

THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: September 26, 2018

REPORT NO. HO-18-087

HEARING DATE: October 3, 2018

SUBJECT: SARANAC TM/NDP - Process Three Decision

PROJECT NUMBER: <u>555665</u>

OWNER/APPLICANT: James Tiensvold, Owner/Walsh Engineering & Survey

<u>SUMMARY</u>

<u>Issue:</u> Should the Hearing Officer approve the subdivision of one lot into two separate parcels with a deviation to the lot frontage requirement, to facilitate the construction of a new single-dwelling unit with an existing single-dwelling unit to remain, located at 6744 Saranac Street, within the College Area Community Plan?

Staff Recommendations:

- 1. Approve Neighborhood Development Permit No. 2054088; and
- 2. Approve Tentative Map No. 1968023.

<u>Community Planning Group Recommendation</u>: On September 25, 2017, the College Area Community Planning Board voted 12-0-0 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 Sections 15303(a) New Construction and 15315 Minor Land Divisions. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on June 20, 2018, and the opportunity to appeal that determination ended July 5, 2018 (Attachment 5).

BACKGROUND

The 0.296-acre site is located at 6744 Saranac Street, in the RS-1-7 zone within the College Area Community Plan (Attachments 1-3). The project site is within an urban, developed residential neighborhood, surrounded by single- and multi-family development on all sides.

The College Area Community Plan designates the site as Single Family Very Low Residential development at a rate of 1-10 dwelling units per acre (du/ac). The project site contains an existing 828-square-foot single-family unit constructed in 1943 which takes access from Saranac Street through a driveway that extends to the rear of the property, into a detached garage.

DISCUSSION

Project Description

The Project proposes to subdivide the existing lot into two parcels, one at the front of the site with the existing single-family unit (Parcel 2), and a new lot at the rear of the site to be developed with a 1,849-square-foot, single-family unit with two-car garage (Parcel 1). An existing garage would be demolished to accommodate the new unit on Parcel 1 and a new two-car garage would be built to serve the existing unit on Parcel 2. Parcel 1 would be 5,560 square feet and Parcel 2 would be 7,350 square feet.

The existing driveway on Saranac Street that provides access to Parcel 2 will be extended to the proposed Parcel 1 with a 15-foot-wide private access and utility easement to ensure access rights for Parcel 1 at the rear of the property. Public improvements would include new curb, gutter, sidewalk, and a 12-foot-wide driveway on Saranac Street.



The proposed subdivision is consistent with all development regulations of the underlying zone, including lot size, dimensions, setbacks, parking, etc., except for street frontage as discussed below. The proposed construction of the new dwelling unit complies with all development regulations, including, but not limited to, setbacks, parking, floor area ratio and density requirements. The project requires two parking spaces per lot which would be provided onsite.

Process Approval Required

The proposed subdivision requires a Process Three Tentative Map (TM) pursuant to San Diego Municipal Code (SDMC) Section <u>125.0401</u> to subdivide one lot into two parcels. Because the rear parcel does not provide frontage to a public street, a Process Two, Neighborhood Development Permit (NDP) is required pursuant to SDMC Section <u>143.0920(a)</u> to deviate from the 50-foot-wide street frontage regulation. Deviations are typically processed by a Process Four Planned Development Permit (PDP), but because the project is considered *In-Fill development*, per SDMC <u>126.0603</u>, the process level is reduced to a Process Two NDP. Consistent with SDMC Section <u>112.0103</u>, when an applicant applies for more than one permit, map, or other approval for a single development, the application will be consolidated for processing and shall be reviewed by a single decision maker at the highest level of authority. Therefore, the project as proposed requires a Process Three, Hearing Officer decision with appeal rights to the Planning Commission.

Existing Overhead Utilities Underground Waiver

The site is served by existing utility services with overhead utility lines located on the opposite side of Saranac Street. The San Diego Municipal Code (SDMC) Section 144.0240 allows the subdivider to apply for a waiver from the requirement to underground existing overhead utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined that the requested waiver of the requirements to underground the existing utilities qualifies under the guidelines of SDMC Section 144.0242(c) 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. Notwithstanding the requested waiver, the project is required to underground any new service run to any new or proposed structures within the subdivision per the Tentative Map conditions.

