

THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: August 2, 2017

REPORT NO. HO-17-055

HEARING DATE: August 9, 2017

SUBJECT: GARRISON LANDING, Process Three Decision

PROJECT NUMBER: <u>524769</u>

OWNER/APPLICANT: Point Loma Partners 1, LLC, Owner and Jose R. Gomez, Applicant.

<u>SUMMARY</u>

<u>Issue</u>: Should the Hearing Officer approve the creation of four condominium residential units (under construction) located at 3141-3143 Garrison Street and 1421-1423 Evergreen in the Peninsula Community Plan and Local Coastal Program Land Use Plan?

<u>Staff Recommendation</u>: APPROVE Tentative Map Waiver No. 1843694, including the waiver of the requirement to underground existing offsite overhead utilities.

<u>Community Planning Group Recommendation</u>: On April 20, 2017, the Peninsula Community Planning Board (PCPB) voted 11-1-1 to recommend denial on the grounds that; 1) the project was rushed through Development Services Department to avoid 30-foot height limit, and 2) the project was submitted for review as a single lot (apartments) to avoid project review by PCPB (Attachment 8).

<u>Environmental Review</u>: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15305, Minor Alterations in Land Use Limitations (Attachment 6). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on June 14, 2017, and the opportunity to appeal that determination ended June 28, 2017.

BACKGROUND

The project site is located north of Locust Street and east of Fenelon Street at 3141-3143 Garrison Street and 1421-1423 Evergreen Street, in the RM-3-7, Coastal Height Limitation, Airport Influence Area (SD International Airport), and FAA Part 77 Noticing Area (Lindbergh & North Island) Overlay Zones within the Peninsula Community Plan and Local Coastal Program Land Use Plan (Community Plan). The residential development currently under construction consists of two, three-story duplex structures with a total of four units, each with two bedrooms, three bathrooms, and a two-car garage. See the below Building Table for specific area information.

	Residence	Garage	Deck	Total
Building A	1,564 SF	450 SF	384 SF	2,288 SF
Building B	1,348 SF	413 SF	273 SF	1,924 SF
Building C	1,713 SF	450 SF	405 SF	2,037 SF
Building D	1,375 SF	413 SF	258 SF	1,895 SF

The development is being constructed by right in accordance with the San Diego Municipal Code (SDMC) base zone regulations. The ministerial building permits were approved in June 2016, via Project No.<u>466154</u>. At the time of 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 within the coastal overlay zone, floor area ratio, parking, setbacks and landscaping. The project proposes the creation of condominium units for home ownership opportunities and does not affect the previously approved building permits.

DISCUSSION

The proposed project requests a Tentative Map Waiver per SDMC Section 125.0120(b)(1) to create four residential condominium units that are currently under construction 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 eight parking spaces and eight parking spaces are provided. 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.

The neighborhood currently contains SDG&E power poles within the public right-of-way along Evergreen Street. The City's Undergrounding Master Plan designates the site within Block 2I, and is estimated for construction in May 2053. The proposed subdivision utilities shall be undergrounded and the project includes a waiver from the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public rights-of-way. In conformance with SDMC Section 144.0240(b)(5), City staff supports 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) since 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.

Community Plan Analysis:

The project site is located in the Roseville Neighborhood of the Community Plan and is characterized as a commercial area interspersed with apartments, condominiums, and smaller one-story single-family homes. The Community Plan designates the project site for 30-44 dwelling units per acre

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(Figure 8, pg. 32) and the project results in a density of approximately 35 dwelling units per acre which implements the prescribed density.

The project site is designated Residential Use in the General Plan and is consistent with existing General Plan designations by providing higher density, multi-family development within the central 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. The proposed condominiums under construction implement General Plan Policies UD-A.6 and UD-B.4 by enhancing the pedestrian experience, by reinforcing the street frontages along Evergreen and Garrison Streets. As proposed, the project would be consistent with the Community Plan and overall policies for development related to the Land Use and Urban Design, and Density elements contained in the General Plan.

Conclusion:

Staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code and conforms to both the Peninsula Community Plan and Local Coastal Program Land Use Plan and the City's General Plan. 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 SDMC. Staff has reviewed the proposed subdivision and determined that it complies with both the Subdivision Map Act and the SDMC and recommends the Hearing Officer approve the project as proposed.

