

THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: May 23, 2018

REPORT NO. HO-18-035

HEARING DATE: May 30, 2018

SUBJECT: AMHERST TENTATIVE MAP - Process Three Decision

PROJECT NUMBER: <u>565966</u>

OWNER/APPLICANT: Whiz Builders, Inc. / Christensen Engineering & Surveying

<u>SUMMARY</u>

<u>Issue:</u> Should the Hearing Officer approve the Tentative Map for the creation of three residential condominium units in an under-construction development and waive the requirement to underground exiting overhead utilities at 6823 Amherst Street in the Eastern Area neighborhood of the Mid-City Communities Plan?

<u>Staff Recommendation</u>: APPROVE Tentative Map No. 2000946 and a waiver of the requirement to underground existing off-site overhead utilities.

<u>Community Planning Group Recommendation</u>: On October 10, 2017, the Eastern Area Communities Planning Committee voted 8-1-1 to recommend approval of the proposed project without conditions/recommendations (Attachment 6).

<u>Environmental Review</u>: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(k), Existing Facilities. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on January 16, 2018, and the opportunity to appeal that determination ended January 30, 2018 (Attachment 5).

BACKGROUND

The 0.206-acre site is located at 6823 Amherst Street (Attachment 1) in the RM-1-1 zone, within the Mid-City: Eastern Area Community Plan area. The proposed Tentative Map is to create three residential condominium units for individual ownership with no enlargement or expansion of use.

The three units under construction consist of one detached three-story unit, and one adjoined three-story duplex totaling 6,530-square feet. The project consists of three, one-bedroom units with

a total of six parking spaces. The development is being constructed by-right under RM-1-1 zone regulations in accordance with the San Diego Municipal Code (SDMC). The ministerial building permits were deemed complete on February 16, 2016, and approved on November 10, 2016, via project No. 472047. At the time of building permit issuance the applicant paid an in-lieu fee of \$4,799.40 to comply with the City's Affordable Housing Regulations. During ministerial review the project was determined to be in compliance with all underlining zone regulations including but not limited to height, floor area ratio, parking, setbacks and landscaping. The Tentative Map would allow the creation of condominium units for home ownership opportunities and does not affect the previously approved building permit approved under Project No. 472047.

DISCUSSION

Project Description

The proposed project requires a Tentative Map per SDMC Section <u>125.0401</u> to create three residential condominium units (under construction) and requests a waiver of the requirement to underground existing off-site overhead utilities. The project as proposed requires a Process Three, Hearing Officer decision with appeal rights to the Planning Commission.

The project requires five parking spaces and six 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.

According to SDMC Section 125.0440, Findings for a Tentative Map, the decision maker may approve a Tentative Map if the decision maker finds that the proposed subdivision complies with the requirements of the Subdivision Map Act and the Land Development Code. Staff has reviewed the proposed subdivision and determined that it complies with both the Subdivision Map Act and the Land Development Code.

Mid-City Eastern Community Plan

The Mid-City Eastern Community Plan designates the 0.206-acre project site for multiple dwelling unit development at a rate of one dwelling unit per 3,000-square feet of lot area, or three units allowed on site. The density per the RM-1-1 base zone allows a maximum of three dwelling units onsite with no required minimum density. Therefore, the creation of three residential condominium units in the under-construction project complies with the Mid-City Community Plan and the base zone allowed density.

Waiver of the Requirement to Underground Utilities

There are existing overhead off-site utilities abutting the project site. The City's Undergrounding Master Plan designates the site within Block 7M1, estimated for construction in June 2025. Pursuant to SDMC Section <u>144.0240(b)(5)</u>, the applicant has requested a waiver of the requirement to underground these utilities. The project qualifies for the waiver in accordance to SDMC Section <u>144.0242(c)(1)(B)</u>, as the conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility.

CONCLUSION

Staff has determined that the project complies with applicable sections of the San Diego Municipal Code, including the RM-1-1 zone development regulations, 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 No. 2000946, with modifications.
- 2. Deny Tentative Map No. 2000946, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Anthony Bernal Development Project Manager

Attachments:

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







Land Use Map

Amherst TM / 6823 Amherst Street PROJECT NO. 565966







Aerial Photo Amherst TM / 6823 Amherst Street PROJECT NO. 565966



HEARING OFFICER CONDITIONS FOR TENTATIVE MAP NO. 2000946 **AMHERST TENATIVE MAP - PROJECT NO. 565966** ADOPTED BY RESOLUTION NO. _____ ON MAY 30, 2018

GENERAL

- 1. This Tentative Map will expire on June 14, 2021.
- 2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
- 3. A Parcel Map is required to consolidate and subdivide the ownership interest as a condition of the tentative map. Prior to the expiration of the tentative map, a parcel map subdividing the property into three (3) residential condominium units shall be recorded to the County Recorder's office.
- 4. Prior to the recordation of the Parcel Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
- 5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

ENGINEERING

- 6. The Subdivider shall ensure that all onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
- 7. Prior to the recordation of the Parcel Map, the Subdivider shall reconstruct the existing driveway to current City Standards adjacent to the site on Amherst Street, satisfactory to the City Engineer.

