



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: May 23, 2018 REPORT NO. HO-18-037

HEARING DATE: May 30, 2018

SUBJECT: 4628 AND 4630 POINT LOMA AVENUE CDP/MW. Process Three Decision

PROJECT NUMBER: [520378](#)

OWNER/APPLICANT: Bernau-Wongkham Family Trust/Ryan Hanley

SUMMARY

Issue: Should the Hearing Officer approve the consolidation of two lots into one lot and the conversion of two residential dwelling units into condominiums and the waiver of the requirement to underground utilities on a 0.16-acre property within the Ocean Beach Community Plan area?

Staff Recommendations: APPROVE Coastal Development Permit No. 1826903, APPROVE Tentative Map Waiver No. 1826902 and approve a requested waiver of the requirement to underground overhead utilities.

Community Planning Group Recommendation: On June 7, 2017, the Ocean Beach Community Planning Board voted 12-4-0 to recommend approval of the proposed project without conditions/recommendations.

Environmental Review:

The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 1503 (Existing Facilities). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on April 11, 2018, and the opportunity to appeal that determination ended April 25, 2018.

BACKGROUND

The 0.16-acre two-lot project site is currently developed with two dwelling units. The front unit was constructed in 1979 and the rear was constructed in 2013. The proposal would consolidate the two lots into one lot and convert the two single-family dwelling units into residential condominiums. The project site is located at 4628 (front unit) and 4630 (rear unit) Point Loma Avenue in the RM-1-1

Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone, Airport Influence Area (SDIA - Review Area 2), FAA Part 77 Notification Area (SDIA, 160-feet AMSL) and within the Ocean Beach Community Plan area. The project site consists of two lots and designated Low-Medium Density Residential (10-14 Dwelling Units per Acre) by the Ocean Beach Community Plan (Attachment 2). The surrounding area is developed with multi-family and single family development.

The proposed subdivision of land constitutes a Coastal Development, which requires a Coastal Development Permit per San Diego Municipal Code (SDMC) Section 126.0702(a). The proposed subdivision qualifies for a Tentative Map Waiver for the proposed subdivision of the property into two residential condominium dwelling units per SDMC Section 125.0120(b) (2) (A).

DISCUSSION

The project site contains two, three-bedroom dwelling units. The front unit is located on Point Loma Avenue and the second is located towards the rear of the property and total 4,746 square feet in floor area. The project provides five (5) off-street parking spaces, where a minimum of four (4) is required. The rear single family dwelling unit has vehicular access off the adjacent public alley with a three-car garage and a two-car garage is accessed from Point Loma Avenue for the front single family dwelling unit. City Staff determined that the structure is in conformance with all development codes.

In accordance with the current condominium conversion regulations, the applicant provided a Building Conditions Report. The project has been conditioned to require conformance with the San Diego Municipal Code provisions for building and landscape improvements prior to recordation of the Certificate of Compliance (Condition Nos. 14 and 15, Attachment 8).

The project is requesting a waiver of the requirement to underground existing offsite overhead utility facilities located in the alley right-of-way at the rear of the site. The project qualifies for a waiver because 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 City's Undergrounding Program identifies this area as the Residential Project Block 2P with an unallocated construction date.

The project complies with the applicable development regulations, such as the required minimum off-street parking, the building conditions report for condominium conversion and landscape requirements. The project site is fully developed and does not contain any form of Environmentally Sensitive Lands and will not impact any public views identified in the Ocean Beach Community Plan and Local Coastal Program Land Use Plan. Staff has provided this evidence to support the required Coastal Development Permit and Tentative Map Waiver Findings.

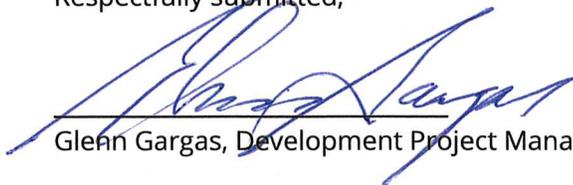
Conclusion:

Staff has reviewed the request for a Coastal Development Permit and Tentative Map Waiver and has found the project to be in conformance with the applicable sections of the San Diego Municipal Code and has provided evidence to support the required findings. Therefore, staff recommends the Hearing Officer approve Coastal Development Permit No. 1826903 and Tentative Map Waiver No. 1826902.

ALTERNATIVES

1. Approve Coastal Development Permit No. 1826903 and Tentative Map Waiver No. 1826902, with modifications.
2. Deny Coastal Development Permit No. 1826903 and Tentative Map Waiver No. 1826902, if the findings required to approve the project cannot be affirmed.

