positive neighborhood character and relating to the neighborhood and community context, and UD-B.1 by recognizing the quality of a neighborhood is linked to the overall quality of the built environment.

As proposed, the subdivision would be consistent with the Peninsula Community Plan and overall policies for development related to the Land Use and Urban Design, and Density elements contained in the General 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. SDMC § 125.0440(b).

The project proposes a Tentative Map Waiver for the subdivision of the 0.11-acre site to create four residential condominium units. The 0.11-acre site is located at 3144 Emerson Street, in the RM-3-7 Zone in the Peninsula Community Plan area. The proposed project is located in an area identified as medium density (15-29 du/ac) residential in the Peninsula Community Plan and is consistent with that land use.

The project includes a request to waive the requirement to underground the existing offsite overhead utilities. The requested waiver of the requirement to underground the existing overhead utility facilities in the public right-of-way qualifies under the guidelines of Municipal Code Section 144.0242, Waiver of the Requirements to Underground Privately Owned Utility Systems and Service Facilities, in that the project involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility. The project has been conditioned to underground any new service run to any new or proposed structures within the subdivision.

The current development which is under construction was reviewed for conformance within the RM-3-7 Zone during the Building Permit plan check and conforms to the development regulations. The project is in compliance with the Municipal Code and the Subdivision Map Act and includes conditions and exhibits to ensure the provision of adequate parking, public improvements and compliance with the Land Development Code. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code.

3. The site is physically suitable for the type and density of development. SDMC § 125.0440(c).

The project proposes a Tentative Map Waiver for the subdivision of the 0.11-acre site to create four residential condominium units. The 0.11-acre site is located at 4144 Emerson Street, in the RM-3-7 Zone in the Peninsula Community Plan area.

The proposed project is located in an area identified as Medium density (15-29 du/ac) residential in the Peninsula Community Plan and is consistent with that land use. The developed, in-fill project site is located on a flat, previously graded parcel.

The project has been conditioned to construct public improvements, as shown on the previously approved construction plan for Grading/Right-of-Way Permit No. 807629 (Project No. 415278) including new City Standard curbs, gutters, and sidewalks. 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. SDMC § 125.0440(d).

The developed project site is located in an urban in-fill area and does not contain nor is it adjacent to any sensitive resources, Multiple Habitat Planning Area lands, Environmentally Sensitive Lands or existing fish or wildlife habitats. 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. SDMC § 125.0440(d)

5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare. SDMC § 125.0440(e).

The project proposes a Tentative Map Waiver for the Subdivision of the 0.11-acre site to create four residential condominium units. The development conforms to the development regulations of Municipal Code and Subdivision Map Act. The project includes a request to waive the requirement to underground the existing offsite overhead utilities. All Uniform Building, Fire, Plumbing, Electrical, Mechanical Code and other regulations governing construction, continued operation and health/life/safety requirements apply to this project. The project is in compliance with the Municipal Code and the Subdivision Map Act and includes conditions and exhibits to ensure the provision of adequate parking, public improvements and compliance with the Land Development Code. The subdivision is categorically exempt from review under the California Environmental Quality Act. The Subdivider shall construct the required Public Improvements per the previously approved Grading/Right-of-Way Permit No. 807629 (Project No. 415278) including new curbs, gutters, sidewalks and a driveway. As such, the design of the subdivision or the type of improvement 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. SDMC § 125.0440(f).

There are no existing access easements located within the project boundaries, as shown on Tentative Map Waiver No. 1772919. As such, no conflict would occur with the recording of the subdivision, and there would be no conflicts with any easements acquired by the public at large for access through or use of the 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. SDMC § 125.0440(g).

The project proposes a Tentative Map Waiver for the subdivision of the 0.11-acre site to create four residential condominium units. The proposed subdivision will not impede or inhibit any future passive or natural heating and cooling opportunities. Each unit is exposed on two sides (north and south) to ensure passive cooling through cross-ventilation of the interior spaces. 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. SDMC § 125.0440(h).