Community Plan Analysis

The College Area Community Plan designates the 0.296-acre site as Single Family Very Low Residential development at a rate of 5-10 du/ac. Parcel 1 results in a 7.8 du/ac density and Parcel 2 results in a 5.9 du/ac density. The density per the underlying RS-1-7 base zone allows a maximum of two dwelling units. Therefore, the creation of two residential units is consistent with both the College Area Community Plan and the underlying base zone.

The College Area Community Plan's goal for multi-family development seeks to provide for growth in the community in a manner that ensures preservation of single-family neighborhoods, ensures that multi-family, university-oriented, and commercial development is compatible with adjacent single-family neighborhoods, and that maintains a level of growth within the capacity of the transportation and public services systems. provide for growth. The proposed residential development will maintain the visual character of the community, because from the public vantage point it will appear as though only one single family dwelling unit is located on the site. The scale of the proposed development will therefore not adversely impact the single-family neighborhood, consistent with the community plan's goals and recommendations.

CONCLUSION

Staff supports a determination that the proposed project is consistent with the requirements of the Tentative Map and Neighborhood Development Permit of the recommended land use, and development standards in effect for this site pursuant to the College Area Community Plan and the San Diego Municipal Code. Staff has prepared draft findings and draft conditions of approval, and recommends approval of the project as proposed.

ALTERNATIVES

- 1. Approve Neighborhood Use Permit No. 2054088 and Tentative Map No. 1968023, with modifications.
- 2. Deny Neighborhood Use Permit No. 2054088 and Tentative Map No. 1968023, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

mfor

Anthony Bernal Development Project Manager

Attachments:

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





Project Location Map

<u>Saranac – 6744 Saranac Street</u> PROJECT NO. 555665



ATTACHMENT 1





Land Use Map

<u>Saranac – 6744 Saranac Street</u> PROJECT NO. 555665







Aerial Photo Saranac – 6744 Saranac Street PROJECT NO. 555665

North

HEARING OFFICER RESOLUTION NO. _____ NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2054088 SARANAC TM/NDP - PROJECT NO. 555665

WHEREAS, James Tiensvold, Owner and Permittee, filed an application with the City of San Diego for a permit to allow the creation of a single-family lot which deviates from the street frontage requirement and facilitate the construction of a new single-dwelling unit with an existing singledwelling unit to remain (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Neighborhood Development Permit No. 2054088), on portions of a 0.296-acre site;

WHEREAS, the project site is located at 6744 Saranac Street in the RS-1-7 zone, in the College Area Community Plan;

WHEREAS, the project site is legally described as a portion of Lot 35 of La Mesa Colony, according to Map Thereof No. 346, filed in the Office of the County Recorder of San Diego County, March 8, 1887;

WHEREAS, on June 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 Sections 15303(a) New Construction and 15315 Minor Land Divisions, there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on October 3, 2018, the Hearing Officer of the City of San Diego considered Neighborhood Development Permit No. 2054088 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 October 3, 2018.

A. NEIGHBORHOOD DEVELOPMENT PERMIT [SDMC Section 126.0404]

1. Findings for all Neighborhood Development Permits:

(a) The proposed development will not adversely affect the applicable land use plan.

The 0.296-acre site is located at 6744 Saranac Street, in the RS-1-7 zone within the College Area Community Plan. The project site is within an urban, developed residential neighborhood, surrounded by single- and multi-family development on all sides. The project proposes to create two parcels, Parcel 2 fronting on Saranac Street and Parcel1 behind accessed via a 15-foot easement through Parcel 2.

The College Area Community Plan designates the site for Single Family Very Low Residential development at a rate of 5-10 dwelling units per acre, with Parcel 1 resulting in 7.8 du/ac and Parcel 2 resulting in 5.9 du/ac density. The density per the underlying RS-1-7 base zone allows a maximum of one dwelling unit per lot or two units on the project site. Therefore, the creation of two residential units is consistent with both the College Area Community Plan and the underlying base zone. The development will maintain the visual character of the community because the site will appear as one single family dwelling unit when viewed from the right-of-way as the new unit/lot would be located behind the existing unit. The scale of the proposed development will not adversely impact the land use plan as all setback and height requirements would be met. Therefore, the proposed development will not adversely affect the applicable land use plan.