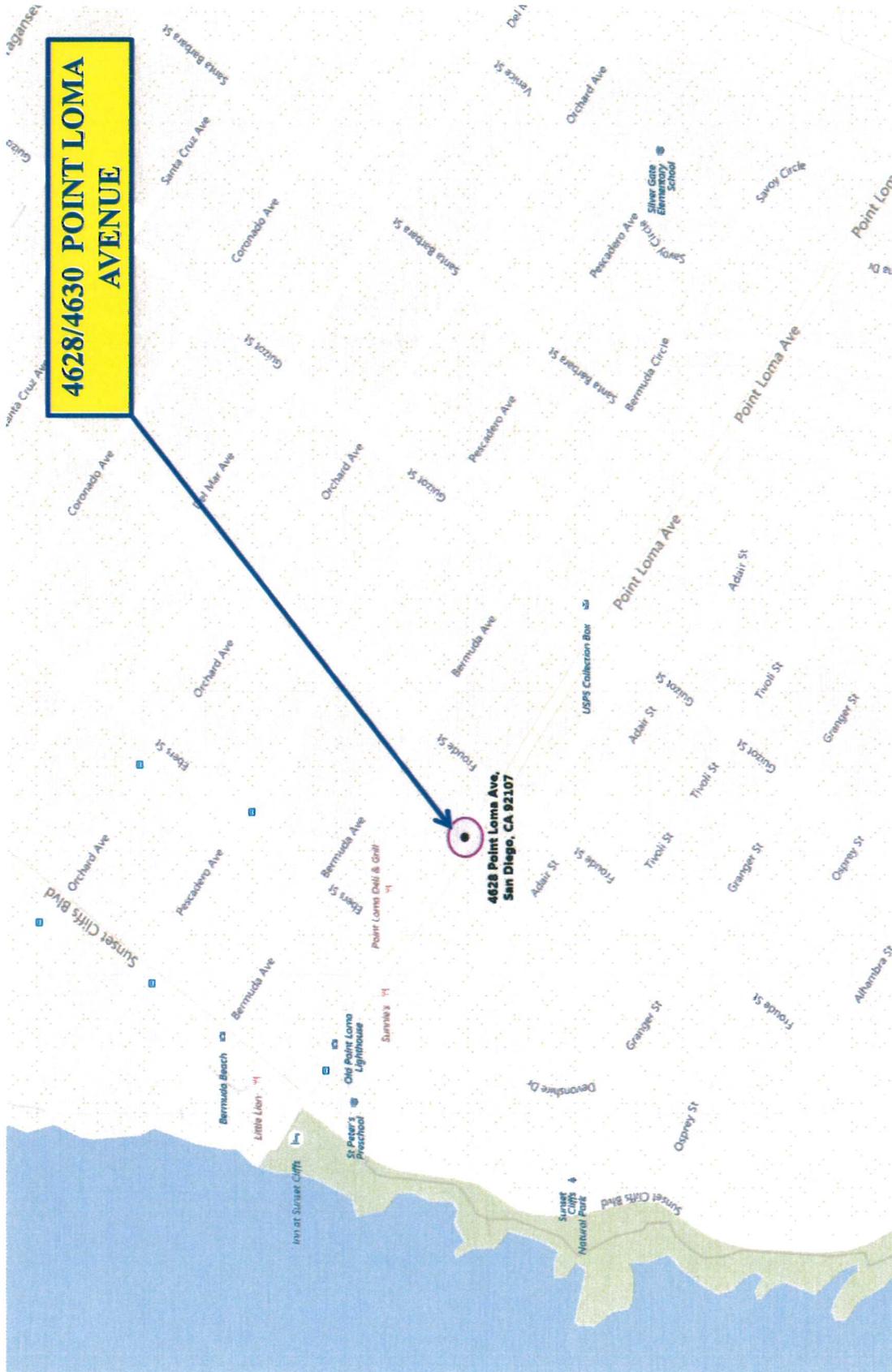
Respectfully submitted,



Glenn Gargas, Development Project Manager

Attachments:

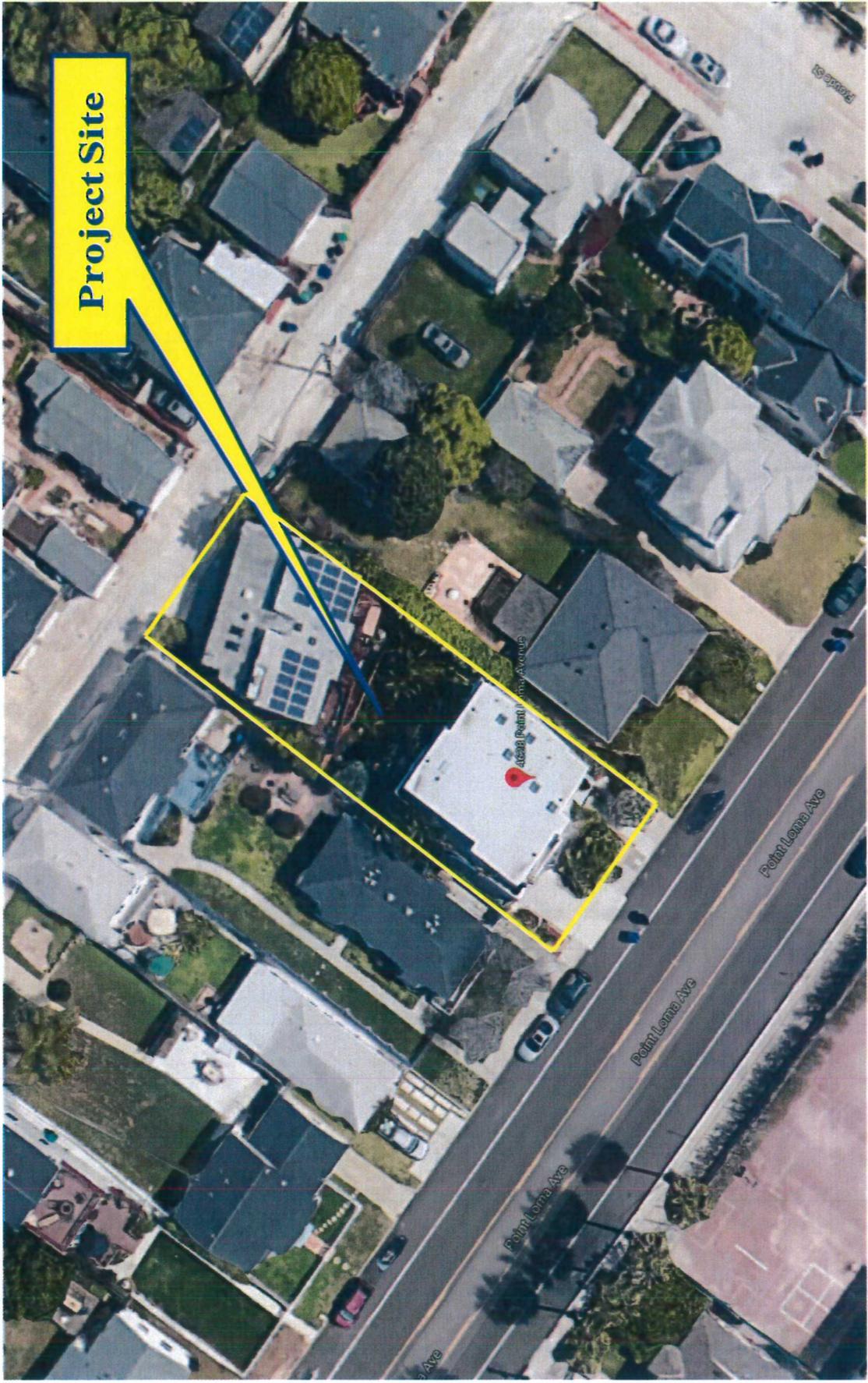
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Project Data Sheet
5. Draft Permit Resolution with Findings
6. Draft Permit with Conditions
7. Draft Map Waiver Resolution
8. Draft Map Waiver Conditions
9. Notice of Exemption
10. Community Planning Group Recommendation
11.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