ALTERNATIVES

- 1. Approve Tentative Map Waiver No. 1843694, with modifications.
- 2. Deny Tentative Map Waiver No. 1843694, if the findings required to approve the project cannot be affirmed.

Respectfully submitted

Tim Daly, 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

- 7. Community Planning Group Recommendation
- Ownership Disclosure Statement Map Waiver Exhibit 8.
- 9.





Project Location

Garrison Landing, Project No. 524769 3141 -1343 Garrison St. and 1421 - 1423 Evergreen St. San Diego CA 92106





<u>Peninsula Land Use Map</u>

The City of

SAN

DIEGO

Garrison Landing, Project No. 524769 3141 -1343 Garrison St. and 1421 - 1423 Evergreen St. San Diego CA 92106





The City of SAN DIEGO

<u>Aerial Photo</u>

Garrison Landing, Project No. 524769 3141 -1343 Garrison St. and 1421 - 1423 Evergreen St. San Diego CA 92106



RESOLUTION NO. _____ DATE OF FINAL PASSAGE ______

A RESOLUTION OF THE HEARING OFFICER ADOPTING THE FINDINGS AND APPROVING TENTATIVE MAP WAIVER NO. 1843694 FOR GARRISON LANDING - PROJECT NO. 524769

WHEREAS, Point Loma Partners 1, LLC, Subdivider, and Jose Raul Gomez, Engineer, submitted an application with the City of San Diego for Map Waiver No. 1843694, to waive the requirement for a tentative map and to waive the requirement to underground existing offsite overhead utilities. The project site is located north of Locust Street and west of Hugo Street at 3141 and 3143 Garrison Street, and 1421 and 1423 Evergreen Street in the RM-3-7, Coastal Height Limitation, Airport Influence Area (SD International Airport), and FAA Part 77 Noticing Area (Lindbergh & North Island) Overlay Zones within the Peninsula Community Plan. The property is legally described as Lot 12 of Block 57 of Roseville, according to Map No. 165 filed in the Office of the County Recorder of San Diego County on August 14, 1914; and

WHEREAS, the Map proposes the subdivision of a 0.115-acre site into one lot for four units residential condominium; and

WHEREAS, on June 14, 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 Guidelines Section 15305 (Minor Alterations in Land Use Limitations); 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 project consists of four 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 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)(1)(B) in that 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; and

WHEREAS, on August 9, 2017, the Hearing Officer of the City of San Diego considered Map Waiver No. 1843694, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to sections 125.0122 and 144.0240 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 Map Waiver No. 1843694:

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 four residential condominiums, currently under construction, on a single lot. The 0.115-acre site is located at 3141-3143 Garrison Street and 1421-1423 Evergreen Street RM-3-7, Coastal Height Limitation, Airport Influence Area (SD International Airport), and FAA Part 77 Noticing Area (Lindbergh & North Island) Overlay Zones within the Peninsula Community Plan and Local Coastal Program Land Use Plan (Community Plan).

The project site is located in the Roseville Neighborhood of the Community Plan and is characterized as a commercial area interspersed with apartments, condominiums, and smaller one-story single-family homes. The Community Plan designates the project site for 30-44 dwelling units per acre (Figure 8, pg. 32) and the project results in a density of approximately 35 dwelling units per acre which implements the prescribed density.

The proposed condominiums will meet 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 four residential condominiums currently under construction on a single lot. The 0.115-acre site is located at 3141-3143 Garrison Street and 1421-1423 Evergreen Street RM-3-7, Coastal Height Limitation, Airport Influence Area (SD International Airport), and FAA Part 77 Noticing Area (Lindbergh & North Island) Overlay Zones within the Peninsula Community Plan and Local Coastal Program Land Use Plan (Community Plan).

The development is being constructed by right in accordance with the San Diego Municipal Code's base zone regulations. On June 30, 2016, the City of San Diego approved the residential development's building structure construction permits, Project No. 466154. 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 project proposes condominiums for home ownership opportunities and does not affect the previously approved building permits.

