



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: March 14, 2018 REPORT NO. HO-18-014

HEARING DATE: March 21, 2018

SUBJECT: FENELON STREET MAP WAIVER – Process 3 Decision

PROJECT NUMBER: [568174](#)

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

SUMMARY

Issue: Should the Hearing Officer approve the creation of four residential condominium units in an under-construction development located at 3020-3026 Fenelon Street in the Peninsula Community Planning area?

Staff Recommendation: APPROVE Tentative Map Waiver No. 2008378

Community Planning Group Recommendation: On November 16, 2017, the Peninsula Community Planning Group voted 6-3-1 to recommend approval of the proposed project without conditions/recommendations.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315, Minor Land Use Divisions. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on November 13, 2017, and the opportunity to appeal that determination ended November 29, 2017 (Attachment 5).

BACKGROUND

The 0.115-acre site is located at 3020-3026 Fenelon Street in the RM-3-7 zone, within the Peninsula Community Plan area. The proposed project is located in an area identified as medium density (30-44 dwelling units per acre) residential in the Peninsula Community Plan and is consistent with the land use density designation of the Peninsula Community Plan area.

The four units under construction consist of four, four-story units totaling 11,495 square feet. Three parking space would be provided for one unit, and two parking spaces would be provided for each of the three units. The development is being constructed by-right in accordance with the San Diego Municipal Code (SDMC), and the ministerial building permits were approved November 10, 2016, via

project No. 487552. At the time of the building permit issuance the applicant paid an in-lieu fee to comply with the City's Affordable Housing Regulations. During the ministerial review the project was determined to be in compliance with all underlying zone regulations including but not limited to height, floor area ratio, parking, setbacks and landscaping. The project proposed the creation of condominium units for home ownership opportunity and does not affect the previously approved building permit.

BACKGROUND

Project Description:

The proposed project requires a Tentative Map Waiver per SDMC Section [125.0120\(b\)\(1\)](#) to create four residential condominium units (under construction) on a single parcel that was previously mapped. The project as proposed requires a Process Three, Hearing Officer decision with appeal right to the Planning Commission.

The project requires eight parking spaces and nine parking spaces are provided. The proposed subdivision is consistent with the development regulations of the underlying zone and complies with the setback, floor area ratio, density and landscaping requirements. No deviations are requested with this action.

According to SDMC Section [125.0123](#), Findings for a Tentative Map Waiver, the decision maker may approve a Tentative Map Waiver if the decision maker finds that the proposed subdivision complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed subdivision and determined that it complies with both the Subdivision Map Act and the San Diego Municipal Code.

CONCLUSION

Staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code and conforms to both the Peninsula Community Plan and the General Plan. Staff has provided draft findings and conditions (Attachment 4) and Staff recommends the Hearing Officer approve the project as proposed.

ALTERNATIVES

1. Approve Tentative Map Waiver No. 2008378, with modifications.
2. Deny Tentative Map Waiver No. 2008378, if the findings required to approve the project cannot be affirmed.

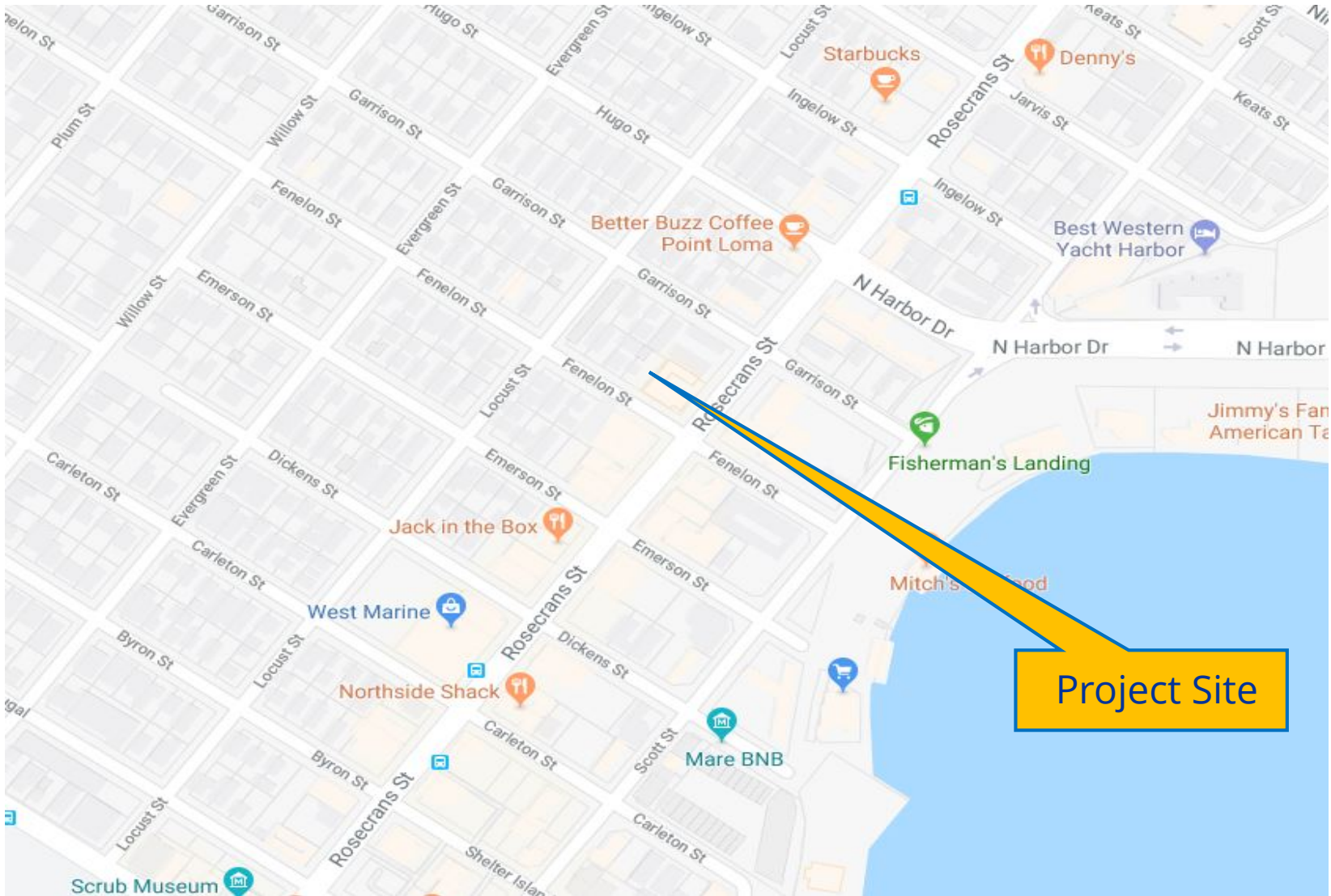
Respectfully submitted,



Hugo Castaneda, Development Project Manager

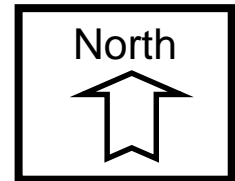
Attachments:

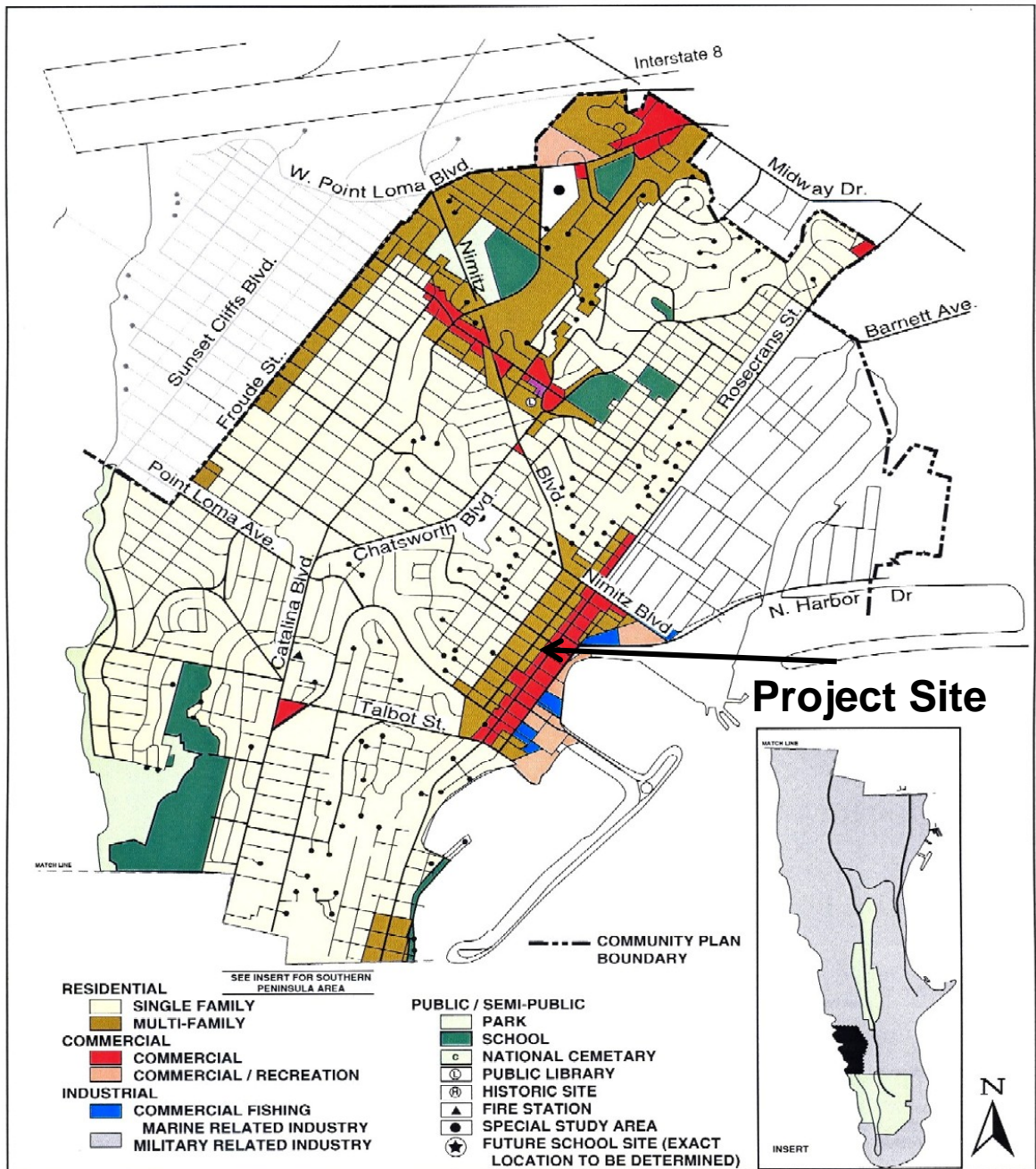
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Map Resolution with Findings and Conditions
5. Environmental Exemption and Notice of Right to Appeal Environmental Determination
6. Community Planning Group Recommendation
7. Ownership Disclosure Statement
8. Map Exhibit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



Project Location Map

Fenelon Street Map Waiver / 3020-3026 Fenelon Street.
PROJECT NO. 568174





Peninsula Community Plan
CITY OF SAN DIEGO • PLANNING DEPARTMENT

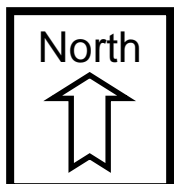
figure

panw/mtcpub I
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Land Use Map

Project Name / Project Location
PROJECT NO. 568174

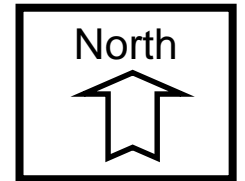




Aerial Photo

Fenelon Street Map Waiver / 3020-3026 Fenelon Street.

PROJECT NO. 568174



ATTACHMENT 4

HEARING OFFICER
CONDITIONS FOR TENTATIVE MAP WAIVER NO. 2008378
FENELON ST MAP WAIVER - PROJECT NO. 568174
ADOPTED BY RESOLUTION NO. _____ ON _____

GENERAL

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

ENGINEERING

6. The Subdivider shall construct the required Public Improvements per approved Right-of-Way Permit No. 1730003 including new curbs, gutters, sidewalks and driveway.
7. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
8. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.