Project Location Map

4628/4630 POINT LOMA AVE. CDP/MW - 4628/4630 POINT LOMA AVENUE
PROJECT NO. 520378





Project Site

Aerial Photo
4628/4630 POINT LOMA AVE. CDP/MW - 4628/4630 POINT LOMA AVENUE
PROJECT NO. 520378



PROJECT DATA SHEET

PROJECT NAME:	4628 & 4630 Point Loma Avenue CDP/MW – Project No. 520378	
PROJECT DESCRIPTION:	CDP & TMW to consolidate two lots into one and convert two existing, two-story, detached residential dwelling units totaling 4,746-square feet into two residential condominium units on a 0.16-acre property.	
COMMUNITY PLAN AREA:	Ocean Beach	
DISCRETIONARY ACTIONS:	Coastal Development Permit & Tentative Map Waiver	
COMMUNITY PLAN LAND USE DESIGNATION:	Low-Medium Density Residential (10-14 DUs per acre)	
<u>ZONING INFORMATION:</u>		
<p>ZONE: RM-1-1 Zone</p> <p>HEIGHT LIMIT: 30/24-Foot maximum height limit.</p> <p>LOT SIZE: 6,000 square-foot minimum lot size – existing two lots 7,000 sq. ft.</p> <p>FLOOR AREA RATIO: 0.75 maximum – approx. 0.67 existing</p> <p>FRONT SETBACK: 15/20 feet required – 20 foot existing</p> <p>SIDE SETBACK: 4 feet required – 5 foot existing</p> <p>STREETSIDE SETBACK: NA</p> <p>REAR SETBACK: 15 feet required – 5 ft. min. with alley – 5 foot existing</p> <p>PARKING: 4 parking spaces required –5 existing.</p>		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Low Medium Density Residential; RM-1-1 Zone	Multi-Family Residence
SOUTH:	Low Medium Density Residential; RM-1-1 Zone	Single Family Residential
EAST:	Low Medium Density Residential; RM-1-1 Zone	Multi-Family Residential
WEST:	Low Medium Density Residential; RM-1-1 Zone	Multi-Family Residential
DEVIATIONS OR VARIANCES REQUESTED:	None	

ATTACHMENT 4

<p>COMMUNITY PLANNING GROUP RECOMMENDATION:</p>	<p>The Ocean Beach Planning Board voted 12-4-0 to recommended approval the project at their June 7, 2017 meeting.</p>
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HEARING OFFICER RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT NO. 1826903
4628/4630 POINT LOMA AVENUE CDP/MW - PROJECT NO. 520378

WHEREAS, Bernau-Wongkham Family Trust, Owner/Permittee, filed an application with the City of San Diego for a permit to consolidate two existing lots into one lot and to convert an existing two residential dwelling units (DUs) into condominiums (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1826903), on portions of a 0.16-acre Property;

WHEREAS, the project site is located at 4628 and 4630 Point Loma Avenue in the RM-1-1 Zone, Coastal (non-appealable) Overlay Zone, Coastal Height Limitation Overlay Zone, Airport Influence Area (SDIA - Review Area 2), FAA Part 77 Notification Area (SDIA, 160-foot AMSL) and within the Ocean Beach Community Plan area;

WHEREAS, the project site is legally described as Lot 17 and 18, Block 15, Ocean Beach, in the City of San Diego, County of San Diego, State of California, according to maps thereof Number 279, filed in the Office of the County Recorder of San Diego County, May 28, 1887;

WHEREAS, on April 11, 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;

WHEREAS, on May 30, 2018, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1826903, pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated May 30, 2018.

Coastal Development Permit - Section 126.0708

- 1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan; and**

The 0.16-acre two-lot project site is currently developed with two dwelling units. The front unit was constructed in 1979 and the rear was constructed in 2013. The proposal would consolidate the two lots into one lot and convert the two single-family dwelling units into residential condominiums. The site is located approximately three blocks from the Pacific

Ocean coastline. The proposed development does not involve any physical change to the existing buildings. Other than the subdivision to allow condominium ownership, no additional development or intensification of use is requested. The existing single-family dwelling units do not encroach upon any existing or proposed physical access to the Pacific Ocean. The project site is not located adjacent to any identified visual access corridor identified within the Ocean Beach Community Plan and Local Coastal Land Use Plan. Therefore, the proposed conversion of two residential dwelling units into condominiums will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in the Ocean Beach Local Coastal Program land use plan; and the proposed condominium conversion will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Ocean Beach Community Plan and Local Coastal Program Land Use Plan.

2. The proposed coastal development will not adversely affect environmentally sensitive lands.

The 0.16-acre project site is currently developed with two dwelling units on a site that does not contain environmentally sensitive lands as defined in Land Development Code Section 113.0103. An environmental review determined that the project would not have a significant environmental effect on environmentally sensitive lands and was found to be exempt from environmental review under the California Environmental Quality Act (CEQA) Guidelines. The proposed project would consolidate two lots into one lot and convert the existing two dwelling units into condominium ownership. Other than the subdivision to allow condominium ownership, no significant additional development is proposed. There is no proposed grading on any portion of the property. As the project would convert the two dwelling units into condominium ownership and therefore the proposed coastal development will not adversely affect environmentally sensitive lands.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program; and

The proposed subdivision of two dwelling units into condominium units is located on a site designated Low-Medium Density Residential (10 to 14 DUs per acre) by the Ocean Beach Community Plan. Two units on the 0.16-acre site results in a density of 12 DUs per acre, consistent with the land use density of the Ocean Beach Community Plan and Local Coastal Land Use Plan. There are no physical changes proposed to the existing structures. Due to these factors the proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The 0.16-acre site is currently developed with two dwelling units located within a developed multi-family and single family residential dwelling unit neighborhood. The project site is located approximately two blocks east of Sunset Cliffs Boulevard, the First Public Roadway, and, therefore, not between the first public road and the sea or coastline. Since this project is not located between the nearest public road and the sea or the shoreline of any body of water, the finding is not applicable.

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

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Coastal Development Permit No. 1826903, is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1826903, a copy of which is attached hereto and made a part hereof.

Glenn R. Gargas
Development Project Manager
Development Services

Adopted on: May 30, 2018

IO#: 12002110

fm 7-17-17

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 12002110

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 1826903
4628/4630 POINT LOMA AVENUE CDP/MW - PROJECT NO. 520378
HEARING OFFICER

This Coastal Development Permit No. 1826903, is granted by the Hearing Officer of the City of San Diego to Bernau-Wongkham Family Trust, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0702. The 0.16-acre site is located at 4628 and 4630 Point Loma Avenue, in the RM-1-1 Zone, Coastal (non-appealable) Overlay Zone, Coastal Height Limitation Overlay Zone, Airport Influence Area (SDIA - Review Area 2), FAA Part 77 Notification Area (SDIA, 160-feet AMSL) and within the Ocean Beach Community Plan area. The project site is legally described as: Lot 17 and 18, Block 15, Ocean Beach, in the City of San Diego, County of San Diego, State of California, according to maps thereof Number 279, filed in the Office of the County Recorder of San Diego County, May 28, 1887;

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to convert two existing detached residential dwelling units into condominium ownership described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 30, 2018, on file in the Development Services Department. The project shall include:

- a. Conversion of two existing, two-story, detached, three-bedroom, residential dwelling units totaling 4,746 square feet, into two condominium units on a 0.16-acre property;
- b. Maintain Existing Landscaping (planting, irrigation and landscape related improvements);
- c. Maintain Existing Off-street parking;
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by June 13, 2021.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

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

CLIMATE ACTION PLAN REQUIREMENTS:

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

ENGINEERING REQUIREMENTS:

12. The Coastal Development Permit shall comply with all Conditions of the Parcel Map for the Tentative Map Waiver No. 1826902.