- 8. The Subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.
- 9. Prior to the recordation of the Parcel Map, the Subdivider shall provide CC&Rs for the operation and maintenance of all private water and sewer facilities, in a manner satisfactory to the Public Utilities Director and the City Engineer.

MAPPING

- 10. If a tax bond is required as indicated in the tax certificate, ensure that it is paid or posted at the County Clerk of the Board of Supervisors Office along with the associated \$34.00 compliance fee to avoid delaying the recordation of the Parcel Map.
- 11. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.
- 12. The Parcel Map shall be based on field survey and all lot corners must be marked with durable survey monuments pursuant to Section 144.0311(d) of the City of San Diego Land Development Codes and Subdivision Map Act Section 66495.
- 13. All survey monuments shall be set prior to the recordation of the Parcel Map, unless the setting of monuments is deemed impractical due to the proposed improvements and/or grading associated with the project, in which case, delayed monumentation may be applied on the Parcel Map in accordance with Section 144.0130 of the City of San Diego Land Development Codes.
- 14. "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."
- 15. The Parcel Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

PUBLIC UTILITIES

- 16. Prior to the issuance of any Parcel Map, the Subdivider shall apply for a plumbing permit for the installation of appropriate above ground private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPD's are typically located on private property, in line with the service and immediately adjacent to the right-of-way. The Public Utilities department will not permit the required BFPDs to be located below grade or within the structure.
- 17. Prior to the issuance of any Parcel Map, the Subdivider shall assure, by permit and bond, the design and construction of any new water and sewer service(s) outside of any driveway, and the disconnection at the water main of the existing unused water service adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.
- 18. All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Plumbing Code and will be reviewed as part of the building permit plan check.
- All proposed public water and sewer facilities, must be designed and constructed in accordance with established criteria in the most current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices pertaining thereto.
- 20. All on-site water and sewer facilities shall be private.
- 21. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer and five feet of any water facilities.
- 22. Prior to the recording of the Parcel Map, the Subdivider shall provide CC&Rs for the operation and maintenance of all private water and sewer facilities, in a manner satisfactory to the Public Utilities Director and the City Engineer.
- 23. All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Plumbing Code and will be reviewed as part of the building permit plan check.
- 24. All proposed public water and sewer facilities, must be designed and constructed in accordance with established criteria in the most current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices pertaining thereto.

TRANSPORTATION

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

INFORMATION:

- The approval of this Tentative Map by the Hearing Officer of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within ninety days of the approval of this Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 24007409

HEARING OFFICER RESOLUTION NUMBER R-HO-18-035

TENTATIVE MAP NO. 2000946, Amherst Tentative Map PROJECT NO. 565966

WHEREAS, Whiz Builders, Inc., Subdivider, and Christensen Engineering and Surveying, Engineer, submitted an application to the City of San Diego for a tentative map for three condominium units currently under construction and to waive the requirement of undergrounding of utilities. The project site is located at 6823 Amherst Street, in the RM-1-1 zone, within the Eastern Area neighborhood of the Mid-City Communities Plan. The property is legally described as all that portion of Lot "J" of La Mesa Colony, in the City of San Diego, County of San Diego, State of California, according to Map no. 346, in the Office of the County Recorder of San Diego County, March 8, 1887, described as beginning at a point on the west line of lot "J" which is north 360 feet from the southwest corner of said lot; thence east, parallel to the south line of said lot 103 feet; thence north, parallel to said west line of said lot, 159.4 feet to a point in the north line of said lot; thence west along said north line of said lot, 103 feet to the northwest corner thereof; thence sot haling the said west line of said lot, 159.4 feet to the place of beginning. Excepting therefrom the east 50 feet thereof. Also that portion of the south 10 feet of Ramona Street (now Amherst Street) adjacent to the north side of the aforesaid described land, as vacated April 30, 1923 by the Board of Supervisors of Said San Diego County, a certified copy of said order being recorded in book 751. Page 309 of deeds, records of said San Diego County; and

WHEREAS, the Map proposes the Subdivision of a 0.206-site into three residential condominium units for a project that is currently under construction; and

WHEREAS, on January 16, 2018, 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 15301(k) (Existing Facilities); and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineer pursuant to Subdivision Map Act section 66491(a) and San Diego Municipal Code sections 144.0220(a) and 144.0220(b); and