The neighborhood currently contains SDG&E power poles within the public right-of-way along Evergreen Street. The City's Undergrounding Master Plan designates the site within Block 2I, and is estimated for construction in May 2053. The proposed subdivision utilities shall be undergrounded and the project includes a waiver from the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public rights-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 full block in length) and would not represent a logical extension to an underground facility.

The project does not propose any deviations. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code.

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

The project proposes to create four residential condominiums currently under construction on a single lot. The 0.115-acre site is located at 3141-3143 Garrison Street and 1421-1423 Evergreen Street RM-3-7, Coastal Height Limitation, Airport Influence Area (SD International Airport), and FAA Part 77 Noticing Area (Lindbergh & North Island) Overlay Zones within the Peninsula Community Plan and Local Coastal Program Land Use Plan (Community Plan).

The project site is located in the Roseville Neighborhood of the Community Plan and is characterized as a commercial area interspersed with apartments, condominiums, and smaller one-story single-family homes. The Community Plan designates the project site for 30-44 dwelling units per acre (Figure 8, pg. 32) and the project results in a density of approximately 35 dwelling units per acre which implements the prescribed density.

The site is relatively flat and has been previously graded. The four condominiums are currently under construction and have obtained construction permits. The site fronts Garrison and Evergreen Streets. The total Floor Area Ratio (FAR) of 1.7 is below the base zone FAR maximum of 1.8 and the building height does not exceed the 30 feet height limit. Therefore, the site is physically suitable for the type and density of the 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 four residential condominiums currently under construction on a single lot. The 0.115-acre site is located at 3141-3143 Garrison Street and 1421-1423 Evergreen Street RM-3-7, Coastal Height Limitation, Airport Influence Area (SD International Airport), and FAA Part 77 Noticing Area (Lindbergh & North Island) Overlay Zones within the Peninsula Community Plan and Local Coastal Program Land Use Plan (Community Plan). The site is within an existing, developed, in-fill area and does not contain nor is adjacent to any fish or wildlife habitats, environmentally sensitive lands or Multiple Habitat Planning Area lands. Therefore, the design of the subdivision or the proposed improvements will not likely cause any 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 four residential condominiums currently under construction on a single lot. The 0.115-acre site is located at 3141-3143 Garrison Street and 1421-1423 Evergreen Street RM-3-7, Coastal Height Limitation, Airport Influence Area (SD International Airport), and FAA Part 77 Noticing Area (Lindbergh & North Island) Overlay Zones within the Peninsula Community Plan and Local Coastal Program Land Use Plan (Community Plan).

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 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 continue to govern this project. Therefore, the design of the subdivision or the type of improvements will not be detrimental to the public, health, safety and welfare.

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

The project proposes to create four residential condominiums currently under construction on a single lot. The 0.115-acre site is located at 3141-3143 Garrison Street and 1421-1423 Evergreen Street RM-3-7, Coastal Height Limitation, Airport Influence Area (SD International Airport), and FAA Part 77 Noticing Area (Lindbergh & North Island) Overlay Zones within the Peninsula Community Plan and Local Coastal Program Land Use Plan (Community Plan).

The proposed subdivision does not contain or propose any new easements for the development. The site has frontage on Garrison and Evergreen Streets. The subdivision proposes public improvements including curbs, gutters, sidewalk and driveway. 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 four residential condominiums currently under construction on a single lot. The 0.115-acre site is located at 3141-3143 Garrison Street and 1421-1423 Evergreen Street RM-3-7, Coastal Height Limitation, Airport Influence Area (SD International Airport), and FAA Part 77 Noticing Area (Lindbergh & North Island) Overlay

Zones within the Peninsula Community Plan and Local Coastal Program Land Use Plan (Community Plan).

The units are under construction and the approved construction plans include multiple architectural offsets, balconies, and patios per each unit, thus providing for natural heating and cooling opportunities. In addition, the selected building materials, site orientation, and placement and selection of plant materials also implements and allows for future passive or natural heating and cooling opportunities. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

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

The project proposes to create four residential condominiums currently under construction on a single lot. The 0.115-acre site is located at 3141-3143 Garrison Street and 1421-1423 Evergreen Street RM-3-7, Coastal Height Limitation, Airport Influence Area (SD International Airport), and FAA Part 77 Noticing Area (Lindbergh & North Island) Overlay Zones within the Peninsula Community Plan and Local Coastal Program Land Use Plan (Community Plan).