(b) The proposed development will not be detrimental to the public health, safety, and welfare.

The 0.296-acre site is located at 6744 Saranac Street, in the RS-1-7 zone within the College Area Community Plan. The project site is within an urban, developed residential neighborhood, surrounded by single- and multi-family development on all sides.

The proposed development has been designed to conform with the City of San Diego codes, policies and regulations which focus on the protection of the public's health, safety and welfare. The project permit includes conditions of approval and exhibits to achieve compliance with the applicable SDMC regulations. The conditions of approval require the review and approval of all construction plans by professional staff to ensure construction will comply with all relevant structural, plumbing, mechanical, electrical, seismic, engineering and fire regulation requirements. Construction inspections, including final inspection and certificate of occupancy issuance are required to assure construction permits are implemented in accordance with the approved plans.

This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15303(a) New Construction and 15315 Minor Land Divisions. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

(c) The proposed development will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The 0.296-acre site is located at 6744 Saranac Street, in the RS-1-7 zone within the College Area Community Plan area. The project site is within an urban, developed residential neighborhood, surrounded by single- and multi-family development on all sides.

The project site is located in the RS-1-7 base zone, which allows one single-family dwelling unit per lot, or a maximum of two dwelling units on the site. The project will comply with the applicable development regulations pertaining to building setbacks, building height and bulk. Two parking spaces are required per unit, which are provided within a separate two-car garage on each lot.

The development includes a request to deviate from the street frontage requirement for the newly created Lot One, which is allowed by the Land Development Code with the approval of a Neighborhood Development Permit. The requested deviation to create a lot without the required street frontage is appropriate for this project as site access can be assured through the provision of a 15-foot-wide private access and utility easement across Parcel Two, as shown on Tentative Map No. 1968023.

Therefore, the proposed development will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

2. <u>Neighborhood Development Permit Supplemental Findings [SDMC Section</u> <u>126.0404(f)(1-2)]</u>

(1) The development will materially assist in accomplishing the goal of providing affordable housing, in-fill projects, or sustainable buildings opportunities.

The requested street frontage will materially assist with the provision of in-fill housing on the site by allowing the creation of a new single-family lot behind the existing single-dwelling unit, resulting in an additional residential unit that would not otherwise be available.

(2) Any proposed deviations are appropriate for the proposed location.

The new lot with the requested street frontage deviation would be located behind the existing single-dwelling unit. Therefore, the site would still appear as one single-dwelling unit when viewed from the street. The site contains a back yard larger than most other lots in the area and other than the requested deviation the project would meet all applicable development requirements. Therefore, the proposed deviation is appropriate for the proposed location.

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 Hearing

Officer, Neighborhood Development Permit No. 2054088 is hereby GRANTED by the Hearing Officer

to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in

Neighborhood Development Permit No. 2054088, a copy of which is attached hereto and made a

part hereof.

Anthony Bernal Development Project Manager Development Services

Adopted on: October 3, 2018

IO#: 24007331

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: 24007331

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2054088 SARANAC TM/NDP - PROJECT NO. 555665 HEARING OFFICER

This Neighborhood Development Permit No. 2054088 is granted by the Hearing Officer of the City of San Diego to James Tiensvold, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0402. The 0.296-acre site is located at 6744 Saranac Street in the RS-1-7, Airport Influence Area (Montgomery Field/Review Area 2), Parking Impact Overlay (Campus Impact Area), and Transit Priority Area zones of the College Area Community Plan area. The project site is legally described as: A portion of Lot 35 of La Mesa Colony, according to Map Thereof No. 346, filed in the Office of the County Recorder of San Diego County, March 8, 1887.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to approve the subdivision of one lot into two separate parcels with a deviation to the lot frontage requirement, to facilitate the construction of a new single-dwelling unit with an existing single-dwelling unit to remain, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 3, 2018, on file in the Development Services Department.

The project shall include:

- a. Creation of Parcel 1 (5,560 square feet) at the rear of the site with a deviation from the street frontage requirement to facilitate construction of a new 1,849-square foot, single-dwelling unit with two-car garage;
- b. Creation of Parcel 2 (7,350 square feet) fronting on Saranac Street with an existing 828square foot single-dwelling unit to remain and the construction of a new two-car garage;
- c. Landscaping (planting, irrigation and landscape related improvements);
- b. Off-street parking; and
- c. 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 October 17, 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" conditions(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.