The in-fill project site is surrounded by existing development, consisting primarily of both multi-family residential complexes and single-family residences. The Peninsula Community Plan encourages a wide variety of housing types for all age, income and social groups. The project would provide four, two-bedroom units in an area that largely consists of single-family residences and three-bedroom units, thereby providing a wider variety of housing types.

The site is currently under construction and has paid all applicable Developer Impact Fees (DIF), school fees, water/sewer connection fees and other impact fees, with the exception of the affordable housing fee, at building permit issuance in accordance with the City's Public Facilities Financing Plan and Impact Fee Schedule. The project site is served by existing public infrastructure, including, water, sewer, electrical and gas lines.

The decision maker has reviewed the administrative record including the project plans, environmental documentation and heard public testimony to determine 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 and found that the conversion of four units into condominium ownership is consistent with the housing needs anticipated for the Peninsula Community Plan area.

Therefore, 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.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Tentative Map Waiver No. 1772919, including the waiver of the requirement to underground existing offsite overhead utilities, is hereby granted to Emerson Street, LLC. subject to the attached conditions which are made a part of this resolution by this reference.

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

ATTACHMENT: Tentative Map Waiver Conditions

Internal Order No. 24006878

HEARING OFFICER,
CONDITIONS FOR TENTATIVE MAP WAIVER NO. 1772919, EMERSON STREET - PROJECT NO. 503585

ADOPTED BY RESOLUTION NO. R-_____ ON June 28, 2017

GENERAL

1. This Tentative Map Waiver will expire July 13, 2020.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Certificate of Compliance, unless otherwise noted.
3. Prior to the Tentative Map Waiver expiration date, a Certificate of Compliance to create four residential condominiums shall be recorded in the Office of the San Diego County Recorder.
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 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.

AFFORDABLE HOUSING

6. Prior to receiving the first residential building permit, Subdivider shall comply with the provisions of Chapter 14, Article 2, Division 13 of the San Diego Municipal Code ("Inclusionary Affordable Housing Regulations") by making payment to the City of San Diego, of the full Inclusionary Affordable Housing Fee for the four proposed new construction units based upon the aggregate square footage of the four affordable Housing Regulations.

ENGINEERING

7. Public improvements based on Drawing # 38668- D must be constructed and accepted by the City (As Built) prior to recordation of map.
8. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement for sidewalk under drain on Emerson Street.
9. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
10. 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 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

11. Prior to the issuance of a Certificate of Compliance, City staff will perform a field site visit to verify that all property corners, or property corner offsets have been set. If any property corners are missing, they must be set 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 Record of Survey or Corner Record shall be provided to the City.
12. Prior to the recordation of the Certificate of Compliance, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition.
13. Please note if tax bond is required as indicated in the tax certificate, please make sure that it is paid or posted, and submit an evidence (e.g., filed bond letter or receipt from Clerk of the Board) indicating the required tax bond amount has been paid or bonded.

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

Internal Order No. 24006878

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: EMERSON MAP WAIVER**Project No. / SCH No.:** 24006878**Project Location-Specific:** 3144 Emerson Street, San Diego, CA 92106**Project Location-City/County:** San Diego/San Diego

Description of nature and purpose of the Project: MAP WAIVER for the creation of four residential condominium units (under construction) and to waive the requirements to underground existing utilities at 3144-3148 Emerson Street and 1355-1359 Evergreen Street at a 0.11-acre site in the RM-3-7 zone within the Peninsula Community Plan Area in Council District 2. The construction of the condominium units was previously approved under two separate ministerial approvals (Combination Building Permit No. 1664647 and Combination Building Permit No. 1664642). The approved condominium development complies with all height and bulk regulations and is located on a site that is currently developed with all public utilities in place to serve the residence.