13. Prior to the issuance of any building permit, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the existing 18-foot driveway on Point Loma Avenue adjacent to project site per current City Standards, to the satisfaction of the City Engineer.

15. Prior the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the encroaching landscape, irrigation, and less than three-foot planter walls in the Point Loma Avenue Right-of-Way.

LANDSCAPE REQUIREMENTS:

16. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.

PLANNING/DESIGN REQUIREMENTS:

17. Owner/Permittee shall maintain off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

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

INFORMATION ONLY:

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

APPROVED by the Hearing Officer of the City of San Diego on May 30, 2018, by Resolution No. ____.

ATTACHMENT 6

Permit Type/PTS Approval No.: CDP No. 1826903
Date of Approval: May 30, 2018

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Glenn R. Gargas
Development Project Manager

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

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

Bernau-Wongkham Family Trust
Owner/Permittee

By _____
Brent Bernau,
Co-Trustee

Bernau-Wongkham Family Trust
Owner/Permittee

By _____
Wiwat Wongkham,
Co-Trustee

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

RESOLUTION NO. _____
DATE OF FINAL PASSAGE May 30, 2018

A RESOLUTION OF THE HEARING OFFICER ADOPTING THE FINDINGS
AND APPROVING TENTATIVE MAP WAIVER NO. 1826902 FOR 4628
AND 4630 POINT LOMA AVENUE CDP/MW – PROJECT NO. 520378

WHEREAS, Bernau-Wongkham Family Trust, Subdivider, and Mark A. Brencick, Registered Engineer, submitted an application with the City of San Diego for Map Waiver No. 1826902, to waive the requirement for a Tentative Map to consolidate two lots into one lot, conversion of two units into condominium units and to waive the requirement to underground existing offsite overhead utilities. The project site is located at 4628 and 4630 Point Loma Avenue, south of Bermuda Avenue, east of Sunset Cliffs Boulevard, north of Hill Street and west of Catalina Boulevard. The property is legally described as Lot 17 and 18, Block 15, Ocean Beach, in the City of San Diego, County of San Diego, State of California, according to maps thereof Number 279, filed in the Office of the County Recorder of San Diego County, May 28, 1887; and

WHEREAS, the Map proposes the subdivision of a 0.16-acre site into one (1) lot for a two (2) unit residential condominium conversion; and

WHEREAS, on April 11, 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 Guidelines 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 two; and

WHEREAS, the request to waive the undergrounding of existing overhead utilities has been determined to be appropriate pursuant to San Diego Municipal Code section 144.0242(c)(1)(B) because the conversion involves a short span of overhead facility (less than a full block in length) and would not 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 Waiver No. 1826902, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to sections 125.0122 (map waiver), 125.0444 (condo conversion), and 144.0242 (underground) of the San Diego Municipal Code and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Hearing Officer having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Tentative Map Waiver No. 1826902:

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

The 0.16-acre two-lot project site is currently developed with two dwelling units. The front unit was constructed in 1979 and the rear was constructed in 2013. The proposal would consolidate the two lots into one lot and convert the two single-family dwelling units into residential condominiums. The site is located approximately three blocks from the Pacific Ocean coastline. The proposed development does not involve any physical change to the existing buildings. Other than the subdivision to allow condominium ownership, no additional development or intensification of use is requested. The existing single-family dwelling units do not encroach upon any existing or proposed physical access to the Pacific Ocean. The project site is not located adjacent to any identified visual access corridor identified within the Ocean Beach Community Plan and Local Coastal Land Use Plan. The proposed creation of two condominium dwelling units would add to and continue to provide for a balanced community and equitable development within the community through the provision of housing that provides varying levels of architectural styles, size and affordability through residential development. The proposed subdivision maintains consistency with the recommended residential land use and density prescribed in the Ocean Beach Community Plan. Therefore, the proposed subdivision and its design or improvement would be 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 proposed subdivision of existing units into two residential condominiums would comply with the development regulations of the underlying RM-1-1 zone, the Coastal Development Regulations and all of the applicable development regulations of the Land Development Code. The proposed development does not involve any physical change to the existing buildings and is developed within the private lot area. There are no proposed deviations with this project. The requested underground waiver of the existing overhead facilities qualifies under the guidelines of San Diego Municipal Code Section 144.0242(c) Waiver of the Requirements to Underground Privately Owned Utility Systems and Services Facilities 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. As the project complies with the development regulations of the RM-1-1 Zone and does not involve any physical change, 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 convert two existing residential dwelling units to condominiums. The 0.16-acre site is located at 4628 and 4630 Point Loma Avenue, in the RM-1-1 Zone, allowing multi-family residential development. This is a mid-block site located in an urban, developed multi-family neighborhood and is surrounded on all sides by similar development. Other than

the subdivision to allow condominium ownership, no additional development or intensification of use is proposed.

The previously graded and developed site is relatively level and is served by existing overhead and underground utilities. The project fronts on Point Loma Avenue and also has alley access at the rear of the site, as do the adjoining properties to the east and west. The frontage is developed with existing curb, gutter and sidewalk. As the project complies with the development regulations of the RM-1-1 Zone and does not involve any physical change, the proposed subdivision 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 proposed residential condominium conversion is for two existing, two-story and three-story, detached residential dwelling units on a 0.16-acre property. This map waiver does not include any physical development or changes to the environment that are likely to cause environmental damage of any kind. The project site has been fully developed within a fully urbanized area of Ocean Beach and does not contain any form of environmentally sensitive lands or body of water on-site or adjacent to the site. This project was determined to be categorically exempt under the California Environmental Quality Act. Therefore, since there is no further change to the property with this proposal, 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.

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

The proposed subdivision to create two residential condominiums complies with the development regulations of the underlying RM-1-1 zone, the Coastal Development Regulations and all of the applicable development regulations of the Land Development Code. The proposed development does not involve any physical change to the two existing detached residential dwelling units and is contained within the private lot area. The proposed subdivision and required engineering improvements for reconstruction of the existing driveway on Point Loma Avenue, complies with all applicable Federal, State and local land use policies including the California Subdivision Map Act and the City of San Diego Land Development Code. As the project proposes a subdivision of existing units into two residential condominiums, the proposed design of the subdivision or 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 (SDMC Sec. 125.0440 (f)).