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 4125 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is three; and

WHEREAS, the request to waive the undergrounding of existing off-site overhead utilities has been determined to be appropriate pursuant to San Diego Municipal Code section 144.0242(c)(1)(B) based on the conversion involves a short span of overhead facility (less than a full block in length) and would represent a logical extension to an underground facility; and

WHEREAS, on May 30, 2018, the Hearing Officer of the City of San Diego considered Tentative Map No. 2000946, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to San Diego Municipal Code section(s) 125.0440, and 144.0240 and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Hearing Officer having fully considered the matter and being fully advised concerning the same; NOW THEREFORE, BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following

findings with respect to Tentative Map No. 2000946:

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

The project proposes to create three residential condominium units, currently under construction and to waive the requirement to underground existing off-site overhead utilities. The 0.206-acre site is located at 6823 Amherst Street in the RM-1-1 zone, within the Eastern Area neighborhood of the Mid-City Communities Plan. The proposed Tentative Map is to create residential units for individual ownership with no enlargement or expansion of use.

The proposed project is consistent with residential land use designation of the Mid-City Communities Plan which encourages new construction in a variety of types and provide attainable homeownership. The Community Plan designates the project site for 11-15 dwelling units per acre, or 2-3 units allowed on site, as described on Page 54, Figure 13 of the Community Plan. The density per the RM-1-1 base zone allows a maximum of three dwelling units onsite with no required minimum density. Therefore, the creation of three residential condominium units in the underconstruction project complies with the Mid-City Communities Plan and the base zone allowed density. This project would also meet the San Diego Municipal Code (SDMC) development regulation to include but not limited to height, setbacks, parking, landscape and floor area ratio. Therefore, the proposed development is in conformity with the adopted Community Plan and complies with the regulation of the Land Development Code. The proposed subdivision and its design or improvements are consistent with the policies, goals and objectives of the applicable land use plan.

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

The project proposes to create three residential condominium units, currently under construction and to waive the requirement to underground existing off-site overhead utilities. The 0.206-acre site is located at 6823 Amherst Street in the RM-1-1 zone, within the Eastern Area neighborhood of the Mid-City Communities Plan. The proposed Tentative Map is to create residential units for individual ownership with no enlargement or expansion of use. The project complies with the development regulations of the applicable RM-1-1 zone, including, but not limited to, minimum lot size, setbacks, floor area ratio, and parking requirements of the existing development. No deviations are requested.

The development is being constructed by right in accordance with the SDMC's base zone regulations. On November 10, 2016, the City of San Diego approved the residential development's ministerial construction permits under Project No. 472047. During the ministerial review the project was determined to be in compliance with all the underlying zone regulations including but not limited to height, floor area ratio, parking, setbacks, and landscaping and no deviations were proposed. The Tentative Map proposes condominiums for home ownership opportunities and does not affect the previously approved building permits.

The neighborhood currently contains utility power poles within the public right-of-way along Amherst Street. The City's undergrounding Master Plan designates the site within Block 7M1, and is estimated for construction in June 2025. The proposed subdivision utilities shall be undergrounded and the project includes a waiver for the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public right-of-way. In conformance with the 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 the SDMC Section 144.0242(c)(1)(B) as follows: The conversion involves a short span of overhead facility (less than a block in length) and would not represent a logical extension to an underground facility. The project does not propose any deviations. Therefore, the proposed subdivision complies with the applicable zoning and development regulation of the Land Development Code.

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

The project proposes to create three residential condominium units, currently under construction and to waive the requirement to underground existing off-site overhead utilities. The 0.206-acre site is located at 6823 Amherst Street in the RM-1-1 zone, within the Eastern Area neighborhood of the Mid-City Communities Plan. The proposed Tentative Map is to create residential units for individual ownership with no enlargement or expansion of use.

The development is being constructed by right in accordance with the San Diego Municipal Code's base zone regulations. The ministerial building permits were approved on November 10, 2016 project No. 472047 and the right of way permit was approved on January 26, 2018, project No. 503301. This mapping action complies with all development regulation including lot area, lot dimension and setbacks. The structure is being constructed in compliance with all geologic and engineering requirements including applicable building code requirements.

The graded, level project site is located in a developed, urban neighborhood surrounded by similar development and is served by existing developed right-of-way and public utilities. Therefore, the site is physically suitable for the type and density of development.

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

The project proposes to create three residential condominium units, currently under construction and to waive the requirement to underground existing off-site overhead utilities. The 0.206-acre site is located at 6823 Amherst Street in the RM-1-1 zone, within the Eastern Area neighborhood of the Mid-City Communities Plan. The proposed Tentative Map is to create residential units for individual ownership with no enlargement or expansion of use.