The creation of four new dwelling units where there existed only one unit would assist the housing needs of the Peninsula area community. The four single dwelling units where only one existed will not place a significant impact on public resources such as police, fire, parks and library resources. The proposed subdivision has implemented drainage and storm water improvements due to the required implantation of current codes, and the fees and taxes from the subdivision will be used for future infrastructure. Therefore, the Hearing Officer 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.

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, Map Waiver No. 1843694, including the waiver of the requirement to underground existing

offsite overhead utilities is hereby granted to Point Loma Partners 1, LLC, subject to the attached

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

Bу

Tim Daly Development Project Manager Development Services Department

ATTACHMENT: Map Waiver Conditions Internal Order No. 12002110

HEARING OFFICER CONDITIONS FOR TENTATIVE MAP WAIVER NO. 1843694 GARRISON LANDING - PROJECT NO. 524769

ADOPTED BY RESOLUTION NO. HO-XXXXX ON AUGUST 9, 2017

<u>GENERAL</u>

- 1. This Tentative Map Waiver will expire August 23, 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. A Certificate of Compliance shall be recorded in the Office of the San Diego County Recorder, prior to the 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.

<u>AIRPORT</u>

6. Prior to recordation of the Certificate of Compliance, the Subdivider shall grant an avigation easement to the San Diego County Regional Airport Authority as the operator of the San Diego International Airport for the purposes of aircraft operations, noise and other effects caused by the operation of aircraft, and for structure height if the same would interfere with the intended use of the easement. The Subdivider shall use the avigation easement form provided by the San Diego County Regional Airport Authority.

ENGINEERING

7. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.

- 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 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 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.
- 10. The Subdivider shall apply for a plumbing permit for the installation of appropriate private Back Flow Prevention Device(s) [BFPDs], on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.
- 11. The Subdivider shall provide a letter, agreeing to prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.
- 12. The Subdivider shall construct the required Public Improvements per approved Right-of-Way Permit No. 1691959 including new curbs, gutters, sidewalks, and driveway.

<u>MAPPING</u>

- 13. Prior to the issuance of a Certificate of Compliance, the City 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. "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).
- 15. "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."
- 16. 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.

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.

INFORMATION:

- The approval of this 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 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 Map Waiver, may protest the imposition within 90 days of the approval of this 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. 12002110

FROM:

(Check one or both)

- TO:
- X Recorder/County Clerk P.O. Box 1750, MS A-33 1600 Pacific Hwy, Room 260 San Diego, CA 92101-2400
 - Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814

Project Name: GARRISON MW

Project No. / SCH No.: 524769

1222 First Avenue, MS 501

San Diego, CA 92101

Development Services Department

City of San Diego

Project Location-Specific: 3141-3143 Garrison Street, San Diego, CA 92106

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

Description of nature and purpose of the Project: Map Waiver for condominium conversion of four units at 3141-3143 Garrison St. The four units are currently under construction. The development of the condominium units was previously approved under three separate ministerial approvals (Combination Building Permit No. 1631023, Combination Building Permit No. 1631019, and Combination Building Permit No. 1631221). The proposed project is located within: Base Zone RM-3-7, Coastal Height Limitation Overlay Zone, Airport Influence Area (SD International Airport), FAA Part 77 Noticing Area (Lindbergh & North Island), and the Peninsula Community Plan. Council District 2. 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: Jose Gomez, 744 Pidgeon Street, San Diego, CA 92114

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) (X)
- () 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 indentified; no significant effects on the environmental were indentified; 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

Revised May 2016

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

ORPLANNOS Signature/Title

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

Da

Date Received for Filing with County Clerk or OPR:



MEETING MINUTES

April 20, 2017

The regularly scheduled meeting of the Peninsula Community Planning Board was held on April 20, 2017 at the Point Loma/Hervey Branch Library, located at 3701 Voltaire Street, San Diego California 92106.

The meeting was called to order by Chair Jon Linney at 6:31 p.m.