The proposed residential condominium conversion is for two existing, two-story and three-story, detached residential dwelling units on a 0.16-acre property. This Tentative Map Waiver does not include any additional development of the private property. The proposed subdivision is located

fully within the private property and would not modify the existing public rights-of-ways, or any general utility easements. However, reconstruction of the existing driveway on Point Loma Avenue and obtaining an Encroachment Maintenance Removal Agreement for the encroaching landscape, irrigation, and less-than-three-foot-high-planter walls in the Point Loma Avenue Right-of-Way is required as a condition of this approval. There are no other access easements required with this proposal. Therefore, the design of the subdivision and the associated improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (SDMC Sec. 125.0440 (g)).

The proposed subdivision of a 0.16-acre property with two detached residential dwelling units into condominium ownership does not include any physical change or development of the property. The existing detached residential dwelling units will not impede or inhibit any future passive or natural heating and cooling opportunities. The existing structures include building materials, architectural treatments, placement and selection of plant materials to provide to the extent feasible, for future passive or natural heating and cooling opportunities. The existing two dwelling units have the opportunity to accommodate solar panels in the future. Cross ventilation air flow will provide natural cooling of all units. Therefore, the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (SDMC Sec. 125.0440 (h)).

The proposed residential condominium conversion is for two existing, two-story and three-story, detached residential dwelling units on a 0.16-acre property. This Tentative Map Waiver does not include any development of the property. The decision maker has reviewed the administrative record including the project plans, environmental documentation and public testimony to determine the effects of the proposed subdivision on the housing needs of the region. The proposed condominium conversion is located within an urbanized area, with neighborhood commercial uses located one block to the west, Silver Gate Elementary School three blocks to the east and Ocean Beach's main community commercial district located approximately one mile to the north. The closest transit line is a Metropolitan Transit Bus Service along Catalina Boulevard approximately four blocks to the east. Those regional needs were balanced against the needs for public services and the available fiscal and environmental resources and found that the proposed map waiver would not impact the housing needs of the Ocean Beach Community Plan area.

9. The notices required by San Diego Municipal Code section 125.0431 have been given in the manner required.

A 60-Day Notice of Intent to Convert to Condominiums and Notice of Tenants Rights has been provided to all tenants. The approval is also conditioned to provide all other notices required by San Diego Municipal Code Section 125.0431. Therefore, all applicable notices required by San

Diego Municipal Code section 125.0431 have been required as a condition or given in the manner required.

10. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing.

The proposed condominium conversion is for two existing, two-story and three-story, detached residential dwelling units on a 0.16-acre property. This project is privately financed and no funds were obtained from governmental agency to provide for elderly, disabled, or low income housing.

11. For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed.

The proposed condominium conversion is for two existing, two-story and three-story, detached residential dwelling units on a 0.16-acre property. This project was not developed to provide housing for the elderly, disabled, or to provide low income housing. Therefore, this finding is not applicable.

That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Tentative Map Waiver No. 1826903, including the waiver of the requirement to underground existing offsite overhead utilities is hereby granted to Bernau-Wongkham Family Trust, subject to the attached conditions which are made a part of this resolution by this reference.

By _____
Glenn R. Gargas
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Waiver Conditions
Internal Order No. 12002110

ATTACHMENT 8

HEARING OFFICER
CONDITIONS FOR MAP WAIVER NO. 1826902
4628 AND 4630 POINT LOMA AVENUE CDP/MW - PROJECT NO. 520378
ADOPTED BY RESOLUTION NO. _____ ON MAY 30, 2018

GENERAL

1. This Map Waiver will expire June 13, 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. Prior to the Map Waiver expiration date, a Parcel Map to consolidate the existing lots into one lot shall be recorded in the Office of the San Diego County Recorder.
4. A Parcel Map shall be recorded in the Office of the San Diego County Recorder, prior to the Map Waiver expiration date.
5. 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.
6. The Parcel Map shall conform to the provisions of Coastal Development Permit No. 1826903.
7. 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.

CONDOMINIUM CONVERSION

8. In accordance with San Diego Municipal Code Section 125.0431(a)(3), the Subdivider shall provide a Notice of Tenants Rights and Notices for Condominium Conversion, as follows:
 - a. For existing tenants, within 10 days of the project application for the condominium conversion being deemed complete; or

ATTACHMENT 8

- b. For prospective tenants, upon application for the rental of a unit in the proposed condominium conversion.
9. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by Subdivision Map Act sections 66427.1 and 66452.17. (San Diego Municipal Code Sec. 125.0431 (a) (1) (2)).
10. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion but not before the local authority has approved the tentative map waiver for the conversion. The provisions of this condition shall neither alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Civil Code sections 1941, 1941.1 and 1941.2.
11. The Subdivider shall provide the tenants of the proposed condominiums with written notification within 10 days after approval of a Parcel Map for the proposed conversion.
12. The Subdivider shall give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (San Diego Municipal Code § 125.0431(a) (4)).
13. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The exclusive right to purchase shall run for a period of not less than 90 days, unless the tenant gives prior written notice of his or her intention not to exercise the right. The notice of the 90 Day Period of First Right of Refusal to Purchase shall be provided within five working days of the issuance of the Subdivision Public Report or 90 days prior to the initial public offer for sale if no Subdivision Public Report is required. (San Diego Municipal Code Sec. 125.0431 (a) (5)).
14. The Subdivider shall provide a copy of the Building Conditions Report to a prospective purchaser prior to the opening of an escrow account. (San Diego Municipal Code § 144.0504(c)).
15. Prior to the recordation of the Parcel Map, the Subdivider shall demonstrate conformance with the San Diego Municipal Code provisions for building and landscape improvements (San Diego Municipal Code § 144.0507), to the satisfaction of the City Engineer.

AFFORDABLE HOUSING

16. Prior to recordation of the Parcel Map, the Subdivider shall comply with the provisions of Chapter 14, Article 2, Division 13 of the San Diego Municipal Code ("Inclusionary Affordable Housing Regulations") by payment of the applicable Inclusionary Affordable Housing Fee.
17. Prior to the recordation of the Parcel Map, the Subdivider shall demonstrate conformance with the San Diego Municipal Code provisions for Coastal Overlay Zone Affordable Housing

ATTACHMENT 8

Replacement Regulations (San Diego Municipal Code § 143.0810 *et seq.*), to the satisfaction of the Development Services Department and the San Diego Housing Commission.