AIRPORT REQUIREMENTS:

12. Prior to the issuance of any building permits, the Owner/Permittee shall provide a copy of the signed agreement [DS-503] and show certification on the building plans verifying that the structures do not require Federal Aviation Administration [FAA] notice for Determination of No Hazard to Air

Navigation, or provide an FAA Determination of No Hazard to Air Navigation as specified in Information Bulletin 520.

ENGINEERING REQUIREMENTS:

13. Prior to the issuance of any grading permits, the Owner/Permittee shall assure any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

14. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, the drainage system proposed for this development is private and is subject to approval by the City Engineer.

15. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, to construct a 12-foot driveway, per current City Standards adjacent to the site on Saranac Street, satisfactory to the City Engineer.

16. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, to close the non-utilized portions of the existing driveway with current City Standard curb, gutter and sidewalk, adjacent to the site on Saranac Street, satisfactory to the City Engineer.

17. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, to remove the additional concrete pavement encroaching into the public right-of-way and restore to original condition, per approved Exhibit 'A', adjacent to the site on Saranac Street, satisfactory to the City Engineer.

18. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the trees/landscape and irrigation in the Saranac Street right-of-way.

19. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices (BMP) necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.

20. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

21. The Neighborhood Development Permit shall comply with all Conditions of the Parcel Map for the Tentative Map No.1968023.

LANDSCAPE REQUIREMENTS:

22. Prior to the issuance of a construction permit for the proposed 24-inch box tree and removal of two palm trees within the right-of-way, the Owner/Permittee shall submit an 11x17 Construction Plan to the Development Services Department for approval. The plan shall show, label and dimension a 40-square-foot area around the proposed tree which will be unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit placement of the street tree.

22. Prior to the issuance of any construction permit, the Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping shall be the responsibility of a Landscape Maintenance District or other approved entity. All required landscape shall be maintained in a disease, weed and litter free condition at all time consistent with the City of San Diego Landscape Regulations and Standards.

23. Prior to the issuance of any construction permit, the Owner/Permittee shall be required to landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Final Inspection.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

24. Prior to the issuance of any construction permits, the Owner/Permittee must obtain a Permit to Work in the right-of-way for the purpose of relocating any sewer lateral currently located under or within five feet of any driveway within the public right-of-way.

25. Prior to the issuance of any construction permits, all proposed private sewer facilities within a public right-of-way or public easement must be located and labeled on an approved City Construction Plan Drawing so as to clearly convey all of the following: the sewer line's status as "PRIVATE", its location relative to the nearest property line, its authorization to encroach (i.e. the approved Encroachment Maintenance and Removal Agreement #), and its point of connection to the public sewer collection system.

26. Prior to the issuance of any construction permits, the existing sewer lateral scheduled for reuse must be inspected by a California licensed plumbing contractor using closed-circuit television to verify (to the satisfaction of the Public Utilities Director) that the lateral is in good condition, free of all debris, properly connected to a public sewer main, and in all other ways suitable for reuse. If that is not the case, the Owner/Permittee is required to repair, remove and replace, or abandon and cap the lateral at the property line in a manner satisfactory to the City Engineer.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary 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 October 3, 2018 and Resolution No. XXX .

ATTACHMENT 5

Permit Type/PTS Approval No.: Neighborhood Development Permit No. 2054088 Date of Approval: October 3, 2018

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Anthony Bernal 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.

James Tiensvold Owner/Permittee

By ___

NAME TITLE

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

HEARING OFFICER RESOLUTION NO. _____ TENTATIVE MAP NO. 1968023, SARANAC TM/NDP - PROJECT NO. 555665

WHEREAS, James Tiensvold, Subdivider, and Walsh Engineering and Surveying, LLC, Engineer, submitted an application to the City of San Diego for Tentative Map No. 1968023 to subdivide the existing parcel into two lots with a deviation to the street frontage requirement, with the existing single-dwelling unit to remain. The project site is located at 6744 Saranac Street in the RS-1-7 zone of the College Area Community Plan. The property is legally described as a portion of Lot 35 of La Mesa Colony, according to Map Thereof No. 346, filed in the Office of the County Recorder of San Diego County, March 8, 1887; and

