



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: July 10, 2018 **REPORT NO. PC-18-044**

HEARING DATE: July 19, 2018

SUBJECT: Initiation of an Amendment to the Navajo Community Plan to identify "Church" use on the proposed All Peoples Church site.

Project Number: 609490

**OWNER/
APPLICANT:** Light on a Hill, LLC

SUMMARY

Issue: Should the Planning Commission INITIATE an amendment to the Navajo Community Plan to identify "Church" use on the proposed site, located at 5551 1/3 College Avenue?

Staff Recommendation: INITIATE the plan amendment process.

Community Planning Group Recommendation: On June 14, 2018, the Navajo Planning Board voted 13-1-0 in favor of initiating an amendment to the Navajo Community Plan (Attachment 1).

Environmental Impact: This activity is not a "project" under the definition set forth in CEQA Guidelines Section 15378. Should initiation of the community plan amendment be approved, environmental review would take place at the appropriate time in accordance with CEQA Guidelines Section 15004.

Fiscal Impact Statement: No fiscal impact. All costs associated with the processing of the application are recovered through a deposit account funded by the applicant.

Code Enforcement Impact: None

Housing Impact: If initiated, subsequent approval of the proposed community plan amendment would allow for church on a site designated for residential use. The site, designated for residential use (5-9 dwelling units per acre) and zoned RS-1-7, could yield a maximum of 52 dwelling units. Currently, the property is entitled for 24 single-family dwelling units. The applicant has indicated that instead it is their intent to construct a church on the site.

The initiation of a plan amendment in no way confers adoption of a plan amendment; neither staff nor the Planning Commission is committed to recommend in favor or denial of the proposed amendment, and the City Council is not committed to adopt or deny the proposed amendment.

BACKGROUND

The project site is a 5.80-acre parcel located at the northeast corner of Interstate 8 (I-8) and College Avenue of the Navajo Community Plan area (Attachment 2). Currently the site is designated Single Family Residential in the Navajo Community Plan and is zoned RS-1-7 (Attachment 3). The site is predominately surrounded by single-family housing, neighborhood commercial, and I-8 (Attachment 4). North of the project site are single-family homes, neighborhood commercial and multi-family apartments. South of the project site is I-8. West and east of the project are site single-family homes. The neighborhood commercial offers a grocery store (Windmill Farms), fast food eating establishments, and convenient shopping services for the surrounding residents. Metropolitan Transit Service (MTS) Bus Routes 14 and 115 runs along the site's western boundary and provide service to the SDSU Transit Center located at College Avenue and Hardy Avenue (Attachment 5).

In December 2017, the City Council approved a Site Development Permit and Planned Development Permit to construct 24 dwelling units known as the Marburn Corp TM project (Project No. 435483). The project was not constructed, and site remains vacant. In January 2018, the City of San Diego City Attorney's Office submitted a memorandum to reflect the change of ownership from Marburn Corporation to Light on a Hill, LLC. (Attachment 6).

If initiated, the applicant would move forward with a community plan amendment, to identify "church" use on Figure 24: Other Community Facilities in the Navajo Community Plan. The amendment would be accompanied by a Planned Development Permit for a 950-seat church and Site Development Permit due to the presence of Environmentally Sensitive Lands (ESL) on site.

DISCUSSION

The City is unique among jurisdictions in that the process to amend the General Plan and/or a community plan requires either Planning Commission or City Council initiation before the plan amendment process and accompanying project may proceed. Community plans are a component of the City's General Plan. The proposed amendment is anticipated to result in revisions to the Community Plan, and may include mapping changes to the General Plan. A recommendation of approval or denial of the initiation is based upon compliance with all three of the initiation criteria contained in the General Plan. The Planning Department believes that all the following initiation criteria can be met:

(1) The amendment request appears to be consistent with the goals and policies of the General Plan and Navajo Community Plan:

The General Plan's Land Use Community Plan and Street System Map (Figure LU-2) identifies the site as Residential, which encompasses a wide range of recommended densities, referencing the refinement of ranges to be specified within each community plan. The adopted Navajo Community Plan land use designation is Single-Family Residential (5-9 du/acre). The Navajo Community Plan's overriding objective is to retain the residential character of the area, provide adequate community services, establish guidelines for the utilization of canyons and hillsides, and enhance the environment of the area as a pleasant, livable, walkable community. A well-balanced community is shaped by providing essential services. The Community Plan's "Other Community Facilities" Element addresses various facilities available to the Community. Figure 24: Other Community Facilities, identifies sites for churches, fire station, library, hospital, flood plan boundary, and San Diego Gas and Electric Co. Easement (Attachment 7). The Figure

identifies 12 existing church uses with the underlying land use designation and zone of single-family residential.

The initiation of the proposed plan amendment would provide the opportunity to comprehensively analyze and assess the impacts of identifying a "church" on site. The amendment would retain the underlying single family residential designation to allow housing should the church use cease in the future.

(2) The proposed amendment provides additional public benefit to the community as compared to the existing land use designation, density/intensity range, plan policies or site design; and

The proposed amendment would offer an additional opportunity for community gathering to help foster the social health of the greater Navajo community.

(3) Public facilities appear to be available to serve the proposed increase in density/intensity, or their provision will be addressed as a component of the amendment process.

Public facilities do appear available to serve the proposed amendment. However, a full analysis of public facilities would be included as part of the Community Plan Amendment analysis should this request be initiated.

The following land use issues have been identified by City Staff. If initiated, these issues, as well as others that may be identified, will be analyzed and evaluated through the Community Plan Amendment review process:

- Evaluate sensitive site design with respect to the surrounding natural environment
- Determine the appropriate land use designation and intensity for the site
- Analyze design and access issues on the site with regards to neighborhood interface and pedestrian, bicycle, transit, and auto access and circulation

Staff has not fully reviewed the applicant's site-specific proposal; therefore, by initiating this Community Plan Amendment, neither the staff nor the Planning Commission is committed to recommend in favor or denial of the proposed amendment, and any associated discretionary permits.



Sara Toma
Assistant Planner
Planning Department



Brian Schoenfisch
Program Manager
Planning Department

Attachments:

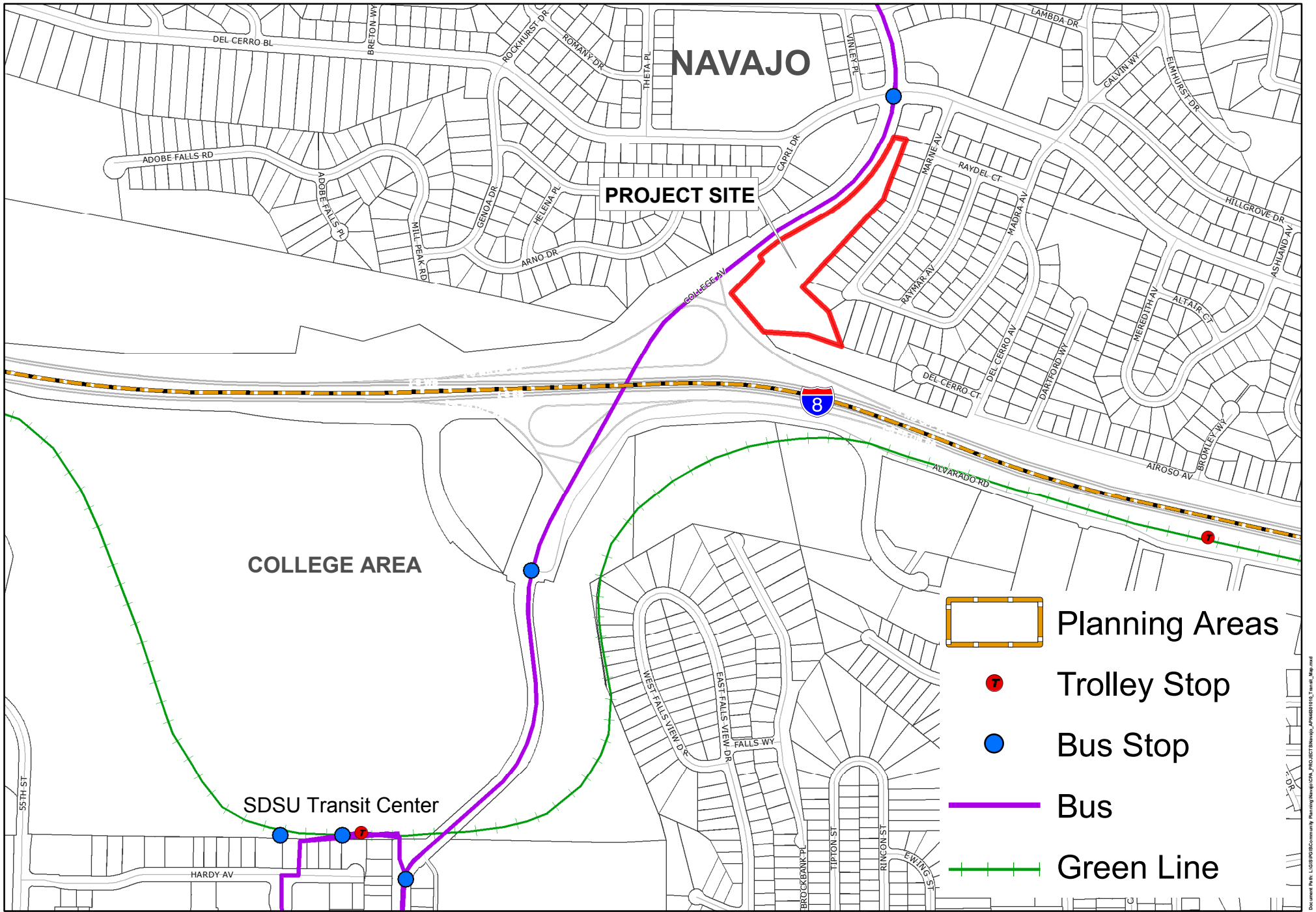
1. Navajo Community Planning Group Recommendation
2. Navajo Aerial Map
3. Navajo Zoning Map
4. Navajo Land Use Map
5. Navajo Transit Map
6. Memorandum - City of San Diego
7. Navajo Community Plan: Figure 24: Other Community Facilities
8. Ownership Disclosure Statement



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

Community Planning Committee Distribution Form Part 2

Project Name: <i>All Peoples church</i>		Project Number: <i>609490</i>	Distribution Date: <i>6/1/18</i>
Project Scope/Location: <i>Navajo - Plan amendment initiation to allow institutional use on particular site in Navajo Community Plan</i>			
Applicant Name: <i>Kathi Riser</i>		Applicant Phone Number:	
Project Manager: <i>Derrick Johnson</i>	Phone #: <i>619 446 5477</i>	E-mail Address: <i>djohnson@sanidgo.gov</i>	
Committee Recommendations (To be completed for Initial Review):			
<input checked="" type="checkbox"/> Vote to Approve	Members Yes <i>13</i>	Members No <i>1</i>	Members Abstain
<input type="checkbox"/> Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Deny	Members Yes	Members No	Members Abstain
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)		<input type="checkbox"/> Continued	
CONDITIONS: <i>N/A</i>			
NAME: <i>David Smith</i>		TITLE: <i>Chair - ACPI</i>	
SIGNATURE: <i>[Signature]</i>		DATE: <i>6/14/18</i>	
Attach 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 www.sandiego.gov/development-services . Upon request, this information is available in alternative formats for persons with disabilities.			



Office of
The City Attorney
City of San Diego

MEMORANDUM

DATE: January 10, 2018
TO: Elizabeth Maland, City Clerk
FROM: Shannon M. Thomas *ST*
SUBJECT: Item 209 – Sub-Item B (R-2018-207) and Sub-Item C (R-2018-205)
Marburn Corp. TM – Project No. 435483 – Council Meeting of December 11,
2017

We are submitting corrected Resolution Nos. R-2018-207 and R-2018-205 to reflect the change of ownership from Marburn Corporation to Light On A Hill, LLC. Please see attached Grant Deed.