Name of Public Agency Approving Project: City of San Diego**Name of Person or Agency Carrying Out Project:** Maggie Roland, 3752 Park Blvd #701, San Diego, CA 92103, 619-578-2916

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: 15305 (Minor Alterations in Land Use Limitations).
- ☐ Statutory Exemptions:

Reasons why project is exempt: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15305 (Minor Alterations in Land Use Limitations). The exemption is appropriate because 15305 allows for minor alterations in areas with an average slope of less than 20%, which do not result in any changes in land use or density. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effects on the environment were identified; the project is not adjacent to a scenic highway; the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

Lead Agency Contact Person: Courtney Holowach

Telephone: (619) 446-5187

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 7

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



CHRIS TRACY, SENIOR PLN., OCA

June 8, 2017

Signature/Title

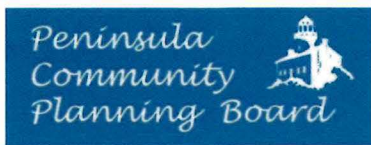
Date

Check One:

☒ (X) Signed By Lead Agency

☐ () Signed by Applicant

Date Received for Filing with County Clerk or OPR:



MINUTES

Meeting Date: January 19, 2017

The regularly scheduled meeting of the Peninsula Community Planning Board was held on January 19, 2017, at the Point Loma/Hervey Branch Library, located at 3701 Voltaire Street, San Diego, California 92107. Meeting called to order at 6:33pm.

All Board members present, with the exception of David Dick and voting as indicated.

1. Approval of Agenda. M/R. Goldyn, S/J. Lohla to approve agenda with the correction to strike language to waive the requirement to underground existing utilities from Action Item No.2, Emerson Map Waiver, as this has already been done.

Approved: 13/0/0 (Chair not voting)

Yes: Clark, Coons, Goldyn, Hare, Herrin, Holasek, Krencik, Lohla, Miller, Nystrom, Quinn, Sevens, Webb

No:

Abstain:

Absent: Dick

2. Treasurer's Report. Treasurer Patricia Clark reported a bank account balance of \$396.09. Paid webmaster invoice of \$395.00; received City of San Diego reimbursement for amount.

3. Chair's Report. Chair Linney mentioned upcoming PCPB elections and Candidates Forum on 3/2/17. Encouraged public to run for open positions. He gave a shoutout to the Board for their work on 30 foot height limit and fighting the Emerson Street project.

4. Approval of Minutes. M/J. Quinn, S/B. Herrin to approve November 2016 meeting minutes.

Approved: 11/0/2 (Chair not voting)

Yes: Clark, Coons, Goldyn, Hare, Herrin, Holasek, Lohla, Miller, Nystrom, Quinn, Sevens

No:

Abstain: Krencik, Webb (not present at November 2016 meeting)

Absent: Dick

5. Secretary's Report. David Dick absent. Julia Quinn, filling in for secretary.

Non-Agenda Public Comment

Name	Subject
Nicole Burgess	Will be holding fundraiser on 2/18/17 to support bicycle network improvements.
Korla Eaquina	Frustrated with City Process 1 that allows ministerial approval of projects and then can apply for map waiver for condos after projects built, over height limit and deficient parking.
Jarvis Ross	Sea World proposing amusement park.
Jim Gilhooly	Miramar Pipeline project will shut down La Playa beach for 3-4 months in February 2017.