ENGINEERING

18. Map Waiver No. 1826902 conditions shall comply with all Conditions of the Coastal Development Permit No. 1826903.
19. Prior to the recordation of the Parcel Map, 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.
20. Prior to the recordation of the Parcel Map, 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.

MAPPING

21. 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
22. "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).
23. "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."
24. 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.

LANDSCAPE

25. Prior to recordation of the Parcel Map, the Owner/Permittee shall obtain a landscape inspection to confirm existing landscape to remain consistent with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department.

INFORMATION:

- The approval of this Tentative Map Waiver by the Hearing Officer of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. § 1531 *et seq.*).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map Waiver will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map Waiver, may protest the imposition within 90 days of the approval of this Tentative Map Waiver by filing a written protest with the San Diego City Clerk pursuant to Government Code Sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 12002110

NOTICE OF EXEMPTION

(Check one or both)

TO: Recorder/County Clerk
 P.O. Box 1750, MS A-33
 1600 Pacific Hwy, Room 260
 San Diego, CA 92101-2400

FROM: City of San Diego
 Development Services Department
 1222 First Avenue, MS 501
 San Diego, CA 92101

Office of Planning and Research
 1400 Tenth Street, Room 121
 Sacramento, CA 95814

Project Name: 4628/4630 Point Loma Avenue

Project No. / SCH No.: 520378/N.A.

Project Location-Specific: The project site is located at 4628 and 4630 Point Loma Avenue, San Diego, CA 92107, within the Ocean Beach Community Plan and Local Coastal Program Area.

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

Description of nature and purpose of the Project: PROCESS 3 - MAP WAIVER AND COASTAL DEVELOPMENT PERMIT for the conversion of two existing detached residences to condominium units at 4628 and 4630 Point Loma Ave. The 0.16 acre site is in the Residential Multi-Family (RM-1-1) Zone, Coastal (Non-Appealable) Overlay Zone within the Ocean Beach Community Plan Area. Airport Influence Area (Review Area 2- San Diego International Airport), Federal Aviation Administration Part 77 Notification Area, Coastal Height Overlay Zone (CHLOZ), Ocean Beach Cottage Emerging Historic District, Parking Impact (Coastal) Overlay Zones, Outdoor Lighting Zone 3, and within City Council District 2. (LEGAL DESCRIPTION: Lots 17 and 18, Block 15 of Ocean Beach Tract, in the City of San Diego, County of San Diego, State of California, According to Map thereof No. 279, Filed in the Office of the County recorder of San Diego County).

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Ryan Hanley
 1660 Hotel Circle North, Suite #725
 San Diego, CA, 92108
 (619) 683-5544

Exempt Status: (CHECK ONE)

- Ministerial (Sec. 21080(b)(1); 15268);
 Declared Emergency (Sec. 21080(b)(3); 15269(a));
 Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
 Categorical Exemption: Categorically exempt according to State CEQA Guidelines Section(s) 15301(k) (Existing Facilities)
 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 Sections 15301(k) (Existing Facilities). This exemption is appropriate because 15301(k) allows for the division of existing multi-family sites into common-interest ownership where no physical changes occur which are not otherwise exempt, as is the case with this proposal. Furthermore, none of the exceptions listed in CEQA Section 15300.2 apply.

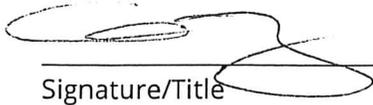
Lead Agency Contact Person: Chris Tracy, AICP

Telephone: (619) 446-5381

If filed by applicant:

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

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


Signature/Title

CHRIS TRACY, AICP
SENIOR PLANNER

4/26/18
Date

Check One:

- Signed By Lead Agency
- Signed by Applicant

Date Received for Filing with County Clerk or OPR:

OCEAN BEACH PLANNING BOARD

GENERAL MEETING NOTICE & AGENDA

Wednesday, June 7th, 2017 – 6:00 p.m.

Ocean Beach Recreation Center – 4726 Santa Monica Ave, Ocean Beach CA 92107

6:00 pm

Call to Order

- Quorum/Introductions
- Agenda modifications and approval
- Minutes modifications and approval
- Treasurer's Report
- Representatives Report
 - o City Council District 2 Lori Zapf's Report – *Conrad Wear*
 - o Mayor Kevin Faulkoner's Report – *Anthony Geroge*
 - o County Supervisor District 4 Ron Robert's Report – *Adrian Granda*
 - o Congressman Scott Peter's Report – *Brian Elliot*
 - o Senator Toni Atkins Report – *Chevelle Newell-Tate*
 - o Assemblyman Todd Gloria – *Adriana Martinez*
- Chair's Report

Non-Agenda Public Comment

Two minutes per speaker for issues not on the Agenda and within the purview of the Board.



Action Item # 1

PTS # 520378 – 4628 & 4630 Point Loma Avenue

A Process 3 Map Waiver and Coastal Development Permit for the conversion of two existing detached residences to condominium units at 4628-4630 Point Loma Ave. The 0.16-acre site is in the RM-1-1 zone, Coastal (Non-appealable) overlay zonewithin the Ocean Beach Community Plan Area and Council District 2. Utility Underground Waiver submitted.

Action Item # 2

Bicycle Improvements

The board will review potential Bicycle Improvements along Bacon St. and take action if necessary.

Action Item # 3

CIP Priority Projects List

The board will review and update the preferred Captial Improvement Projects (CIP) for Ocean Beach in the FY19 budget.

Action Item # 4

Lifeguard Station Preliminary Input

The board will review the Ocean Beach Lifeguard station project CIP # S-10121 & PFFP FY 15 # F-2 and craft a set of recommendations to be considered in the preliminary engineering review.

Chair Announcements/Correspondence/Liaison Reports: Community Planners Committee, OB Town Council, OB Main street Association, OB Recreation Council, OB Historical Society, OB Community Development Corporation, OBMA Crime Prevention Committee, OB Women's Club, Peninsula Community Planning Board, Midway Community Planning Advisory Group, SANDAG, Mission Bay Park Committee, San Diego River Coalition, Airport Noise Advisory Committee

Adjournment

For more information please contact:

John Ambert, Chair
 johnambert@gmail.com / 805-801-2015
 4876 Santa Monica Avenue #133
 San Diego, CA 92107
 Oceanbeachplanning.org



Gargas, Glenn

From: Ryan Hanley <ryan@jwhalen.net>
Sent: Tuesday, January 30, 2018 4:49 PM
To: Gargas, Glenn
Subject: Re: Draft Rev. Comments - 4628/4630 Point Loma Ave. - CDP & TMW - Project No. 520378

Hi Glenn,



The Planning Board voted unanimously to approve the project on June 7, 2017, with the condition that the CC&Rs contain a provision that prohibits "whole house" short-term rentals (meaning renting out a room or rooms on a short-term basis is OK).