This site is located in a developed, urban neighborhood and is surrounded by similar development. The site does not contain nor is adjacent to any watercourses, sensitive biological resources, Multiple Habitat Planning Area (MHPA) lands or Environmentally Sensitive Lands (ESL). The project is exempt from the California Environmentally Quality Act (CEQA) pursuant to Section 15301(k) (Existing Facilities) of the State CEQA Guidelines. Therefore, the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat.

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

The project proposes to create three residential condominium units, currently under construction and to waive the requirement to underground existing off-site overhead utilities. The 0.206-acre site is located at 6823 Amherst Street in the RM-1-1 zone, within the Eastern Area neighborhood of the Mid-City Communities Plan. The proposed Tentative Map is to create residential units for individual ownership with no enlargement or expansion of use.

The project proposes condominiums for home ownership opportunities and does not affect the previously approved building permit. The project has been reviewed and is in compliance with the Municipal Code and the Subdivision Map Act. The Tentative Map includes conditions and corresponding exhibits of approvals relevant to adequate parking, public improvements, and payment of applicable fees in order to achieve compliance with the regulations of the SDMC. The proposed subdivision is consistent with development regulations of the underling zone of the Land Development Code regulations and permitted 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 three residential condominium units, currently under construction and to waive the requirement to underground existing off-site overhead utilities. The 0.206-acre site is located at 6823 Amherst Street in the RM-1-1 zone, within the Eastern Area neighborhood of the Mid-City Communities Plan. The proposed Tentative Map is to create residential units for individual ownership with no enlargement or expansion of use.

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

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

The project proposes to create three residential condominium units, currently under construction and to waive the requirement to underground existing off-site overhead utilities. The 0.206-acre site is located at 6823 Amherst Street in the RM-1-1 zone, within the Eastern Area neighborhood of the Mid-City Communities Plan. The proposed Tentative Map is to create residential units for individual ownership with no enlargement or expansion of use. The proposed subdivision will not impede or inhibit any future passive or native heating and cooling opportunities. Each unit is exposed on all sides to ensure passive cooling through cross-ventilation for the interior spaces. Therefore, the design of the proposed subdivision provides sufficient future passive or natural heating and cooling opportunities.

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

The project proposes to create three residential condominium units, currently under construction and to waive the requirement to underground existing off-site overhead utilities. The 0.206-acre site is located at 6823 Amherst Street in the RM-1-1 zone, within the Eastern Area neighborhood of the Mid-City Communities Plan. The proposed Tentative Map is to create residential units for individual ownership with no enlargement or expansion of use.

All appropriate public services (including fire, police, medical, schools, public parks, and libraries) as well as necessary utilities such as electricity, water, and sewer, exist and are adequate for the proposed development.

Other than the subdivision to allow condominium ownership within a built out urbanized community with adequate infrastructure, no other changes are requested, and the project does not include additional development of the property. The site consists of three units that were permitted on November 10, 2016, Project No. 472047 and have paid the Affordable Housing In-Lieu Fee and Development Impact Fees to financing public facilities in the amount of \$4799.40, Invoice No. 736580.

There are no significant impacts related to traffic, parking, noise, or other environmental impacts. Therefore, the effects of the proposed subdivision on the housing needs of the region and those needs were balanced against the needs for public services and the available fiscal and environmental resources.

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

incorporated by reference.

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

Officer, Tentative Map No. 2000946, including the waiver of the requirements to underground

existing offsite overhead utilities, hereby granted to Whiz Builders, Inc., subject to the attached

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

Anthony Bernal Development Project Manager Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24007409

By

(Check one or both)

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

Project No.: 565966

Project Title: Amherst Tentative Map.

Project Location-Specific: 6823 Amherst Street, San Diego, CA 92115. Residential.

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

Description of nature and purpose of the Project:

Tentative Map #2000946 for the creation of three residential condominiums and to waive the requirements to underground overhead utilities. The three condominiums currently under construction fall under a prior approval. The proposed project is addressed at 6823 Amherst Street within the RM-1-1 Zone, Mid City: Eastern Area Community Plan, subject to supplemental regulations contained within the Central Urbanized Planned District. The Overlay Zones mapped on site are Parking Impact Overlay (Campus), Airport Land Use Compatibility Overlay Zone (Montgomery Field), and Airport Influence Area, Review Area 2. Council District 9.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Christensen Engineering & Surveying 7888 Silverton Ave., Suite J San Diego, CA 92126 (858) 271-9901

Exempt Status: (CHECK ONE)

- () Ministerial (Sec. 21080(b)(1); 15268);
- () Declared Emergency (Sec. 21080(b)(3); 15269(a));
- () Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- (x) Categorical Exemption: 15301 (k); Existing Facilities
- () Statutory Exemptions:

Reasons why project is exempt: The City of San Diego conducted an environmental review that determined that the proposed tentative map would not have the potential for causing a significant effect on the environment in that the project is consistent with the community plan and the applicable zone. The tentative map proposes no construction. Therefore the activity meets the criteria set forth in sections 15301 (k), existing facilities for a condominium subdivision of three dwelling units on a single lot; and the exceptions listed in CEQA section 15300.2 would not apply.