WHEREAS, the Map proposes the Subdivision of a 0.296-acre site into two lots for two singlefamily residential units; and

WHEREAS, on June 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 15315 Minor Land Divisions; and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, on October 3, 2018, the Hearing Officer of the City of San Diego considered Tentative Parcel Map No. 1968023, 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. 1968023:

A. <u>Findings for a Tentative Parcel Map [SDMC Section 125.0440]</u>

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

The 0.296-acre site is located at 6744 Saranac Street, in the RS-1-7 zone within the College Area Community Plan. The project site is within an urban, developed residential neighborhood, surrounded by single- and multi-family development on all sides. The site proposes to create two parcels, Parcel 2 fronting on Saranac Street and Parcel1 behind accessed via a 15-foot easement through Parcel 2.

The College Area Community Plan designates the site for Single Family Very Low Residential development at a rate of 5-10 dwelling units per acre, with Parcel 1 resulting in 7.8 du/ac and Parcel 2 resulting in 5.9 du/ac density. The density per the underlying RS-1-7 base zone allows a maximum of one dwelling unit per lot or two units on the project site. Therefore, the creation of two residential units is consistent with both the College Area Community Plan and the underlying base zone. The development will maintain the visual character of the community because the site will appear as one single family dwelling unit. The scale of the proposed development will not adversely impact the land use plan as all setback and height requirements would be met. Therefore, the proposed subdivision and its design or improvement 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 0.296-acre site is located at 6744 Saranac Street, in the RS-1-7 zone within the College Area Community Plan area. The project site is within an urban, developed residential neighborhood, surrounded by single- and multi-family development on all sides.

The project site is located in the RS-1-7 base zone, which allows one single-family dwelling unit per lot, or a maximum of two dwelling units on the site. The project will comply with the applicable development regulations pertaining to building setbacks, building height and bulk. Two parking spaces are required per unit, which are provided within a separate two-car garage on each lot.

The development includes a request to deviate from the street frontage requirement for the newly created Lot One, which is allowed by the Land Development Code with the approval of a Neighborhood Development Permit. The requested deviation to create a lot without the required street frontage is appropriate for this project as site access can be assured through the provision of a 15-foot-wide private access and utility easement across Parcel Two, as shown on Tentative Map No. 1968023.

The site is served by existing utility services with overhead utility lines located on the opposite side of Saranac Street. The San Diego Municipal Code (SDMC) Section 144.0240 allows the subdivider to apply for a waiver from the requirement to underground existing overhead utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined that the requested waiver of the requirements to underground the existing utilities qualifies under the guidelines of SDMC Section 144.0242(c) 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. Notwithstanding the requested waiver, the project is required to underground any new service run to any new or proposed structures within the subdivision per the Tentative Map conditions.

Therefore, 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.

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

The 0.296-acre site is located at 6744 Saranac Street, in the RS-1-7 zone within the College Area Community Plan area. The level, graded project site is located within an urban, developed residential neighborhood, surrounded by single- and multi-family development on all sides and is served by existing utilities and developed public right-of-way. The site does not contain nor is adjacent to any fish or wildlife habitats, environmentally sensitive lands, Multiple Habitat Planning Area lands or mapped flood plain areas. The project site is served by all existing utilities and developed right-of-way including curb, gutter and sidewalk. Therefore, the site is physically suitable for the subdivision of the existing lot into two parcels for single-family residential development (one unit existing and one unit to be constructed).

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 0.296-acre site is located at 6744 Saranac Street, in the RS-1-7 zone within the College Area Community Plan area. The project site is within an urban, developed residential neighborhood, surrounded by single- and multi-family development on all sides. The site does not contain nor is adjacent to any fish or wildlife habitats, environmentally sensitive lands or Multiple Habitat Planning Area lands. The project is exempt from CEQA pursuant to CEQA Guidelines section 15315 (Minor Land Divisions). Therefore, the design of the proposed subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

The project proposes a Tentative Map to subdivide one lot into two parcels. The project has been reviewed and is in compliance with the San Diego 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 the development regulations of the underlying zone of the Land Development Code regulations, and permitted requirements continue to govern this project. The project does include a deviation from the street frontage requirements which is allowed with the approval of a Neighborhood Development Permit, which is included with 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 proposed subdivision does not contain any easements acquired by the public at large for access through or use of property within the subdivision. 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.