ATTACHMENT 4

9. The Subdivider shall comply with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980. Only those exceptions to the General Conditions which are shown on the Map Waiver and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

10. Upon approval of the Tentative Map Waiver (TMW), a Certificate of Compliance shall be recorded with the County Recorder prior to the expiration date of the TMW.
11. Prior to the recordation of the Certificate of Compliance, all conditions in the TMW Resolution of Approval must be satisfied.
12. Prior to the recordation of the Certificate of Compliance, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition.

Please note if tax bond is required as indicated in the tax certificate, please make sure that it is paid or posted, and submit an evidence (e.g., filed bond letter or receipt from Clerk of the Board) indicating the required tax bond amount has been paid or bonded.

13. Prior to the issuance of a Certificate of Compliance, City staff will perform a field monument inspection to verify that all property corners are being marked with survey monuments. If any of the survey monument was missing, it must be replaced with a new monument, and a Corner Record or Record of Survey (whichever is applicable) shall be filed with the County Recorder pursuant to the Professional Land Surveyors Act. A copy of the filed Corner Record or Record of Survey must be submitted to satisfy this requirement prior to the approval and recordation of the Certificate of Compliance.
14. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
15. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
16. Every Certificate of Compliance shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.

ATTACHMENT 4

- b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

INFORMATION:

- The approval of this 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 Map Waiver will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Map Waiver, may protest the imposition within 90 days of the approval of this Map Waiver by filing a written protest with the San Diego City Clerk pursuant to Government Code Sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 12002110

RESOLUTION NO. _____
DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE HEARING OFFICER ADOPTING THE FINDINGS
AND APPROVING TENTATIVE MAP WAIVER NO. 2008378 FOR
FENELON STREET MAP WAIVER – PROJECT NO. 568174

WHEREAS, Whiz Builders Inc., a California Corporation, Subdivider, and Christensen Engineering & Surveying, Surveyor, submitted an application with the City of San Diego for Tentative Map Waiver No. 2008378, to waive the requirement for a Tentative Map Waiver for the creation of four residential condominium units for a project that is currently under construction. The 0.115-acre site is located at 3020-3026 Fenelon Street, in the RM-3-7 zone, within the Peninsula Community Plan area. The property is legally described as Lot 4 in Block 58 of Roseville, in the City of San Diego, County of San Diego, State of California, according the Map thereof No. 165, filed in the office of the County Recorder of San Diego County; and

WHEREAS, the Map proposes the subdivision of a 0.115-acre site into four residential condominium units for a project that is currently under construction; and

WHEREAS, on November 13, 2017, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 *et. seq.*) under CEQA Guidelines Section 15315 (minor land use 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, 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 project consists of four units under construction for which Certificates of Occupancy have not been issued; and

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

WHEREAS, on March 21, 2018, the Hearing Officer of the City of San Diego considered Tentative Map Waiver No. 2008378, and pursuant to sections 125.0122 (Tentative Map Waiver), 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. 2008378:

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

The project proposes to create four residential condominium units, currently under construction, within a single lot. The 0.115-acre site is located at 3020-3026 Fenelon Street in the RM-3-7 zone, within the Peninsula Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The proposed project is consistent with the land use residential designation of the Peninsula Community Plan. The Community Plan designates the project site for 30-44 dwelling units per acre (Figure 8, pg. 32), or 3-5 units allowed on site. The density per the RM-3-7 base zone allows a maximum of five dwellings onsite with no required minimum density. Therefore, the creation of four residential condominium units in this under-construction project complies with the Peninsula Community Plan and base zone allowed density. This project also meets the San Diego Municipal Code development regulations to include but not limited

to height, setbacks, parking, landscape and floor area ratio. Therefore, the proposed development is in conformity with the adopted Community Plan and complies with the regulation of the Land Development Code. The proposed subdivision and its design or improvements are consistent with the policies, goals, and objectives of the applicable land use plan.

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

The project proposes to create four residential condominium units, currently under construction, within a single lot. The 0.115-acre site is located at 3020-3026 Fenelon Street in the RM-3-7 zone, within the Peninsula Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The development is being constructed by-right in accordance with the San Diego Municipal Code's base zone regulations. On November 10, 2016, the City of San Diego approved the residential development's ministerial construction permits under Project No. 487552. During the ministerial review the project was determined to be in compliance with all underlying zone regulations including but not limited to height, floor area ratio, parking, setbacks, and landscaping and no deviations were proposed. The Tentative Map Waiver proposes condominiums for home ownership opportunities and does not affect the previously approved building permits. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code.

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

The project proposes to create four residential condominium units, currently under construction, within a single lot. The 0.115-acre site is located at 3020-3026 Fenelon Street in the RM-3-7 Zone, within the Peninsula Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The development is being constructed by right in accordance with the San Diego Municipal Code's base zone regulations. The ministerial building permits were approved on November 10, 2016, project No. 487552 and the right of way permit was approved on August 30, 2017, under project No. 493815. This mapping action complies with all development regulation including lot area, lot dimension and setbacks. The structure is being constructed in compliance with all geologic and engineering requirements included applicable building code requirements. The graded, level project site is located in a developed, urban neighborhood surrounded by similar development and is served by existing developed right-

of-way and public utilities. The public right of way would be improved by replacing an existing driveway with a new City-Standard driveway, curb, gutter and sidewalk. Utility services would be provided through existing utility infrastructure in the surrounding area. Therefore, the site is physically suitable for the type and density of development.

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

The project proposes to create four residential condominium units, currently under construction, within a single lot. The 0.115-acre site is located at 3020-3026 Fenelon Street in the RM-3-7 zone, within the Peninsula Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

This site is located in a developed, urban neighborhood and is surrounded by similar development. The site does not contain nor is adjacent to any watercourses, sensitive biological resources, Multiple Habitat Planning Area (MHPA) lands or Environmentally Sensitive Lands (ESL). The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Minor Land Use Divisions) of the State CEQA Guidelines. Therefore, the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat.