Lead Agency Contact Person: Rachael Lindquist, Planner

Telephone: (619) 446-5129

If filed by applicant:

1. Attach certified document of exemption finding. Revised 010410mjh 2. Has a notice of exemption been filed by the public agency approving the project? () Yes () No

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

Chris Tracy, Senior Planner

Date

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

Date Received for Filing with County Clerk or OPR:



THE CITY OF SAN DIEGO

Date of Notice: January 16, 2018 NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24007049

PROJECT NAME/NUMBER: AMHERST TENTATIVE MAP / 565966

COMMUNITY PLAN AREA: Mid-City Eastern

COUNCIL DISTRICT: 9

LOCATION: 6823 Amherst Street, San Diego CA, 92115

PROJECT DESCRIPTION: Tentative Map for the creation of three residential condominiums and to waive the requirements to underground overhead utilities at 6823 Amherst St. The three condominiums currently under construction fall under a prior approval. The 0.206 acre site is in the RM-1-1 zone, Mid City: Eastern Area Community Plan, subject to supplemental regulations contained within the Central Urbanized Planned district. The Overlay Zones mapped on site are Parking Impact Overlay (Campus), Airport Land Use Compatibility Overlay Zone (Montgomery Field), and Airport Influence Area, Review Area 2.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego, Hearing Officer (Process 3)

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15301 (k) (Existing facilities).

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego, Development Services Department

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Sections 15301 (k), Existing facilities. There is no physical development in conjunction with this tentative map and therefore, would not cause any impacts on the environment under this action.

DEVELOPMENT PROJECT MANAGER: MAILING ADDRESS: PHONE NUMBER:

Hugo Castaneda 1222 First Avenue, MS 501, San Diego, CA 92101-4153 (619) 446-5220 On January 16, 2018 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (January 30, 2018). The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

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

Posted	JAN				
Removed_	JAN	3	1	2018	
Posted by	Myro	J	ee	-	

Eastern Area Communities Planning Committee

Tuesday October 10, 2017 Minutes

Board Members

In Attendance: Tom Silva, Kristen Hurst, Mario Ingrasci, Daniele Laman, Harley Davis, Sidney Michael, Derryl Williams, Lauren Kimmons, Kathryn Kern, Lynn Edwards **Absent:** Linda Godoy, Gawain Tomlinson

- 1. Call to order at 7:05pm. Tom Silva, Chairperson, opens the meeting, takes roll.
- 2. Chair's Welcome: Mr. Silva addresses agenda items
 - a. Introduces the scope of EACPC to newcomers: what a CPC does
 - i. Synopsis of Housing Authorization Report, housing goals, parkland entitlements & code changes
 - ii. Addresses housing shortage
- 3. Non-Agenda Public Comment:
 - a. Vic Salazar, Outreach Pure Water San Diego
 - i. Invites community to Open House to tour new water treatment plant
 - b. Board Member Comment: Upcoming Events
 - i. Daniele Laman: Colina Del Sol Halloween Carnival & Circus 10/28/2017
 - ii. Mario Ingrasci: Boo Parade 10/28/2107
- 4. Modifications to the Agenda: None
- 5. Council Representative Reports
 - a. Keryna Johnson, District 9, City Council Georgette Gomez:
 - i. HepA updates, homelessness alleviation efforts, donation drive for homeless kids
 - ii. Gomez deciding position on short term vacation rentals
 - iii. Board member questions/comments regarding homelessness
 - b. Jannell Jackson, District 79, CA State Assembly Shirley Weber:
 - i. End of legislative session: list of bills passed, namely AB1057, AB801\
 - ii. Hispanic Heritage Month Event
 - Boardmember comment/questions regarding Kelton St/SR94 & role of SANDAG, fire cleanup in Spring Valley, availability of redevelopment dollars.
 - c. Absent Representatives: Elizabeth Dixon, City Planning Representative; Eric Young II, Mayor's Office; Mathew Gordon, District 4 City Council.
- 6. SANDAG Community Blkeway Project
 - a. Overview of project by Allison Moss, Project Manager of University Bikeway, Bike Projects: current phase Estrella to 70th St; also Steve Selnicker, Leo Espolet
 - b. Transnet funded bike lane or buffered bike lane
 - c. Future opportunities for input: public meetings late 2017/early 2018
- 7. SEMPRA Energy Position on Community Choice Aggregation (CCA)