Peninsula Community Planning Board
 Meeting Minutes
 January 19, 2017
 Page 3

Action Items

1. **2230 Etiwanda Street CDP**, Project No. 472766, Zone RM-1-1. CDP to construct 1472 SF dwelling unit to existing single family dwelling unit on 0.15-acre site. Coastal (non-appealable) overlay zone. Applicant: Steve Lombardi. Mark Krencik advised Project Review Subcommittee voted 5/0/1 to approve. Parking was issue, but was resolved. What was described as a bedroom was actually an office, with no closet and no door. M/M. Krencik, S/P. Clark to approve.
 Approved 10/2/1 (Chair not voting).
 Yes: Clark, Coons, Goldyn, Hare, Holasek, Lohla, Krencik, Miller, Nystrom, Quinn, Sevrens,
 No: Herrin, Miller
 Abstain: Webb (Has a financial interest in a nearby property.)
 Absent: Dick
2. **Emerson Map Waiver**, Project No. 503585, 3144-3148 Emerson and 1355-1359 Evergreen Street, Zone RM 3-7. Map Waiver to create four condominium units (under construction) on 0.11 acre site. Applicant: Maggie Roland. Krencik advised Project Review Subcommittee voted 6/1/0 to move project forward but did have some problems: roof top deck/deck system open railing and parapet over 30-foot height limit; the way property abuts adjacent property, 6-foot retaining wall will be up to 9-feet (code specifies maximum 6-foot retaining wall) recommended minimize height of wall with open railings (condition project to remove all improvements over 30-feet. Applicant Maggie Roland said parapet cannot be changed; can paint a dark color. Cost prohibitive to change wall to adjacent property and reduce project to not exceed 30-feet. M/J. Lohla, S/D. Sevrens to deny map waiver because it was not revised to exceed 30-feet; retaining wall exceeds 6-feet; and concerns project was originally permitted as apartments and then changes to condominiums which did not allow community input into design. Approved: 12/0/1 (Chair not voting).
 Yes: Clark, Coons, Goldyn, Hare, Herrin, Krencik, Lohla, Miller, Nystrom, Sevrens, Webb
 No: N/A
 Abstain: Holasek (has working relationship with developer).
 Absent: Dick
3. **Creation of 2017 Election Committee**. Patricia Clark and Mark Krencik to assist Robert Golden. M/R. Goldyn, S/P. Webb to approve Clark and Krencik to election subcommittee. s.
 Approved: 13/0/0 (Chair not voting)
 Yes: Clark, Coons, Goldyn, Hare, Herrin, Holasek, Krencik, Lohla, Miller, Nystrom, Quinn, Sevrens, Webb
 No: N/A
 Abstain: N/A
 Absent: Dick
4. **Possible Letter of 45 Year Review for 3804 Bernice Drive-** M/P. Webb, S/J. Quinn to direct Bruce Coons to prepare response to City's 45-year review notice indicating structure is potentially historic and Secretary of the Interior standards by followed. Approved: 13/0/0 (Chair not voting)
 Yes: Clark, Coons, Goldyn, Hare, Herrin, Holasek, Krencik, Lohla, Miller, Nystrom, Quinn, Sevrens, Webb
 No: N/A



THE CITY OF SAN DIEGO

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

Ownership Disclosure Statement

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

Project Title

Emerson Corner MW

Project No. For City Use Only

503585

Project Address:

3144 Emerson Street, San Diego, CA. 92106

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

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

Additional pages attached ☐ Yes ☒ No

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Project Title:	Project No. (For City Use Only)
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Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

☐ Corporation ☒ Limited Liability -or- ☐ General) What State? _____ Corporate Identification No. _____
☐ Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. 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. **Additional pages attached** ☐ Yes ☐ No

Corporate/Partnership Name (type or print):
3144 Emerson Street LLC, a Ca limited liability company

☒ Owner ☐ Tenant/Lessee


Street Address:
4016 Caminito Davila

City/State/Zip:
San Diego, CA. 92122

Phone No: 858-245-2344 Fax No: 858-435-7650

Name of Corporate Officer/Partner (type or print):
Alfonso Aldrete

Title (type or print):
Manager

Signature :  Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

3144 EMERSON STREET

SAN DIEGO, CA 92106

CONDOMINIUM NOTE

THIS IS 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. THE TOTAL NUMBER OF RESIDENTIAL CONDOMINIUM UNITS IS 4.

LEGAL DESCRIPTION

LEGAL DESCRIPTION: LOT 1 IN BLOCK 48 OF ROSEVILLE, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 165, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

ASSESSOR'S PARCEL NO.

531-305-01
NUMBER OF PROPOSED LOTS = ONE (1)

ZONING

RM-3-7 (RESIDENTIAL MULTIPLE = 1 DWELLING PER 1,000 SQ. FT.)

SITE AREA + NO. OF UNITS

5,000 SQUARE FEET (GROSS); 4 UNITS

COORDINATE INDEX

L.C.: 242-1685
OCS 83: 1882-6245

MINIMUM SETBACKS

RESUBDIVIDED LOT:
FRONT: 20 FEET - MINIMUM FRONT 10 FEET
INTERIOR SIDE: 5 FEET - STREET SIDE 5 FEET TO 10 FEET
REAR: 5 FEET

BENCHMARK

THE BENCHMARK FOR THIS SURVEY IS A CITY OF SAN DIEGO VERTICAL CONTROL MONUMENT, A BRASS PLUG, IN TOP OF CURB, LOCATED AT THE SOUTH CORNER OF EMERSON STREET AND EVERGREEN STREET.