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

The project proposes to create four residential condominium units, currently under construction, within a single lot. The 0.115-acre site is located at 3020-3026 Fenelon Street in the RM-3-7 zone, within the Peninsula Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The project proposes condominiums for home ownership opportunities and does not affect the previously approved building permits. The project has been reviewed and is in compliance with the Municipal Code and the Subdivision Map Act. The Tentative Map Waiver includes conditions and corresponding exhibits of approvals relevant to adequate parking, public improvements, and paying applicable fees in order to achieve compliance with the regulations of the San Diego Municipal Code. The proposed subdivision is consistent with the development regulations of the underlying zone of the Land Development Code and all Uniform Building, Fire, Plumbing, Electrical and Mechanical Code regulations and permitting

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

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

The project proposes to create four residential condominium units, currently under construction, within a single lot. The 0.115-acre site is located at 3020-3026 Fenelon Street in the RM-3-7 zone, within the Peninsula Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

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

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

The project proposes to create four residential condominium units, currently under construction, within a single lot. The 0.115-acre site is located at 3020-3026 Fenelon Street in the RM-3-7 zone, within the Peninsula Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The proposed subdivision will not impede or inhibit any future passive or natural heating and cooling opportunities. Each unit is exposed on two sides (northwest and southeast) to ensure passive cooling through cross-ventilation for the interior spaces. Therefore, the design of the proposed subdivision provides sufficient future passive or natural heating and cooling opportunities.

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

The project proposes to create four residential condominium units, currently under construction, within a single lot. The 0.115-acre site is located at 3020-3026 Fenelon Street in the RM-3-7 zone, within the Peninsula Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The project proposes a Tentative Map Waiver to create four residential condominium units (under construction). Other than the subdivision to allow condominium ownership within a built out urbanized community with adequate infrastructure, no other changes are requested, and the project does not include additional development of the property. The site consists of four units with garages that were permitted on November 11, 2016, project No. 487552 and have paid the In-Lieu Fee to comply with the City's Affordable Housing Regulations and also paid the required Impact Fees for financing public facilities. Therefore, 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 and those needs were balanced against the needs for public services and the available fiscal and environmental resources.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Tentative Map Waiver No. 2008378 is hereby granted to Whiz Builders Inc. subject to the attached conditions which are made a part of this resolution by this reference.

By _____
Hugo Castaneda
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Waiver Conditions
Internal Order No. 12002110



THE CITY OF SAN DIEGO

DATE OF NOTICE: November 13, 2017

NOTICE OF RIGHT TO APPEAL

ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

PROJECT NO: 568174
PROJECT NAME: Fenelon Street Map Waiver
COMMUNITY PLAN AREA: Peninsula
COUNCIL DISTRICT: 2
LOCATION: 3020-3026 Fenelon Street, San Diego, CA

PROJECT DESCRIPTION: Map Waiver for the creation of four residential condominium units within an existing structure. The 0.115-acre site is located in the RM-3-7 zone (APN: 531-333-04)

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Development Services Department
ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to State CEQA Guidelines, Section 15315 (Minor Land Use Divisions).

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

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The project has been determined to be exempt from CEQA pursuant to Section 15315. Section 15315 allows for the division of property in urbanized areas zoned for residential 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 two years, and the parcel does not have an average slope of greater than 20%.

CITY PROJECT MANAGER: Hugo Castaneda
MAILING ADDRESS: 1222 First Avenue, MS 501, San Diego, CA 92101-4101
PHONE NUMBER/E-MAIL: (619) 446-5220/hcastaneda@sandiego.gov

On November 13, 2017 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City

ATTACHMENT 5

Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (November 28, 2017). The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

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

POSTED IN THE OFFICE OF DSD
Posted NOV 09 2017 *ml*
Removed NOV 29 2017
Posted by *Myra/ell*

NOTICE OF EXEMPTION

ATTACHMENT 5

(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 No.: **568174**

Project Title: **Fenelon Street Map Waiver**

Project Location-Specific: 3020-3026 Fenelon Street, San Diego, CA

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

Description of nature and purpose of the Project: Map Waiver for the creation of four residential condominium units within an existing structure. The 0.115-acre site is located in the RM-3-7 zone (APN: 531-333-04) in the Peninsula Community Planning Area and Council District 2.

Name of Public Agency Approving Project: City of San Diego

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

Exempt Status: (CHECK ONE)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- Categorical Exemption: Section 15315
- General Rule Exemption:

Reasons why project is exempt: The project has been determined to be exempt from CEQA pursuant to Section 15315. Section 15315 allows for minor land divisions of property in urbanized areas zoned for residential 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. None of the exceptions listed in CEQA Guidelines Section 15003.2 apply, therefore this exemption is applicable to the proposed project.

Lead Agency Contact Person: Jessica Madamba

Telephone: (619) 446-5445

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

ATTACHMENT 5

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

Mark Runtke SENIOR PLANNER
Signature/Title

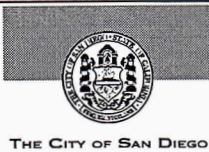
December 14, 2017
Date

Check One:

Signed By Lead Agency

Date Received for Filing with County Clerk or OPR:

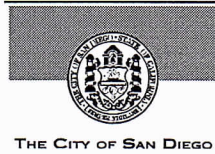
Signed by Applicant



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

Community Planning Committee Distribution Form Part 1

Project Name: Fenelon St Map Waiver		Project Number: 568174		Distribution Date: 9/5/2017	
Project Scope/Location: PENINSULA (Process 3) Fixed fee Map Waiver for the creation of four residential condominium units under construction at 3020-3026 Fenelon St. The 0.115 acre site is in the RM-3-7 zone within the Peninsula Community Plan Area. Council District 2.					
Applicant Name:			Applicant Phone Number:		
Project Manager: Hugo Castaneda		Phone Number: (619) 446-5337	Fax Number: (619) 446-5245	E-mail Address:	
Project Issues (To be completed by Community Planning Committee for initial review): <div style="text-align: center; font-family: cursive; font-size: 1.2em; margin-top: 20px;"> PCPB SUBCOMMITTEE REVIEWED & APPROVED : 3-1 ON 4/9/17. </div>					
<i>Attach Additional Pages If Necessary.</i>			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.					