- a. Opposition presentation to CCA by Herman Collins and Peder Norby, SEMPRA Services Corp
- b. Daniele Laman moves to change previous EACPC position of support for CCA to a position that determines favor once PCIA is decided. Derryl Williams seconds.
- c. Boardmember comment and questions regarding presentation.
- 8. Amherst Street Tentative Map
 - a. Tony and Joy present development plans for Amherst Street project
 - b. Boardmember comments and questions.
 - c. Vote to approve plans passes with 8-1-1 support. In favor: Sidney Michaels,
 Daniele Laman, Lauren Kimmons, Harley Davis, Kristen Hurst, Mario Ingrasci,
 Lynn Edwards, Kathryn Kern. Opposed: Derryl Williams. Abstain: Tom Silva.
- 9. EACPC Sub-Committee Reports
 - Daniele Laman: Parks & Rec: Community Events- Colina Park Council 10/18/17; StarPal 10/21/17; BooParade, Colina Del Sol Carnival & Circus 10/28/17; Little League Snack Bar updates to come.
 - b. Mario Ingrasci: Transportation & Bike Paths: No new announcements
- 10. Treasurer's Report: No report as Treasurer, Gawain Tomlinson, absent.
 - a. Daniele moves to table treasurer's report. Derryl Williams seconds. All in favor.
- 11. Review, Correction & Approval of September Minutes.
- 12. Meeting Adjourned at 9:18pm

THE CITY OF BAN DIEGO	City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 (619) 446-5000	Ow	nership Disclosure Statement
	eck appropriate box for type of approval (s) rec vevelopment Permit Site Development Pe ntative Map Vesting Tentative Map Ma		
Project Title			Project No. For City Use Only
6823 Amherst	Street Tentative Map		
Project Address:			
6823 Amherst	Street, San Diego, CA 92115		
Part I - To be com	pleted when property is held by Individ	ual(s)	
above, will be filed w below the owner(s) a who have an interest individuals who own from the Assistant Ex Development Agreem Manager of any chan the Project Manager	1 JAX	erty, with the intent to record an em- enced property. The list must include the type of property interest (e.g. st one of the property owners. Att nent Agency shall be required for a the City Council. Note: The appli- on is being processed or considere	acumbrance against the property. Please list de the names and addresses of all persons , tenants who will benefit from the permit, all ach additional pages if needed. A signature Il project parcels for which a Disposition and icant is responsible for notifying the Project d. Changes in ownership are to be given to to provide accurate and current ownership
Values Sama	putter	stores being a	- 10 Biology
Owner T	enant/Lessee Redevelopment Agency	Owner Tenan	t/Lessee Redevelopment Agency
Street Address:		Street Address:	
City/State/Zip:		City/State/Zip:	
Phone No:	Fax No:	Phone No:	Fax No:
Signature :	Date:	Signature :	Date:
Name of Individua	I (type or print):	Name of Individual (typ	e or print):
Cowner Te	nant/Lessee TRedevelopment Agency	Owner Tenant/	Lessee TRedevelopment Agency
Street Address:		Street Address:	
City/State/Zip:		City/State/Zip:	
Phone No:	Fax No:	Phone No:	Fax No:
Signature :	Date:	Signature :	Date:

Attachment 7

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.