<u>PRESENT</u> (14): Patricia Clark, Bruce Coons, David Dick, Robert Goldyn, Brad Herrin, Joe Holasek, Fred Kosmo, Mark Krencik, Jon Linney, Jerry Lohla, Laura Miller, Julia Quinn, Don Sevrens, Margaret Virissimo

ABSENT (1): James Hare

Parliamentary Items

Agenda:

2 information items were added to the agenda; a presentation by the chair of the Point Loma Association (Clark Anthony) and another by a representative of NTC / Liberty Station signage (Nate Cadieux). A parliamentary item on committee chair and member assignments was trailed to the end of the Action Items. An action item on a governance committee was pulled at the request of presenter David Dick. An action item to submit a \$120 voucher to the City was added as an emergency item with a two-thirds vote of the PCPB.

Agenda approved 12-0. Abstaining: Julia Quinn (reason - action item should have been noticed). Absent: James Hare.

Confirmation of March Election: Robert Goldyn

Goldyn introduced new board members Fred Kosmo and Margaret Virissimo and welcomed returning members David Dick, Jon Linney, and Don Sevrens. The results of the election as posted to the PCPB website and announced following the 2017 March elections are final. Thank you to the community for coming out to vote. Over 500 ballots were counted.

Election of 2017 Officers: Jon Linney

<u>Chair</u> – Jon Linney and James Hare were nominated. Linney: 11 votes (Clark, Coons, Goldyn, Herrin, Holasek, Kosmo, Krencik, Lohla, Miller, Sevrens, Virissimo) Hare: 2 votes (Dick, Quinn) Abstained: Chair Jon Linney Linney was re-elected as PCPB chair.

<u>First Vice Chair</u> – Robert Goldyn and Fred Kosmo were nominated. Goldyn: 9 votes (Clark, Coons, Dick, Herrin, Holasek, Krencik, Lohla, Miller, Quinn) Kosmo: 4 votes (Goldyn, Sevrens, Kosmo, Margaret) Abstained: Chair Jon Linney Goldyn was re-elected as First Vice Chair.

<u>Second Vice Chair</u> – Brad Herrin and Fred Kosmo were nominated. Herrin: 7 Votes (Clark, Coons, Dick, Holasek, Krencik, Miller, Quinn) Kosmo: 6 votes (Goldyn, Kosmo, Sevrens, Virissimo, Herrin, Lohla) Abstained: Chair Jon Linney Herrin was re-elected as Second Vice Chair.

Secretary – Margaret Virissimo was nominated and elected on a unanimous vote.

<u>Treasurer</u> – Patricia Clark was nominated and elected on a unanimous vote.

Meeting Minutes: Approval of March PCPB meeting minutes

March minutes were approved 7-0-6-1. Yes: Coons, Dick, Holasek, Herrin, Lohla, Quinn, Sevrens Abstaining: Clark (absent), Goldyn (absent), Kosmo (new member), Krencik (absent), Miller (absent), Virissimo (new member) Absent: Hare

Secretary's Report: David Dick No Report.

Treasurer's Report: Patricia Clark

Patricia Clark reported the board has \$447.92 in the bank which will be bolstered by a \$120 voucher submitted to the city. She thanked Robert Goldyn and his employer, RJC Architects for a \$200 contribution.

Motion Made by Don Sevrens, Second by Bruce Coons. Motion: Approve to submit PCPB invoice of \$120 to the city for website maintenance and services.

Yes: Coons, Dick, Goldyn, Herrin, Holasek, Kosmo, Krencik, Lohla, Miller, Quinn, Sevrens, Virissimo No: none Abstention: Linney Absent: Jim Hare, Patricia Clark (left early)

Chair's Report: – Jon Linney

Jon thanked the community for re-election and stated that his focus this coming year would be on outreach and networking with other community organizations. He thanked Mark Krencik, Robert Goldyn and Laura Miller for managing a very successful and well organized election.

Non-Agenda Public Comment

Korla Eaquinta - provided an update that Cabrillo mini parks have been resurfaced and the community can walk safely now on the new surface. Nimitz and Rosecrans is very concerning and she asked that we put a focus on roadway improvements. Emerson project parapets were not painted black as the community had been told, and they deserve attention due to misrepresenting Point Loma character.

Jim Gilhooly - spoke on board representing 12 different neighborhoods and we should focus on the needs and issues of all groups in our community. Requested from the board to provide the neighborhoods each member is represented in.