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

Community Planning Committee Distribution Form Part 2

Project Name: Fenelon St Map Waiver		Project Number: 568174	Distribution Date: 9/5/2017
Project Scope/Location: PENINSULA (Process 3) Fixed fee Map Waiver for the creation of four residential condominium units under construction at 3020-3026 Fenelon St. The 0.115 acre site is in the RM-3-7 zone within the Peninsula Community Plan Area. Council District 2.			
Applicant Name: ANTONY CHRISTENSEN		Applicant Phone Number:	
Project Manager: Hugo Castaneda	Phone Number: (619) 446-5337	Fax Number: (619) 446-5245	E-mail Address:
Committee Recommendations (To be completed for Initial Review): TO APPROVE MAP WAIVER.			
<input checked="" type="checkbox"/> Vote to Approve	Members Yes 6	Members No 3	Members Abstain 1
<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: NONE 11.16.17			
NAME: MARK KRENCIK		TITLE: PROJECT REVIEW CHAIR	
SIGNATURE:		DATE: 11.21.17	
<i>Attach Additional Pages If Necessary.</i>		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.			



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

3020-26 Fenelon Street Map Waiver

Project No. For City Use Only

568174

Project Address:

3020-26 Fenelon Street

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):

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:

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:

Project Title: 3020-26 Fenelon Street Map Waiver Project No. (For City Use Only)
568174

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation Limited Liability -or- General) What State? CA Corporate Identification No. _____
 Partnership

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 names, titles 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 corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. 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. **Additional pages attached** Yes No

Corporate/Partnership Name (type or print):
Whiz Builders Inc.
 Owner Tenant/Lessee
 Street Address:
11696 Sorrento Valley Road, #203
 City/State/Zip:
San Diego, CA 92121
 Phone No: _____ Fax No: _____
858-254-0614
 Name of Corporate Officer/Partner (type or print):
Sal Franco
 Title (type or print):
CEO
 Signature : _____ Date: 8-4-17

Corporate/Partnership Name (type or print):
Whiz builders, Inc.
 Owner Tenant/Lessee
 Street Address:
11696 Sorrento Valley Road, #203
 City/State/Zip:
San Diego, CA 92121
 Phone No: _____ Fax No: _____
858-254-0614
 Name of Corporate Officer/Partner (type or print):
Marco Luis
 Title (type or print):
Director of Sales/Acquisitions
 Signature : _____ Date: 8/4/17

Corporate/Partnership Name (type or print):
 Owner Tenant/Lessee
 Street Address:
 City/State/Zip:
 Phone No: _____ Fax No: _____
 Name of Corporate Officer/Partner (type or print):
 Title (type or print):
 Signature : _____ Date: _____

Corporate/Partnership Name (type or print):
 Owner Tenant/Lessee
 Street Address:
 City/State/Zip:
 Phone No: _____ Fax No: _____
 Name of Corporate Officer/Partner (type or print):
 Title (type or print):
 Signature : _____ Date: _____

Corporate/Partnership Name (type or print):
 Owner Tenant/Lessee
 Street Address:
 City/State/Zip:
 Phone No: _____ Fax No: _____
 Name of Corporate Officer/Partner (type or print):
 Title (type or print):
 Signature : _____ Date: _____

Corporate/Partnership Name (type or print):
 Owner Tenant/Lessee
 Street Address:
 City/State/Zip:
 Phone No: _____ Fax No: _____
 Name of Corporate Officer/Partner (type or print):
 Title (type or print):
 Signature : _____ Date: _____

TENTATIVE MAP WAIVER NO. 2008378 PTS 568174 CONDOMINIUM CREATION

TITLE NOTES

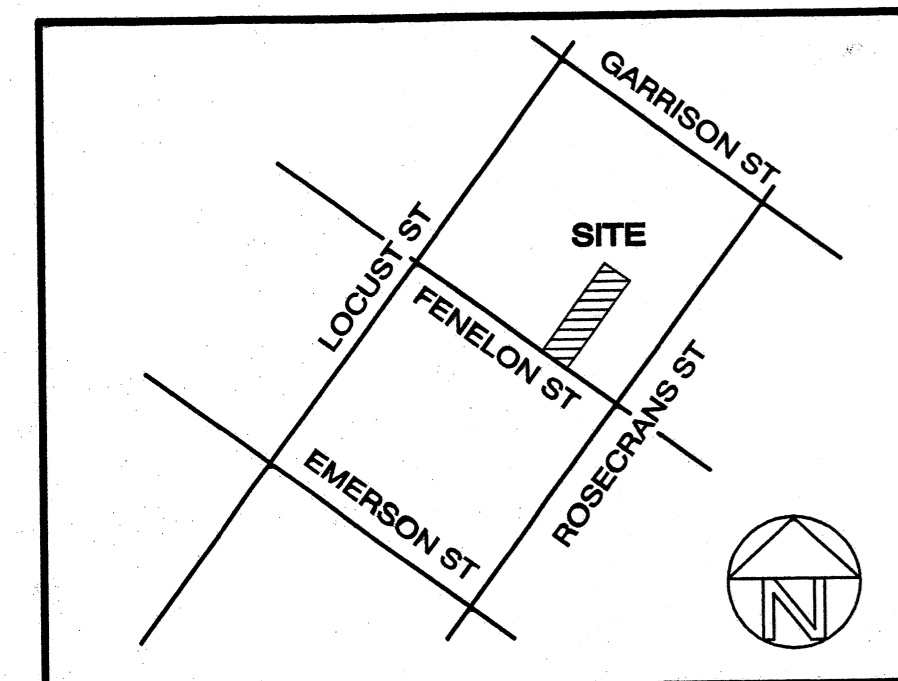
NOTE:
NO EASEMENTS EXIST ENCUMBERING THE PROPERTY BUT OTHER ITEMS THAT CANNOT BE PLOTTED EXIST. SEE TITLE REPORT.