6823 Amherst Street Tentative Map Part II - To be completed when property is held by a corporation or partnership	
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 Identifi	ication No.
By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application as identified above, will be filed with the City of San Diego on the subject property with the inter the property Please list below the names, titles and addresses of all persons who have an inter otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, in a partnership who own the property). A signature is required of at least one of the corporate property. Attach additional pages if needed. Note: The applicant is responsible for notifying the ownership during the time the application is being processed or considered. Changes in owner Manager at least thirty days prior to any public hearing on the subject property. Failure to prov information could result in a delay in the hearing process. Additional pages attached	nt to record an encumbrance against erest in the property, recorded or , all corporate officers, and all partners <u>a officers or partners who own the</u> Project Manager of any changes in rship are to be given to the Project ide accurate and current ownership
Corporate/Partnership Name (type or print): Corporate/Partnership Name (type or print): Whiz Builders, Inc.	me (type or print):
Whiz Builders, Inc. Whiz Builders, Inc. X Owner Tenant/Lessee X Owner Tenant/Lessee	Lessee
Street Address: Street Address: 2500 Hoover Avenue, #H 2500 Hoover Avenue, #H City/State/Zip: City/State/Zip: National City, CA 91950 National City, CA 91950	[
Phone No: Fax No: Phone No: (858)254-0614 (858)254-0614	Fax No:
Name of Corporate Officer/Partner (type or print): Name of Corporate Officer/Pa	artner (type or print):
Sal Franco Marco Luis Title (type or print): Title (type or print):	
CEQ Director of Sales/Acquisit Signature : Date: Signature :	tions Date: /
D-18-17	- 7/18/17
Corporate/Partnership Name (type or print): Corporate/Partnership Nar	me (type or print):
Cowner CTenant/Lessee Cowner CTenant/	Lessee
Street Address: Street Address:	
City/State/Zlp: Clty/State/Zlp:	
Phone No: Fax No: Phone No:	Fax No:
Name of Corporate Officer/Partner (type or print): Name of Corporate Officer/Pa	artner (type or print):
Title (type or print): Title (type or print):	
Signature : Date: Signature :	Date:
Corporate/Partnership Name (type or print): Corporate/Partnership Nar	me (type or print):
Cowner Tenant/Lessee Towner Tenant/	Lessee
Street Address: Street Address:	
City/State/Zip: City/State/Zip:	
Phone No: Fax No: Phone No:	Fax No:
Name of Corporate Officer/Partner (type or print): Name of Corporate Officer/Pa	rtner (type or print):
Title (type or print): Title (type or print):	
Signature : Date: Signature :	Date:

DEVELOPMENT SUMMARY

PROJECT SUMMARY:

THE PROJECT PROPOSES A ONE LOT CONDOMINIUM CREATION COMPRISED OF 3 RESIDENTIAL UNITS UNDER CONSTRUCTION A PORTION OF ONE LOT EXISTS AND ONE PARCEL IS PROPOSED.

LEGAL DESCRIPTION:

ALL THAT PORTION OF LOT "J" OF LA MESA COLONY, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO. STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 346, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 8, 1887, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF LOT "J" WHICH IS NORTH 360 FEET FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE EAST, PARALLEL TO THE SOUTH LINE OF SAID LOT 103 FEET; THENCE NORTH, PARALLEL TO SAID WEST LINE OF SAID LOT, 159.4 FEET TO A POINT IN THE NORTH LINE OF SAID LOT; THENCE WEST ALONG SAID NORTH LINE OF SAID LOT, 103 FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH ALONG THE SAID WEST LINE OF SAID LOT, 159.4 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THE EAST 50 FEET THEREOF. ALSO THAT PORTION OF THE SOUTH 10 FEET OF RAMONA STREET, (NOW AMHERST STREET) ADJACENT TO THE NORTH SIDE OF THE AFORESAID DESCRIBED LAND, AS VACATED APRIL 30, 1923, BY THE BOARD OF SUPERVISORS OF SAID SAN DIEGO COUNTY, A CERTIFIED COPY OF SAID ORDER BEING RECORDED IN BOOK 751. PAGE 309 OF DEEDS, RECORDS OF SAID SAN DIEGO COUNTY.

DATE

ASSESSOR'S PARCEL NUMBER: 468-260-01

OWNER:

MARCO LUIS AUTHORIZED SIGNER FOR WHIZ BUILDERS, INC 11696 SORRENTO VALLEY RD. # 203 SAN DIEGO, CA 92121

TYPE OF CONSTRUCTION/OCCUPANCY CLASSIFICATION:

CONSTRUCTION CLASSIFICATION: TYPE V(B) - SPRINKLERED (NFPA 13D)

OCCUPANCY CLASSIFICATION:

RESIDENTIAL GROUP (R-3) PRIVATE GARAGE (U)

ZONING:

ZONE: RM-1-1 & CU-PD SETBACK;

FRONT; 15' SIDE; 5'/8' REAR;15'

OVERLAY ZONES: PARKING IMPACT COMMUNITY PLAN IMPLEMENTATION CENTRAL URBANIZED PLANNED DISTRICT

AREA:

SITE AREA: 0.206 ACRES (8,978 SQUARE FEET) GROSS FLOOR AREA 4,902 SQUARE FEET

USES:

CURRENT USE: UNDER CONSTRUCTION PROPOSED USE: 3 RESIDENTIAL CONDOMINIUM UNITS

TITLE NOTES: PRELIMINARY TITLE REPORT PROVIDED BY CORINTHIAN TITLE COMPANY, ORDER NO. 91013-PD DATED JULY 11, 2017.