ELEVATION = 24.671 (NGVD '29)

TITLE REPORT

PRELIMINARY TITLE REPORT ISSUED BY TITLE365 COMPANY, ORDER NO. CA0440-16008530-41, DATED JUNE 13, 2016.

OWNER

3144 EMERSON STREET L.L.C., A CALIFORNIA LIMITED LIABILITY COMPANY
7590 FAY AVENUE #508
LA JOLLA, CA 92037

NAME: DATE:

TM WAIVER

THIS IS A REQUEST FOR A WAIVER OF A TENTATIVE MAP AND THE PARCEL MAP.

UTILITIES

SEWER: CITY OF SAN DIEGO (UNDERGROUND)
WATER: CITY OF SAN DIEGO (UNDERGROUND)
GAS: SAN DIEGO GAS AND ELECTRIC (UNDERGROUND)
ELECTRIC: SAN DIEGO GAS AND ELECTRIC (OVERHEAD)
TELEPHONE: AT&T (OVERHEAD)
CABLE: COX CABLE (OVERHEAD)

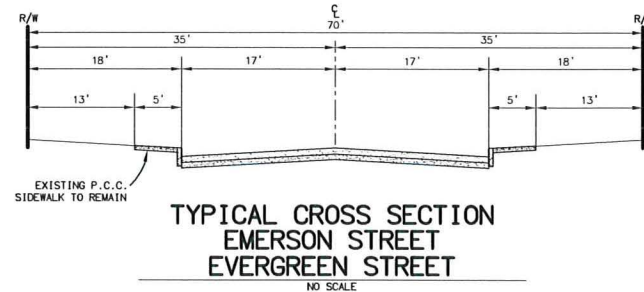
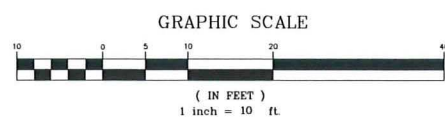
EASEMENTS

NONE PROPOSED
NONE EXISTING

BUILDINGS + PARKING RATE

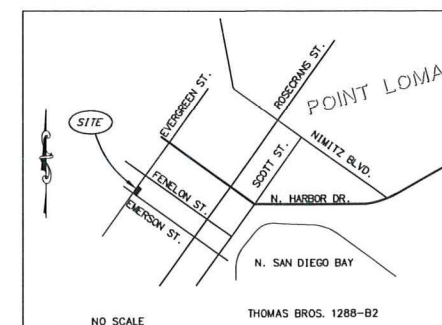
UNITS A - D = 2 BEDROOMS EACH
TOTAL OF 8 BEDROOMS

PARKING:
1.25 PER 2 BEDROOM UNIT
TOTAL REQUIRED FOR UNITS = 5
PROVIDED 8 ONSITE IN GARAGE
2 PER UNIT



LEGEND

AC --- ASPHALT CONCRETE
EG --- EXISTING GROUND
EP --- EXISTING PAVEMENT
GM --- GAS METER
FL --- FLOW LINE
FS --- FINISHED SURFACE
PL --- PROPERTY LINE
PP --- POWER POLE
SB --- SETBACK
SMH --- SEWER MANHOLE
STLT --- STREET LIGHT
TC --- TOP OF CURB
WM --- WATER METER



ACCURATE
LAND SURVEYS
2514 ALPINE BLVD. SUITE #4, ALPINE, CA 91901
PH: 619-445-0110

PROFESSIONAL LAND SURVEYOR
ROBERT J. RUSSELL
EXP. MAR 31 19
NO. 8211
STATE OF CALIFORNIA

ROBERT J. RUSSELL, PLS DATE: 05/09/17

L.O. 24006878 PTS. 503585 CCS 1882-6245 L.C. 202-1695