LEGEND

PROPERTY LINE/TM BOUNDARY	---
EXISTING CONTOUR	- - - -
EXISTING SEWER LINE	-S-S-
EXISTING WATER LINE	-W-W-
MANHOLE	○
LEAD AND DISK ON 15' OFFSET	■
RECORD PER MAP NO. 165	()

UTILITY TABLE

TELE (AT&T): UNDERGROUND
CATV (TIME WARNER): UNDERGROUND
ELEC (SDG&E): UNDERGROUND



VICINITY MAP
NOT TO SCALE

USES:

CURRENT USE:
MULTIPLE RESIDENTIAL
PROPOSED USE:
MULTIPLE UNIT RESIDENTIAL - CONDOMINIUM

TYPE OF CONSTRUCTION/OCCUPANCY CLASSIFICATION:

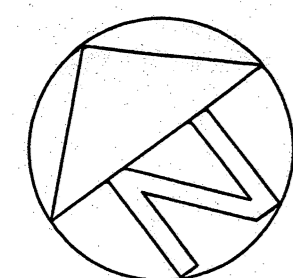
CONSTRUCTION CLASSIFICATION:
TYPE (B) WITH AUTOMATIC SPRINKLER SYSTEM PER NFPA 13

OCCUPANCY CLASSIFICATION:
RESIDENTIAL GROUP R-2
PRIVATE GARAGE GROUP U

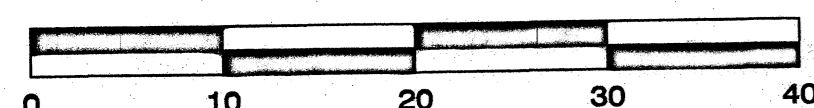
OWNER'S CERTIFICATE

I HEREBY CERTIFY THAT I AM THE RECORD OWNER OF THE PROPERTY SHOWN ON THE MAP WAIVER AND THAT SAID MAP SHOWS ALL OF MY CONTIGUOUS OWNERSHIP IN WHICH I HAVE ANY DEED OR TRUST INTEREST. I UNDERSTAND THAT OUR PROPERTY IS CONSIDERED CONTIGUOUS EVEN IF IT IS SEPARATED BY ROADS, STREETS, UTILITY EASEMENTS, OR RAILROAD RIGHTS-OF-WAY.

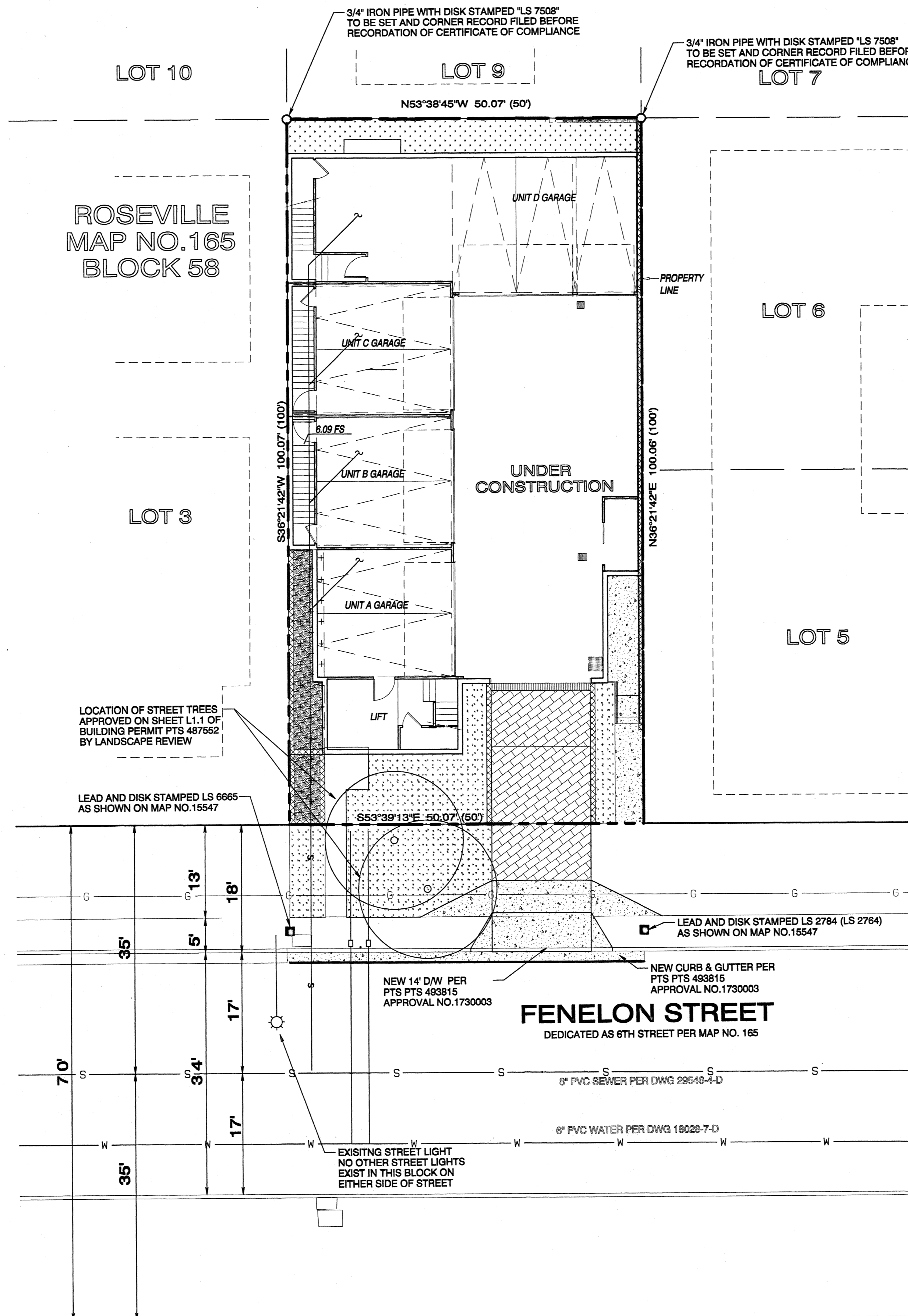
[Signature]
MARCO LUIS
WHIZ BUILDERS INC.
11696 SORRENTO VALLEY RD. #203
SAN DIEGO CA. 92121
DATE: 11/16/17



SCALE: 1" = 10'



CE & S CHRISTENSEN ENGINEERING & SURVEYING
CIVIL ENGINEERS PLANNERS
7888 SILVERTON AVENUE, SUITE "J", SAN DIEGO, CALIFORNIA 92126
TELEPHONE: (858)271-8901 FAX: (858)271-8912



LEGAL DESCRIPTION

LOT 4 IN BLOCK 58 OF ROSEVILLE, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO.165, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 14, 1914.