Both the new residential unit and existing unit to remain will be exposed on two elevations which allows for passive heating through daylight openings and passive cooling through cross-ventilation. Appropriate setbacks are provided to allow additional light and airflow. The new unit will have the opportunity through building material, site orientation, architectural treatments, placement and selection of plant materials to prove to the extent feasible or future passive or natural heating and cooling opportunities. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling. 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.

All applicable Developer Impact Fees (DIF), school fees, water/sewer connection fees, affordable housing fees and other impact fees, will be paid at building permit issuance in accordance with the City's Public Facilities Financing Plan and Impact Fee Schedule. The site is surrounded on all sides by existing multi-family development and does not contain nor is adjacent to any Environmentally Sensitive Lands (ESL) as defined by the SDMC, Multi-Habitat Planning Area (MHPA) lands or watercourses.

The new residential unit will utilize an undeveloped oversized back yard for needed housing. Public services and utilities are currently provided to the site and the addition of one residential unit will not pose a significant impact to the services that are already anticipated in the City's General Plan and Financing Plan. Therefore, 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.

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

Officer, Tentative Parcel Map No. 1968023, including the waiver of the requirement to underground

existing offsite overhead utilities, is hereby granted to James Tiensvold subject to the attached

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

By

Anthony Bernal Development Project Manager Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24007331

ATTACHMENT 7

HEARING OFFICER CONDITIONS FOR TENTATIVE MAP NO. 1968023, SARANAC TM/NDP - PROJECT NO. 555665

ADOPTED BY RESOLUTION NO. R-_____ ON _____

GENERAL

1. This Tentative Map will expire October 17, 2021.

- 2. Compliance with all 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 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.
- 4. The Parcel Map shall conform to the provisions of Neighborhood Development Permit No. 2054088.
- 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. Prior to the issuance of the Parcel Map, the Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
- 7. Prior to the issuance of the Parcel Map, the Subdivider shall conform with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

8. The Subdivider shall ensure that all new/proposed onsite utilities serving the subdivision shall be installed underground with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the proposed underground utilities have been installed, or provide other means to assure that the proposed utilities have been installed underground, satisfactory to the City Engineer

MAPPING

- 9. "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].
- 10. "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."

11. The Parcel Map shall:

- a. Use the California Coordinate System for its "Basis of Bearings" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true meridian (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-toground shall be shown on the map.
- 12. Prior to the expiration of the Tentative Map, if approved, a Parcel Map to subdivide the 0.296-acre site into two parcels shall be recorded in the office of the County Recorder.
- 13. Prior to the issuance of any Parcel Map, the Subdivider shall base the 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.

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.

PUBLIC UTILITIES

14. Prior to the issuance of any Parcel Map, the Subdivider shall ensure that all separately titled units developed under this permit, which share water or sewer service connections to the

City's public utility systems, are encumbered by CC&Rs written so as to ensure (to the satisfaction of the Public Utilities Director) that the operation and maintenance of all such shared water and/or sewer facilities will be provided for in perpetuity.

15. Prior to the issuance of any Parcel Map, the Subdivider shall provide a private sewer easement (to the satisfaction of the Public Utilities Director) on Parcel '2' in favor of Parcel '1'.

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. 24007331

(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

Project Name: Saranac TM/NDP

Project Location-Specific: 6744 Saranac Street

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

Description of nature and purpose of the Project: A Neighborhood Development Permit and Tentative Map for the subdivision of one lot with an existing single dwelling into two parcels. The project proposes to demolish the existing garage, and construct a new single family unit with a garage. The 0.28-acre site is located in the RS-1-7 Base Zone within the College Area Community Plan, Council District 9.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Larry Walsh / Walsh Engineering & Surveying 607 Aldwych Road El Cajon, CA, 92020 (619) 588-6747 Ext. 14

Exempt Status:

- () 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: Section 15303(a) New Construction and Section 15315 Minor Land Divisions

Reasons why project is exempt: The project has been determined to be exempt from CEQA pursuant to Section 15303(a) New Construction and 15315 Minor Land Divisions. Section 15303(a) consists of the construction of one single family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single family residences may be constructed or converted under this exemption.