Jarvis Ross – spoke on the need for more awareness on behalf of the Midway planning board on homeless shelters and it is currently not being explored to clean up the streets. The plan is to work with business owners in the area to add more signage to store fronts to assist the homeless and clean up Midway community.

Michael Winn – expressed the need for a Point Loma Town Council to address community issues that are non PCPB related, he will provide a presentation to the PCPB at the next board meeting in May, main idea is to build a strong group to work with other community councils.

Clark Anthony – Point Loma Association. Welcomed the new PCPB board members and asked that the PCPB work closely with all the different Point Loma groups and clubs so that we can build relationships and work together as one to listen to the goals of other groups and network amongst each other in the community.

Nate Cadieux – Liberty Station Senior Project Manager provided brief updates on Liberty Station developments stating that there will be projects coming down the pipelines soon. He is currently working with Lori Zapf to register Liberty Station as a National Registered landmark. Board members of the PCPB suggested better signage in Liberty Station and the speaker stated there will be better signage in the promenade by July of this year and also went on to state that they are currently improving Liberty Station on google maps.

Government Reports

- Council District 2 Conrad Wear detailed coming city budget cuts. He said Rosecrans will be repaved between now and June.
- Anthony George of the Mayor's Office introduced himself and said he hoped to appear quarterly at the PCPB meetings.
- San Diego City Planning Board Department Tony Kempton (Not Present)
- San Diego Police Department Officer David Surwillo (Not Present)

New /Old Business

None.

Information Items

Nimitz and Rosecrans Intersection Roadway Improvement – Kristen Byrne

McMillan Construction was present to discuss project. Project Area is Newell to Jarvis. Project will have dedicated bike lanes, sharrows (share the road arrows), etc, and the benefits shared would be to improve traffic circulation, addition of bike lanes, energy efficient street lights, storm drain treatments, preservation of jacaranda trees. Guests can go to <u>nimitzrosecrans.com</u> for updates on this project. Project will be reimbursed by the city not McMillan, McMillan is just the facilitator for this project.

Concerns from PCPB: widening of Rosecrans by 8 feet on the southwest side, lack of evaluation of the new smart signal lights, the bike lanes being a big issue with the heavy bus traffic on Rosecrans, speed limits, the artery of Rosecrans and median concerns were also brought up and the speaker stated that she would come back to the PCPB with answers to the board's questions and concerns.

Action Items:

 Garrison Landing MW, Project No. 524769, 3141-3143 Garrison Street and 1421 -1423 Evergreen Street, Zone 3-7. Map Waiver for the creation of four residential condominium units (under construction) totaling 6,824 SF and to waive the requirements to underground existing utilities on a 0.115 acre site. Applicant: Jose Gomez. Project is asking for a map waiver. Mark Krencik expressed that there is multiple issues and concerns with this project, builders want to have transmission lines go underground and confirmed high voltage power lines will not go underground. Board made a motion and voted to deny map waiver.

Motion by Jerry Lohla, Second by Laura Miller

Motion: Recommend denial of the map waiver for 3141-3143 Garrison Street and 1421-1423 Evergreen Street for two reasons: 1) Project was rushed through DSD to avoid 30 foot height limit and 2) Project was submitted for review as single lot (apartments) to avoid project review by PCPB.

Yes: Coons, Dick, Goldyn, Herrin, Kosmo, Krencik, Lohla, Miller, Quinn, Sevrens, Virissimo No: Holasek Abstention: Linney Absent: Jim Hare, Patricia Clark (left early)

2) Rosecrans MW, Project No. 533730, 1180 Rosecrans Street and 3025 Bryon Street, Zone CC-4-2. Map Waiver to waive the requirements for a Tentative Map for the creation of 16 residential condominium units and four commercial condominiums within a 41,191 SF mixed use building under construction. Applicant: Maggie Roland. Issues from PCPB board are that this project went from apartment complex to condos making project entirely different now, so the map waiver is a concern. Jacaranda trees were also removed and when asked why the trees were taken down the builder stated from the audience that the trees were rotted and that they have plans to add new trees, he went on to state that he will keep the

board informed on the new trees that will be planted should the map waiver be approved by the board.