UTILITY TABLE

TELE (AT&T): OVERHEAD CATV (COX): OVERHEAD

ELEC (SDG&E): OVERHEAD

EL CAJON BLVD AMHERST ST SITE (or r **ROSEFIELD DR** CENTURY ST

> VICINITY MAP NOT TO SCALE



CE CHRISTENSEN ENGINEERING & SURVEYING CIVIL ENGINEERS LAND SURVEYORS PLANNERS

8.S 7888 SILVERTON AVENUE, TELEPHONE: (858) 271-9901

SUITE "J", SAN DIEGO, CALIFORNIA 92126 FAX: (858) 271-8912



MAP

NO

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TENTATIVE MAP NO. 2000946

BASIS OF BEARINGS THE CENTERLINE OF AMHERST STREET AS SHOWN ON RECORD OF SURVEY NO. 20479. I.E. N 88°46'15" E.

BENCHMARK

CITY OF SAN DIEGO BRASS PLUG IN TOP OF CURB AT THE SOUTHWEST CORNER OF 69TH STREET AND EL CAJON BOULEVARD. ELEVATION 462.785' MEAN SEA LEVEL N.G.V.D. 1929.

NOTES

- 1. THE SOURCE OF THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS SURVEY BY J & B ENGINEERS, SURVEYORS, DATED JANUARY 08, 2016.
- 2. THE PROPOSED USE IS FOR 3 RESIDENTIAL CONDOMINIUM UNITS.
- MAINS.
- 5. THE DEVELOPMENT PROPOSES TO PROVIDE 6 ENCLOSED PARKING SPACES.
- 6. NAD27 COORDINATES = 218-1753. NAD83 COORDINATES = 1858-6313.
- A PARCEL MAP SHALL BE FILED AT THE COUNTY RECORDER'S OFFICE PRIOR TO THE EXPIRATION OF THE TENTATIVE MAP. A DETAILED PROCEDURE OF SURVEY WILL BE SHOWN ON THE PARCEL MAP AND ALL PROPERTY CORNERS WILL BE SET ON THE PARCEL MAP.
- 8. THE ASSESSOR PARCEL NUMBER IS: 468-260-01.

LEGEND

- EXISTING LEAD AND DISK STAMPED "LS 8259" ON 7.0 OFFSET PER ROS 20479
- PROPOSED LEAD AND DISK STAMPED "LS 7508" ON 7.0' OFFSET
- O PROPOSED 3/4" IRON PIPE WITH DISK STAMPED "LS 7508"

ANTONY K. CHRISTENSEN, LS 7508

Prepared By:

CHRISTENSEN ENGINEERING & SURVEYING 7888 SILVERTON AVENUE, SUITE "J" SAN DIEGO, CA 92126 PHONE (858) 271-9901 FAX (858) 271-8912

Project Address: 6823 AMHERST STREET

SAN DIEGO, CA 92115

6823 AMHERST STREET CONDOMINIUM

TENTATIVE MAP

Project Name:

Sheet Title:



RESIDENTIAL UNIT TABULATION

UNIT	LIVING AREA	PARKING AREA	DECK AREA	BEDROOMS	PARKING SPACES
1	1,680 SF	324 SF	443 SF	2	2
2	1,609 SF	324 SF	680 SF	1	2
3	1,609 SF	324 SF	680 SF	1	2
			· ·		
				,	

TOTAL OFF-STREET PARKING SPACES:

PARKING IMPACT AREA:

SPACES REQUIRED PER TABLE 142-05C (1.75 SPACES/1 BDRM X 2 UNITS AND 2.25 SPACES/2 BDRM UNIT X 1 UNIT) = 5.75 SPACES

SPACES REQUIRED = 5.75 SPACES SPACES PROVIDED = 6 PARKING SPACES ONSITE

LEGEND	
PROPERTY LINE/TM BNDRY	
EXISTING GAS LINE	GG
EXISTING SEWER LINE	SS
EXISTING WATER LINE	WW
PROPOSED PVT SEWER LATERAL	\mathbf{S}
PROPOSED PVT WATER SERVICE	W
CONCRETE SURFACE	

SCALE: 1" = 10'



G

G

G

6

NO STREET LIGHTS ON THIS SIDE OF STREET BETWEEN 68TH AND 69TH STREET



AMHERST STREET





Prepa	ared By:
	CHRISTENSEN ENGINEERING & SURVEYING 7888 SILVERTON AVENUE, SUITE "J" SAN DIEGO, CA 92126
	PHONE (858) 271-9901 FAX (858) 271-8912
Deck	
Proje	ect Address:
	6823 AMHERST STREET SAN DIEGO, CA 92115
Proje	ect Name:

IMPROVEMENTS SHOWN HEREON ARE UNDER CONSTRUCTION AND BASED ON BUILDING PERMIT PTS NO. 472047 (APPROVAL NO. 1652408 & 9)