SMT:als
Doc. No.: 1664684

Recording Requested By:
First American Title Company
Subdivision Department

DOC# 2017-0602317



RECORDING REQUESTED BY

First American Title Insurance Company

AND WHEN RECORDED RETURN TO:

Light On A Hill, LLC
Attn: Kendall Laughlin
5577 University Avenue
San Diego, CA 92105

Dec 21, 2017 03:34 PM

OFFICIAL RECORDS

Ernest J. Dronenburg, Jr.,

SAN DIEGO COUNTY RECORDER

FEES: \$3,334.00

PCOR: YES

PAGES: 4

Escrow number: DTR-5605152 (SK)

Title Number 58104A

APN# 463-010-10-00

THE UNDERSIGNED GRANTOR(s) DECLARE(s):

DOCUMENTARY TRANSFER TAX is \$ 3,300.00

☒ computed on full value of property conveyed, or
☐ computed on full value less value of liens or encumbrances
remaining at time of sale,

☐ Unincorporated area: ☒ City of San Diego

GRANT DEED

SIGNATURE

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, I-8 College Ave, LLC, a California limited liability company ("Grantor"), as grantor, hereby GRANTS and conveys to Light On A Hill, LLC, a California limited liability company, as grantee, the following described real property in the City of San Diego, County of San Diego, State of California:

See Exhibit A attached hereto and incorporated herein by this reference.

SUBJECT TO:

1. General and special real property taxes and assessments and supplemental assessments, if any, for the current fiscal year.
2. All other covenants, conditions, restrictions, reservations, rights, rights-of-way, dedications, offers of dedication and easements of record as of the date hereof.
3. Deed of Trust with Assignment of Rents as Additional Security recorded in the Official Records of the State of California, County of San Diego, concurrently herewith.

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(the signature page follows)

Mail Tax Statements to: Light On A Hill, LLC
Attn: Joel Sanders
5577 University Avenue
San Diego, CA 92105