Motion by Jerry Lohla, Second by Margaret Virissimo

Motion: Recommend approval of map waiver for Project No. 533730 subject to: recommendation that the memorial plaques be restored and Jacaranda trees of equivalent characters and scale (36' box) to the community be planted.

Yes: Coons, Dick, Goldyn, Herrin, Holasek, Kosmo, Krencik, Lohla, Miller, Quinn, Sevrens, Virissimo No: none Abstention: Linney Absent: Jim Hare, Patricia Clark (left early)

3) Rose view TM – EOT, Project No. 530016, 3045 & 3115 Tennyson Street and 3044 Sterne Street, Zone RS-1-7. Extension of Time to Tentative Map project no. 191215 to create two new lots and lot line adjustment to 4 lots. Applicant: Anthony Christensen. Speaker stated the extension has gone to city review and no response, plans to build 3 new homes on the lot and needs more time. The project will not come through the PCPB due to no coastal permits needed to build.

Motion by Mark Krencik, Second by Joe Holasek

Motion: Approve EOT for Roseview Tentative Map.

Yes: Coons, Dick, Goldyn, Herrin, Holasek, Kosmo, Krencik, Lohla, Miller, Quinn, Sevrens, Virissimo No: none Abstention: Linney Absent: Jim Hare, Patricia Clark (left early)

Subcommittees / Liaisons

- 1. Airport Authority No Report
- 2. Traffic and Transportation Brad reported that paint went down on Wabaska and Catalina
- 3. Long Range Planning Meeting Wednesday @ 5:45pm PL Library
- 4. Parks and Recreation No Report
- 5. Project Review Mark reported Bay Front Terrace may start to charge a fee to hold meetings.
- 6. Liberty Station No Report
- 7. Midway Community Planning Group No Report
- 8. Code Compliance No Report

Board Assignments

Motion by Robert Goldyn, Second by David Dick

Motion: The PCPB nominates committee chairs, then membership and then votes to ratify the memberships.

Yes: Coons, Dick, Goldyn, Herrin, Holasek, Kosmo, Krencik, Lohla, Miller No: Quinn, Sevrens, Virissimo Abstention: Linny Absent: Jim Hare, Patricia Clark (left early)

Airport Authority	Traffic and Transportation
Chair – Fred Kosmo	Chair – Brad Herrin
David Dick Robert Goldyn Jerry Lohla Julia Quinn	David Dick Margaret Virissimo
Long Range Planning	Parks and Recreation
Chair – Robert Goldyn	Chair – Don Sevrens
Jim Hare Julia Quinn Laura Miller Jerry Lohla	Fred Kosmo Julia Quinn Margaret Virissimo
Project Review	Liberty Station
Chair – Mark Krencik	Chair – Patricia Clark
Brad Herrin Julia Quinn	David Dick Margaret Virissimo
Midway Community Planning Group	Code Compliance
Liaison – Jim Hare	Chair – Julia Quinn

Meeting Adjourned at 10:34 p.m.

Minutes Submitted by Secretary Margaret Virissimo

	ATTACHMENT 8
City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 (619) 446-5000	Ownership Disclosure Statemen
Approval Type: Check appropriate box for type of approval (s) reque Neighborhood Development Permit Site Development Permit Variance Tentative Map Vesting Tentative Map X Map V	it F Planned Development Permit F Conditional Use Permit
Project Title	Project No. For City Use Daly
Garrison Landing Project Address:	099101
3141-3143 Garrison Street, San Diego, CA 92106	
art I - To be completed when property is held by Individua	al(s)
no have an interest in the property, recorded or otherwise, and state in dividuals who own the property). <u>A signature is required of at least of</u> om the Assistant Executive Director of the San Diego Redevelopment evelopment Agreement (DDA) has been approved / executed by the anager of any changes in ownership during the time the application	A signature to property inderest (e.g., tenants who will benefit from the permit, all one of the property interest (e.g., tenants who will benefit from the permit, all one of the property owners. Attach additional pages if needed. A signature to Agency shall be required for all project parcels for which a Disposition and the City Council. Note: The applicant is responsible for notifying the Project is being processed or considered. Changes in ownership are to be given to on the subject property. Failure to provide accurate and current ownership and the subject property. Failure to provide accurate and current ownership and the subject property. Failure to provide accurate and current ownership and the subject property.
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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:	Street Address: City/State/Zip: Phone No: Fax No: Signature : Date: Name of Individual (type or print): Image: Comparison of the system