Section 15315 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

Lead Agency Contact Person: Jessica Madamba

Telephone: (619) 446-5445

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

Project No. / SCH No.: 555665 / N/A

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

SENTOR PLANNER

Signature/Title

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

8

Date

Date Received for Filing with County Clerk or OPR:



City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101

Community Planning Committee Distribution Form Part 2

Project Name:	oject Name:		Project Number:		Distribution Date:		
Saranac - TM / PDP			555665		09/25/2017		
Project Scope/Location:							
COLLEGE AREA: (Process 4) Planned Development Permit and Tentative Map for the subdivision of one lot with existing single dwelling into two parcels at 6744 Saranac Street. The 0.28-acre site is located in the RS-1-7 zone within the College Area Community Plan. Council District 9.							
Applicant Name:				Applicant Phone Number:			
Larry Walsh				(619) 792-1232			
Project Manager:	Pho	ne Number:	Fax	Number:	E-mail Address:		
Rene Mezo	(61	9) 446-5001	(619) 446-5245		RMezo@Sandiego.gov		
Committee Recommendations (To be completed for Initial Review):							
Vote to Approve		Members Yes		lembers No	Members Abstain		
Vote to Approve With Conditions Listed Below		Members Yes	M	lembers No	Members Abstain		
Vote to Approve With Non-Binding Recommendations Listed Bel	ow	Members Yes	M	lembers No	Members Abstain		
Vote to Deny		Members Yes	M	lembers No	Members Abstain		
No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)					Continued		
CONDITIONS:							
AS LONG AS All THE CITY REQUIREMENTS ARE MET.							
NAME: Jim Jennings				TITLE: CHAIN PROJECT NOVIEW			
SIGNATURE:			DATE: 1/10/18				
Attach Additional Poges If Necessary.	Ch Additional Pages If Necessary. Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101						
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.							

			ATTACHMENT 10			
City of San D Developmen 1992 First Au	t Šervices	Ow	vnership Disclosure			
San Diego, C The City of San Diego (619) 446-50			Statement			
Approval Type: Check appropriate b		-				
Veighborhood Development Perm	nit Site Development Perm Vesting Tentative Map Map	nit	mit 「Conditional Use Permit Iment • 「Other			
Project Title			Project No. For City Use Only			
Saranac TPM		555665				
Project Address:						
6744 Saranac Street, San Dieg	o, CA 92115					
Part I - To be completed when p	roperty is held by Individua	al(s)				
below the owner(s) and tenant(s) (if a who have an interest in the property, re- individuals who own the property). <u>A s</u> from the Assistant Executive Director of Development Agreement (DDA) has b Manager of any changes in ownership the Project Manager at least thirty day information could result in a delay in the	pplicable) of the above reference ecorded or otherwise, and state signature is required of at least of the San Diego Redevelopmen been approved / executed by the during the time the application ys prior to any public hearing of	ced property. The list must includ the type of property interest (e.g., <u>one of the property owners</u> . Atta- nt Agency shall be required for all the City Council. Note: The applic is being processed or considered	<u>sumbrance against the property</u> . Please list e the names and addresses of all persons tenants who will benefit from the permit, all ach additional pages if needed. A signature project parcels for which a Disposition and cant is responsible for notifying the Project Changes in ownership are to be given to to provide accurate and current ownership			
Name of Individual (type or print):	p. v	Name of Individual (type	e or print):			
James Tiensvold						
X Owner Tenant/Lessee	Redevelopment Agency		Lessee Redevelopment Agency			
Street Address: 6744 Saranac Street		Street Address:				
City/State/Zip: San Diego, CA 92115		City/State/Zip:				
Phone No;	Fax No:	Phone No:	Fax No:			
(619) 2/7-0860 Signature :	Date:	Signature :	Date:			
Name of Individual (type or print):		Name of Individual (type	e or print):			
Owner Tenant/Lessee	Redevelopment Agency					
Street Address:		Owner Tenant/L	essee Redevelopment Agency			
		Street Address:	·			
City/State/Zip:		City/State/Zip:				
Phone No:	Fax No:	Phone No:	Fax No:			
Signature :	Date:	Signature :	Date:			

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



ATTACHMENT 11