-Ryan

From: Gargas, Glenn <GGargas@sandiego.gov>
Sent: Tuesday, January 30, 2018 3:38:02 PM
To: Ryan Hanley
Subject: RE: Draft Rev. Comments - 4628/4630 Point Loma Ave. - CDP & TMW - Project No. 520378

Ryan,

I send you the resubmittal list in just a few minutes. I just need to update the status of the Community Planning Group. Did they take a vote and make a recommendation on this project? I did not receive any update from the group. Please let me know. Thank You!

Glenn R. Gargas, AICP

Development Project Manager
 City of San Diego
 Development Services Department
 (619) 446-5142

CONFIDENTIAL COMMUNICATION

This electronic mail message and any attachments are intended only for the use of the addressee(s) named above and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not an intended recipient, or the employee or agent responsible for delivering this e-mail to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this e-mail message in error, please immediately notify the sender by replying to this message or by telephone. Thank you.

From: Ryan Hanley [mailto:ryan@jwhalen.net]
Sent: Tuesday, January 30, 2018 1:24 PM
To: Gargas, Glenn <GGargas@sandiego.gov>
Subject: Re: Draft Rev. Comments - 4628/4630 Point Loma Ave. - CDP & TMW - Project No. 520378

Hi Glenn,

The revised Map Waiver and Landscape plans, plus comment responses, are ready. How many copies should we print out? Do you want me to submit them directly to you?



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

Ownership Disclosure Statement

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

Project Title **Project No. For City Use Only**
 4628/4630 Point Loma Avenue Map Waiver

Project Address:
 4628 & 4630 Point Loma Avenue, San Diego, CA 92107

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

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

Additional pages attached Yes No

Name of Individual (type or print):
 Brent Bernau
 Owner Tenant/Lessee Redevelopment Agency

Street Address:
 4628 Point Loma Avenue

City/State/Zip:
 San Diego, CA 92107

Phone No: (619) 993-2697 **Fax No:**

Signature: *Brent Bernau* **Date:** 10/20/16

Name of Individual (type or print):
 Wiwat Wongkham
 Owner Tenant/Lessee Redevelopment Agency

Street Address:
 4628 Point Loma Avenue

City/State/Zip:
 San Diego, CA 92107

Phone No: (619) 961-7285 **Fax No:**

Signature: *W. Wongkham* **Date:** 10/24/16

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency

Street Address:

City/State/Zip:

Phone No: **Fax No:**

Signature: **Date:**

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency

Street Address:

City/State/Zip:

Phone No: **Fax No:**

Signature: **Date:**

Note: Property is owned by the 2017 Restated Bernau-Wongkham Family Trust. Brent Bernau and Wiwat Wongkham are the original Trustees/Settlers and serve as Trustees.

4628/4630 POINT LOMA AVENUE

MAP WAIVER NO. 1826902

CDP NO. 1826903

PROJECT NO. 520378

PROJECT DESCRIPTION

CONSOLIDATE TWO EXISTING LEGAL LOTS INTO ONE LEGAL LOT AND CREATE TWO CONDO UNITS ON THIS NEW LEGAL LOT.

LEGAL DESCRIPTION

LOTS 17 & 18, BLOCK 15 OF OCEAN BEACH TRACT, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 279, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

GENERAL NOTES

DATE OF SURVEY	4-11-16
SOURCE OF TOPOGRAPHY	ALTA LAND SURVEYING, INC.
ASSESSOR'S PARCEL NO.	448-461-12-00
TOTAL SUBDIVISION AREA	0.16 AC. NET & GROSS (7,000 SF)
TOTAL NO. OF EXIST. LOTS	2
TOTAL NO. OF PROP. LOTS	1 (WITH TWO CONDO UNITS)
EXISTING EASEMENTS	NONE
PROPOSED EASEMENTS	2
NAD 27 COORDINATE	208-1692
CCS 83 COORDINATE	1848-6252
EXISTING USE	RESIDENTIAL
PROPOSED USE	RESIDENTIAL
BUILDING HEIGHT	30'
NUMBER OF STORIES	3
YEAR CONSTRUCTED	4628 POINT LOMA AVE - 2013 4630 POINT LOMA AVE - 1979
SQUARE FOOTAGE	4628 POINT LOMA AVE - 2,594 SF 4630 POINT LOMA AVE - 2,152 SF

ZONING

EXISTING & PROP. ZONE	RM-1-1
COMMUNITY PLAN	OCEAN BEACH
OVERLAY ZONES:	1. CITY COASTAL/N-APP-2 2. PARKING IMPACT 3. FAA 4. OCEAN BEACH COTTAGE EMERGING DISTRICT 5. HISTORIC DISTRICT

PUBLIC UTILITIES

STORM DRAIN	CITY OF SAN DIEGO
WATER	CITY OF SAN DIEGO
SEWER	CITY OF SAN DIEGO
FIRE & POLICE	CITY OF SAN DIEGO
GAS (UNDERGROUND)	SDG&E
ELECTRICITY (OVERHEAD)	SDG&E
CABLE TV (OVERHEAD)	COX CABLE
TELEPHONE (OVERHEAD)	AT&T
SCHOOL DISTRICTS	SAN DIEGO UNIFIED

NOTE: ALL PROPOSED UTILITIES SHALL BE INSTALLED UNDERGROUND

ENGINEER'S STATEMENT

I HEREBY DECLARE THAT I AM THE ENGINEER OF WORK FOR THIS PROJECT, THAT I HAVE EXERCISED RESPONSIBLE CHARGE OVER THE DESIGN OF THE PROJECT AS DEFINED IN SECTION 6703 OF THE BUSINESS AND PROFESSIONS CODE, AND THAT THE DESIGN IS CONSISTENT WITH CURRENT STANDARDS.

I UNDERSTAND THAT THE CHECK OF PROJECT DRAWINGS AND SPECIFICATIONS BY THE CITY OF SAN DIEGO IS CONFINED TO A REVIEW ONLY AND DOES NOT RELIEVE ME, AS ENGINEER OF WORK, OF MY RESPONSIBILITIES FOR PROJECT DESIGN.