Printed on recycled paper. Visit our web site at <u>www.sandiego.gov/development-services</u> Upon request, this information is available in alternative formats for persons with disabilities. DS-318 (5-05)

Project Title:	ATTACHMENT 8
GARRISON LAND	DING Project No. (For City Use Only)
Part II - To be completed when property is held by a	corporation or partnership
Legal Status (please check):	- Partonink
Corporation X Limited Liability -or- General)	What State? Corporate Identification No
the property Please list below the names, titles and ad- otherwise, and state the type of property interest (e.g., to in a partnership who own the property). <u>A signature is names and state</u> additional pages if needed. Note: The a property. Attach additional pages if needed. Note: The a ownership during the time the application is being process Manager at least thirty days prior to any public hearing on information could result in a delay in the hearing process	ner(s) acknowledge that an application for a permit, map or other matter, go on the subject property with the intent to record an encumbrance against dresses of all persons who have an interest in the property, recorded or enants who will benefit from the permit, all corporate officers, and all partners required of at least one of the corporate officers or partners who own the applicant is responsible for notifying the Project Manager of any changes in ssed or considered. Changes in ownership are to be given to the Project on the subject property. Failure to provide accurate and current ownership s. Additional pages attached Yes No
Corporate/Partnership Name (type or print): Point Loma Partners 1, LLC	Corporate/Partnership Name (type or print):
X Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address: 17828 Villamoura Drive City/State/Zip:	Street Address:
Poway, California 92064	City/State/Zip:
(760) 702-4888	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print): Greg La Marca	Name of Corporate Officer/Partner (type or print):
Title (type or print): Managing Partner Signature :	Title (type or print):
Dan Date: 11/22	Signature : Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Cowner Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
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de (type or print):	Title (type or print):
gnature : Date:	





	ATTACHMENT 9
	PROJECT DATA
	LEGAL DESCRIPTION: LOT 12, BLOCK 57, PER MAP 165, RECORDED 08-14-1914 APN: 531-304-12-00
	ZONE: RM—3—7 COASTAL ZONE — NOT WITHIN COASTAL ZONE COASTAL HEIGHT LIMIT & FAA PART—77 SAN DIEGO INTERNATIONAL AIRPORT INFLUENCE AREA OVERLAY ZONE SITE AREA: 5,000 SQUARE FEET — 0.115 ACRES
	PROPOSED NUMBER OF LOTS/UNITS: ONE LOT WITH FOUR RESIDENTIAL CONDOMINIUM UNITS
OJECT TE T	CCS 83 COORDINATES: 1844–6257 LAMBERT COORDINATES: 204–1697 TOPOGRAPHIC SOURCE: FIELD SURVEY PREPARED BY: VINCE JANUZEWSKI, LAND SURVEYOR NOVEMBER 2015
	BASIS OF BEARING: THE SOUTHWESTERLY LINE OF GARRISON STREET PER CORNER RECORD NO. 24114, I.E. N 53° 43' 21" W
HUGO STREET	BENCH MARK: CITY OF SAN DIEGO VERTICAL CONTROL BOOK. BRASS PLUG AT TOP OF CURB. LOCATED AT THE WEST CORNER OF GARRISON STREET AND EVERGREEN STREET ELEVATION = 35.935 NGVD 29
	OWNER'S NAME & ADDRESS:
	POINT LOMA PARTNERS 1, LLC GREG LA MARCA 17828 VILLAMOURA DRIVE POWAY, CA 92064
	EASEMENTS: THERE ARE NO EXISTING UTILITY EASEMENTS ONSITE.
	UTILITIES: THERE ARE EXISTING OVERHEAD UTILITIES FRONTING THE PROPERTY ALONG EVERGREEN STREET
	BUILDING DATA:BUILDING ABUILDING BResidence1,564 S.F.Residence1,348 S.FGarage450 S.F.Garage413 S.F.1,904 S.F.1,651 S.F.1,651 S.F.Deck384 S.F.Deck273 S.F.
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