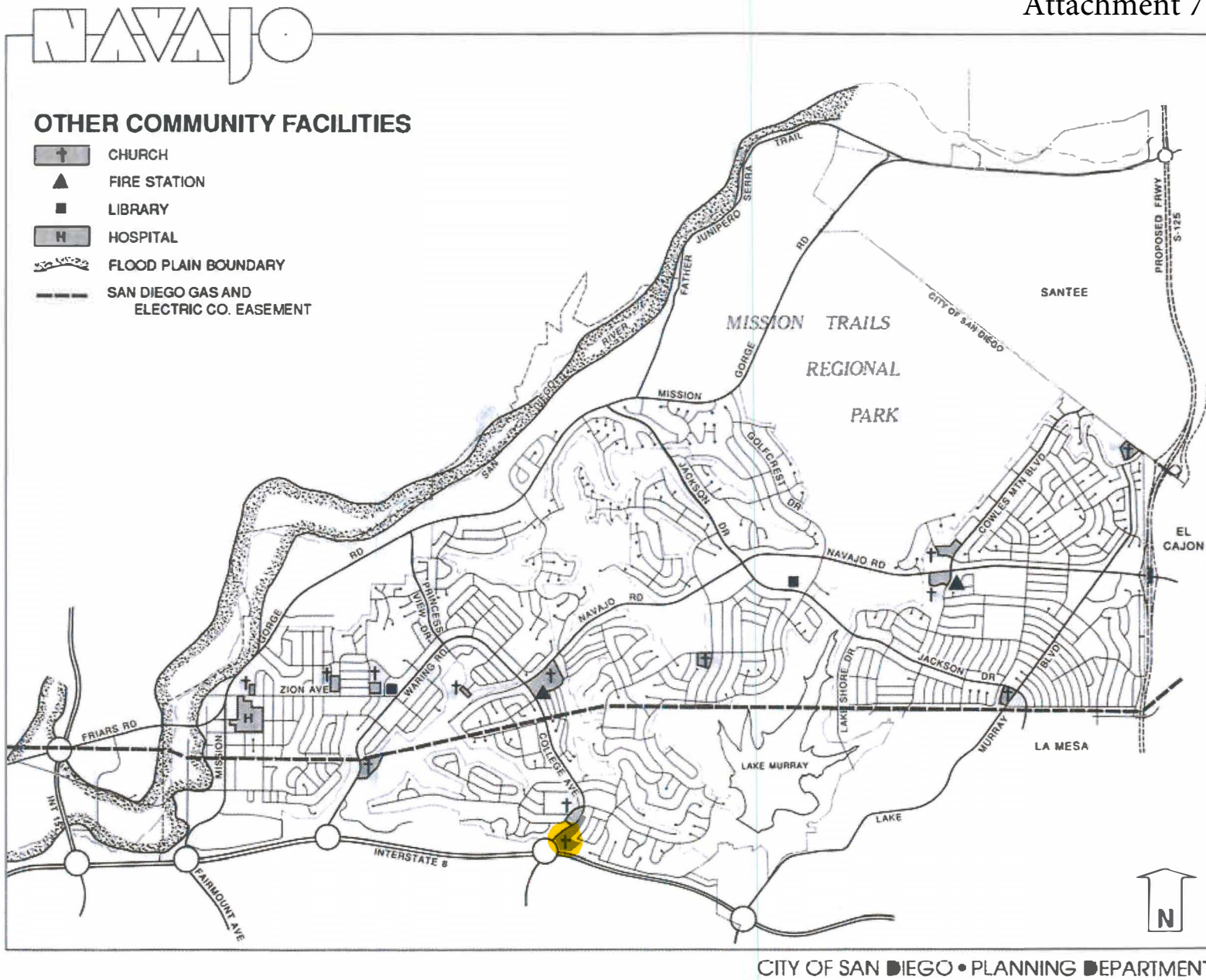



FIGURE 24: OTHER COMMUNITY FACILITIES

	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1 style="margin: 0;">Ownership Disclosure Statement</h1>	FORM DS-318 October 2017
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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: All Peoples Church **Project No. For City Use Only:** 608490

Project Address: 5551-1/3 College Avenue, San Diego

Specify Form of Ownership/Legal Status (please check):
☐ Corporation ☒ Limited Liability -or- ☐ General - What State? CA Corporate Identification No. _____
☐ Partnership ☐ Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter 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), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of ANY person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Property Owner

Name of Individual: Light on a Hill, LLC ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: 5577 University Avenue
 City: San Diego State: CA Zip: 92105
 Phone No.: 619-286-3251 Fax No.: _____ Email: kendal@allpeopleschurch.org
 Signature: [Signature] Date: 5-30-18
 Additional pages Attached: ☒ Yes ☐ No

Applicant

Name of Individual: All Peoples Church ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: 5577 University Avenue
 City: San Diego State: CA Zip: 92105
 Phone No.: 619-286-3251 Fax No.: _____ Email: kendal@allpeopleschurch.org
 Signature: [Signature] Date: 5-30-18
 Additional pages Attached: ☒ Yes ☐ No

Other Financially Interested Persons

Name of Individual: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: _____
 City: _____ State: _____ Zip: _____
 Phone No.: _____ Fax No.: _____ Email: _____
 Signature: _____ Date: _____
 Additional pages Attached: ☐ Yes ☐ No

Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services.
 Upon request, this information is available in alternative formats for persons with disabilities.

Attachment to Disclosure

All Peoples Church – Navajo Community Plan Initiation Application

Owner:

Light on A Hill, LLC

5577 University San Diego, CA 92105

Managers:

- Joel Sanders, Manager
- Jon Sundt (Special Manager with Limited Authority)

All members of Light on A Hill, LLC, holding $\geq 10\%$ interest:

- All Peoples Church, a California domestic nonprofit corporation, its sole member (100% owner)

All Peoples Church, a California domestic nonprofit corporation

5577 University San Diego, CA 92105

Officers:

- Robert Herber, President
- Kendall Laughlin, Jr., Vice President and Secretary
- Jonathan Lair, Chief Financial Officer