MARK A. BRENCICK, RCE 48153 DATE

LANDMARK CONSULTING
9555 GENESEE AVE., STE. 200
SAN DIEGO, CA 92121
(858) 587-8070
FAX (858) 587-8750

PREPARED BY

NAME: LANDMARK CONSULTING
MARK A. BRENCICK
ADDRESS: 9555 GENESEE AVE., STE. 200
SAN DIEGO, CA 92121
PHONE NO. (858) 587-8070
FAX NO. (858) 587-8750
PROJECT ADDRESS: 4630 POINT LOMA AVENUE
SAN DIEGO, CA 92107

PROJECT NAME: 4628/4630 POINT LOMA AVENUE
ORIGINAL DATE: SHEET 1 OF 1
DEP #

SHEET TITLE:
4628/4630 POINT LOMA AVENUE

DATE OF PREPARATION:

NO.	DATE	REVISION
1		ORIGINAL SUBMITTAL
2		
3		
4		

MAP WAIVERS

1. REQUEST TO WAIVE TENTATIVE MAP

OWNER

BERNAU-WONGKHAM FAMILY TRUST
4628 POINT LOMA AVENUE
SAN DIEGO, CA 92107

APPLICANT

RYAN J. HANLEY
J. WAHLEN ASSOCIATES, INC.
1660 HOTEL CIRCLE NORTH, SUITE 725
SAN DIEGO, CA 92108
TEL (619) 683-5546
EMAIL RYAN@JWAHLEN.NET

OWNER	DATE	APPLICANT	DATE

LEGEND

ITEM	SYMBOL
PROPERTY LINE/TMW BOUNDARY	---
RIGHT OF WAY	---
EXISTING LOT LINE	---
PROPOSED CONDO UNIT BOUNDARY	---
PROPOSED EASEMENT	---
ELEVATION CONTOUR LINE	---
EX LEAD & DISC MONUMENT	---
EX WOOD FENCING	---
EX GATE	---
EX TREES OF VARYING DIAMETERS	---
EX WOOD DECK	---
EX DRAINAGE FLOW PATTERN	---
EX STREET YARD LANDSCAPING	---
VISIBILITY TRIANGLE	---
PROPOSED	---
EXISTING	---
EASEMENT	---
RIGHT OF WAY	---
CENTERLINE	---

ABBREVIATION

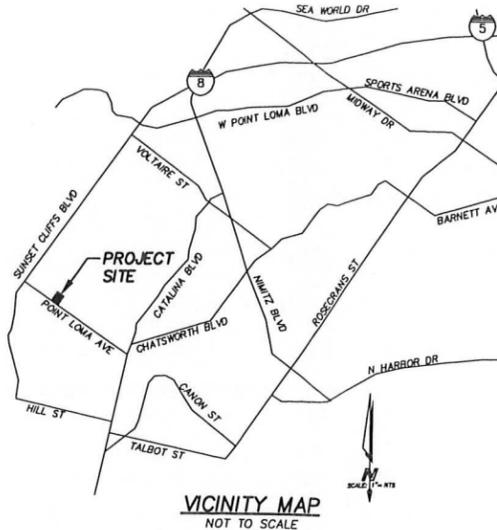
PROP	PROPOSED
EX	EXISTING
ESMT	EASEMENT
R/W	RIGHT OF WAY
€	CENTERLINE

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6, EPOCH 1991.35, BASED ON THE ADJUSTED, GRID BEARING BETWEEN FIRST ORDER STATION '215' AND SECOND ORDER STATION '1018' AS SHOWN ON THE RECORD OF SURVEY 14492.

BENCH MARK

THE BENCHMARK USED FOR THIS SURVEY IS THE BRASS PLUG ON SOUTH CURB RETURN OF THE INTERSECTION OF POINT LOMA BOULEVARD AND GUIZOT STREET AS PUBLISHED IN THE CITY OF SAN DIEGO VERTICAL CONTROL BENCHMARK BOOK, OCTOBER 2011. ELEVATION: 125.946
DATUM: MEAN SEA LEVEL



NOTES

- NO EX FIRE HYDRANTS
- NO EX TRANSIT STOPS
- NO PROPOSED CONSTRUCTION WITH THIS PROJECT
- NO OBSTRUCTION INCLUDING SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT. PLANT MATERIAL, OTHER THAN TREES, WITHIN THE PUBLIC RIGHT-OF-WAY THAT IS LOCATED WITHIN VISIBILITY AREAS SHALL NOT EXCEED 24 INCHES IN HEIGHT, MEASURED FROM THE TOP OF THE ADJACENT CURB.

MAPPING NOTE: PARCEL MAP FILED AT THE COUNTY RECORDER'S OFFICE PRIOR TO THE EXPIRATION OF THE TENTATIVE MAP WAIVER. A DETAILED PROCEDURE OF SURVEY WILL BE SHOWN ON THE PARCEL MAP AND ALL PROPERTY CORNERS WILL BE SET ON THE MAP.

CONDOMINIUM NOTE: THIS IS A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4125 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. TOTAL NUMBER OF RESIDENTIAL UNITS IS TWO.

SETBACKS

FRONT (STD)	20'
FRONT (MIN)	15'
SIDEYARD (STD)	8'
SIDEYARD (MIN)	4'
REAR (ALLEY SIDE)	5'

PARKING

REQUIRED PARKING:
1.75 SPACES PER 3-BEDRM UNIT: 1.75 X 2 = 3.5
OR 4 TOTAL PARKING SPACES REQUIRED

PROVIDED PARKING:
5 ONSITE SPACES IN GARAGE
OR 5 TOTAL PARKING SPACES PROVIDED

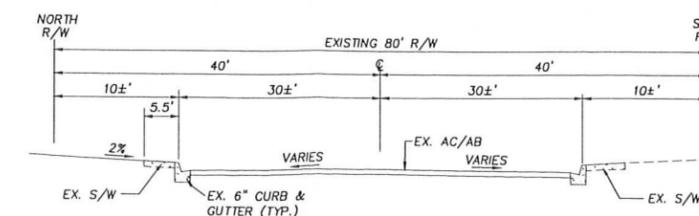
EASEMENTS

EXISTING:
NONE

- PROPOSED:
- PRIVATE RECIPROCAL ACCESS EASEMENT AS SHOWN ON MAP.
 - PRIVATE, BLANKET, RECIPROCAL EASEMENT FOR UNDERGROUND UTILITIES.

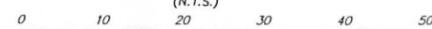
EMRA

PROVIDING EMRA FOR EXISTING LESS THAN 3' HIGH RETAINING WALL AND LANDSCAPE & IRRIGATION WITHIN R/W.



TYPICAL POINT LOMA AVE. SECTION B-B (CLASSIFICATION: LOCAL STREET) (N.T.S.)

(N.T.S.)



SCALE: 1" = 10'

TYPICAL ALLEY SECTION A-A (N.T.S.)

(N.T.S.)