BASIS OF BEARINGS

THE NORTHERLY LINE OF FENELON STREET AS SHOWN ON MAP NO. 15547 I.E. NORTH 53°39'13" WEST

BENCHMARK

CITY OF SAN DIEGO BRASS PLUG AT THE SOUTHWEST CORNER OF THE INTERSECTION OF ROSECRANS STREET AND FENELON STREET. ELEVATION: 9.668', MSL. (NGVD 1929).

NOTES

1. THE SOURCE OF THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS ON THE GROUND SURVEY J & B ENGINEERS, SURVEYORS, DATED FEBRUARY 03, 2016.
2. THE USE OF PROPOSED LOT IS FOR 4 RESIDENTIAL CONDOMINIUM UNITS.
3. THE SUBJECT PROPERTY IS SERVED BY SEPARATE SANITARY SEWER LATERAL AND WATER SERVICE CONNECTED TO CITY OF SAN DIEGO MAINS.
4. THE EXISTING NUMBER OF LOTS IS ONE. THE PROPOSED NUMBER OF LOTS IN THIS SUBDIVISION IS ONE.
5. DEVELOPER SHALL PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY PER FHPS POLICY P-00-6 (JFC 901.4.4)
6. NAD27 COORDINATES = 204-1699. NAD83 COORDINATES = 1844-8259.
7. 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 4.
8. THE TOTAL AREA OF THE PROJECT IS 0.115 ACRES.
9. THE SOURCE OF TITLE INFORMATION IS PRELIMINARY TITLE REPORT PREPARED BY CORINTHIAN TITLE COMPANY, ORDER NO. 90867-PD, DATED JULY 31, 2017.
10. WAIVER OF THE TENTATIVE MAP AND FINAL MAP IS REQUESTED.
11. A CERTIFICATE OF COMPLIANCE SHALL BE RECORDED FOLLOWING APPROVAL OF THIS MAP WAIVER.
12. THIS PROJECT IS UNDER CONSTRUCTION IN ACCORDANCE WITH BUILDING PERMIT APPROVAL NO. 1707851, PTS NO. 487552.
13. ALL BEARING AND DISTANCES SHOWN HEREON ARE FOUND ON OR DERIVED FROM MAP NO. 15547.
14. IMPROVEMENTS IN RIGHT OF WAY PER CONSTRUCTION PLAN PTS 493815, APPROVAL NO. 1730003.

Prepared By:

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

Project Address:
3020-3026 FENELON STREET
SAN DIEGO, CA 92106

Revision 5:
Revision 4:
Revision 3:
Revision 2:

Project Name:
FENELON MAP WAIVER

Revision 1: 10-13-17 ADDRESS CITY COMMENTS

Sheet Title:

Original Date: AUGUST 02, 2017

Sheet 1 of 2 Sheets



[Signature]
ANTONIO K. CHRISTENSEN, LS7508

OCTOBER 13, 2017
DATE

TENTATIVE MAP WAIVER

TENTATIVE MAP WAIVER NO. 2008378
PTS 568174
CONDOMINIUM CREATION

RESIDENTIAL UNIT TABULATION

UNIT	LIVING AREA	PARKING AREA	DECK AREA	BEDROOMS	PARKING SPACES
A	2,376 SF	974 SF	218 SF	3	2
B	1,861 SF	673 SF	33 SF	3	2
C	1,861 SF	829 SF	33 SF	3	2
D	1,865 SF	854 SF	31 SF	3	3

TOTAL OFF-STREET PARKING SPACES:
SPACES REQUIRED PER TABLE 142-05C (2.25/3 BDRM UNIT X 4 UNITS) = 9 SPACES
SPACES REQUIRED = 9.0 SPACES
SPACES PROVIDED = 9 GARAGE SPACES ONSITE

MAP WAIVER SUMMARY

THIS PROJECT PROPOSES CREATION OF 4 RESIDENTIAL CONDOMINIUM UNITS AND WAIVES THE REQUIREMENT FOR A TENTATIVE MAP AND FINAL MAP

ASSESSOR PARCEL NO. & ADDRESS

ASSESSOR'S PARCEL NUMBER: 531-333-04-00
ADDRESS: 3020-26 FENELON STREET
SAN DIEGO, CA 92106

OWNER:

WHIZ BUILDERS INC.
11686 SORRENTO VALLEY RD. #203
SAN DIEGO CA. 92121

ZONING:

RM-3-7
OVERLAY ZONES:
COASTAL HEIGHT
AIRPORT APPROACH
AIRPORT INFLUENCE AREA
FAA PART 77

SETBACK:
10' FRONT YARD
5' INTERIOR SIDE YARD
5' REAR YARD

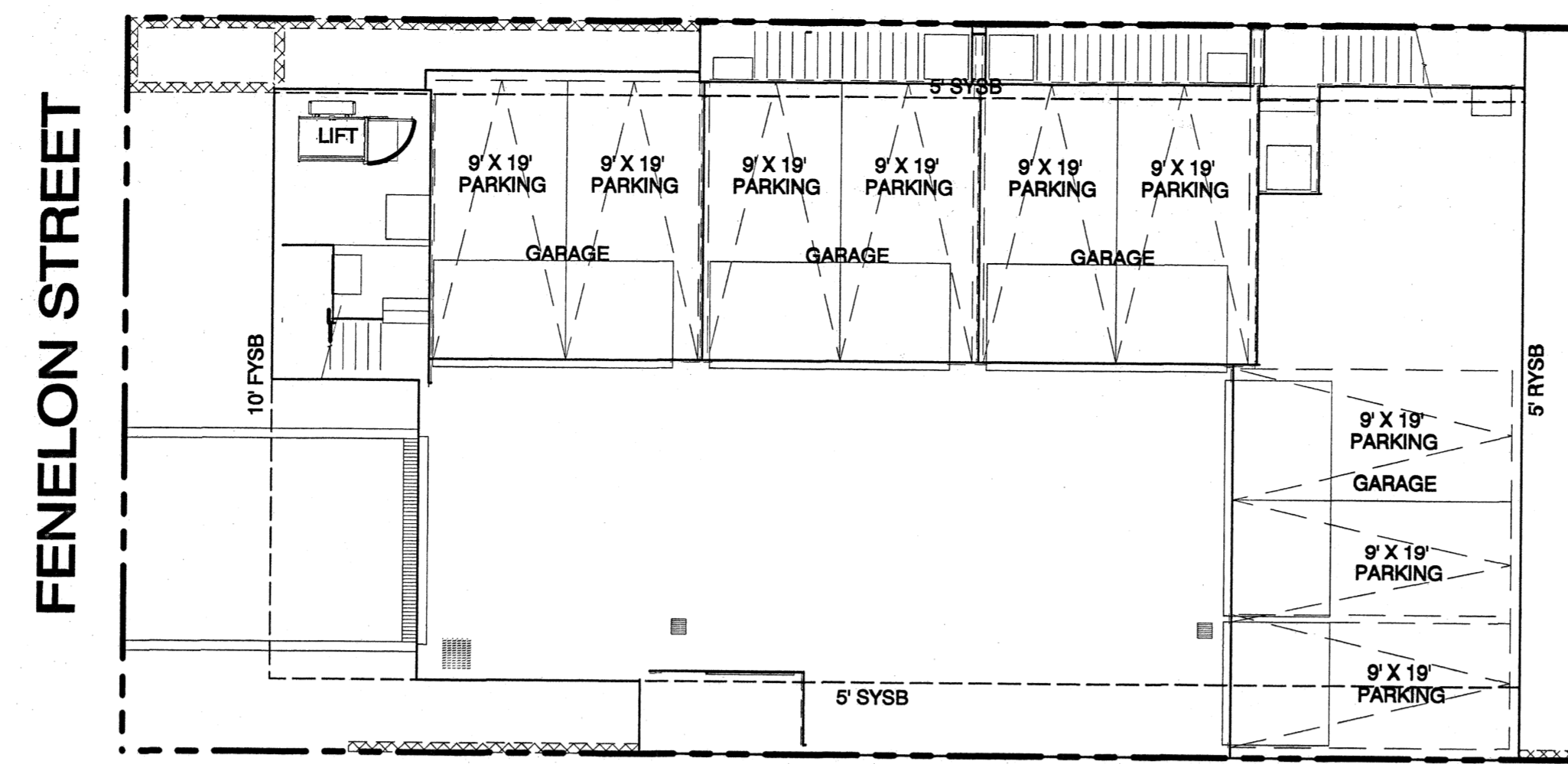
COASTAL HT. LIMIT: 30' (ACTUAL HT. 29.5')

AREA:

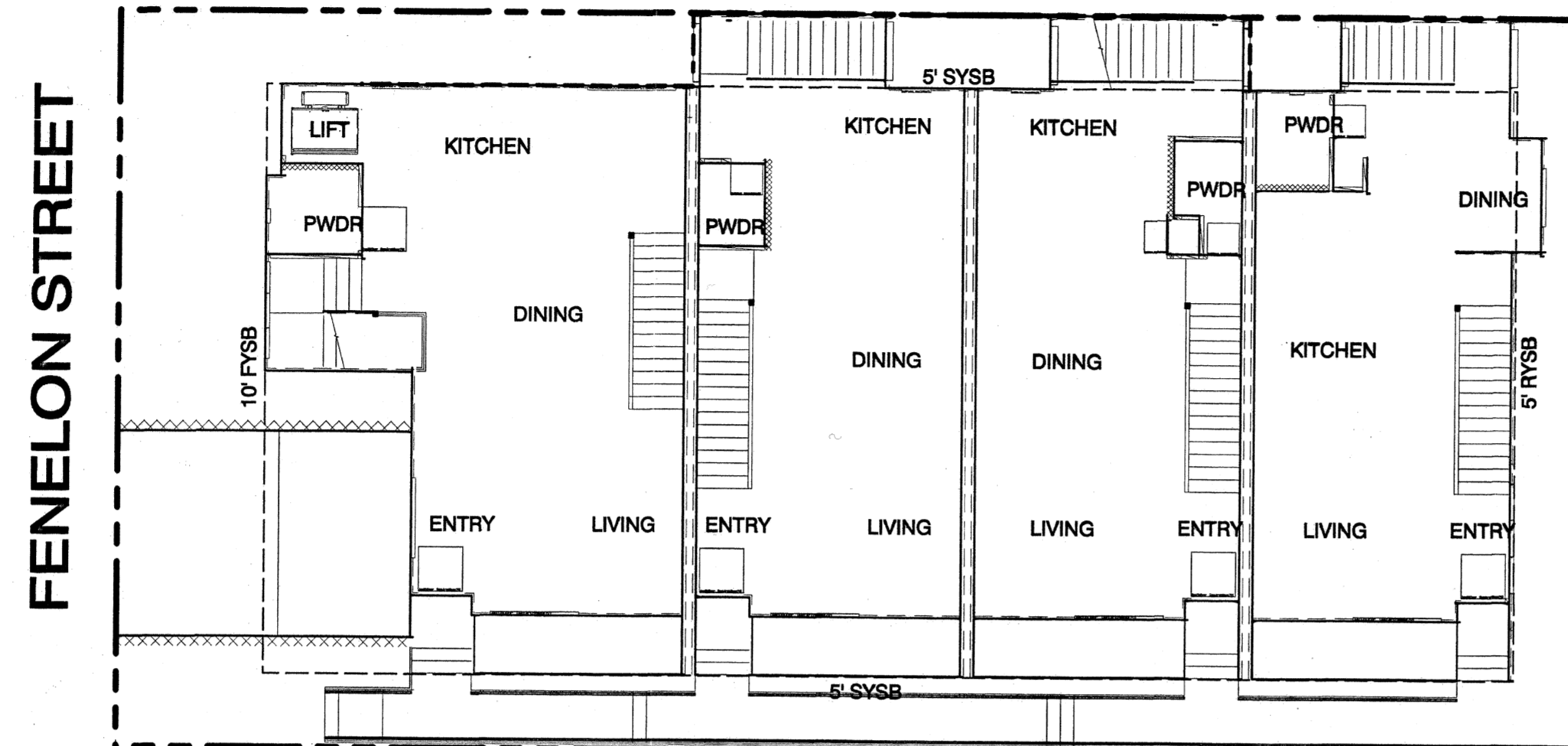
SITE AREA: 0.115 ACRES (5,010 SQUARE FEET)

GROSS FLOOR AREA
7,925 SQUARE FEET LIVING
3,350 SQUARE FEET GARAGE
315 SQUARE FEET DECKS

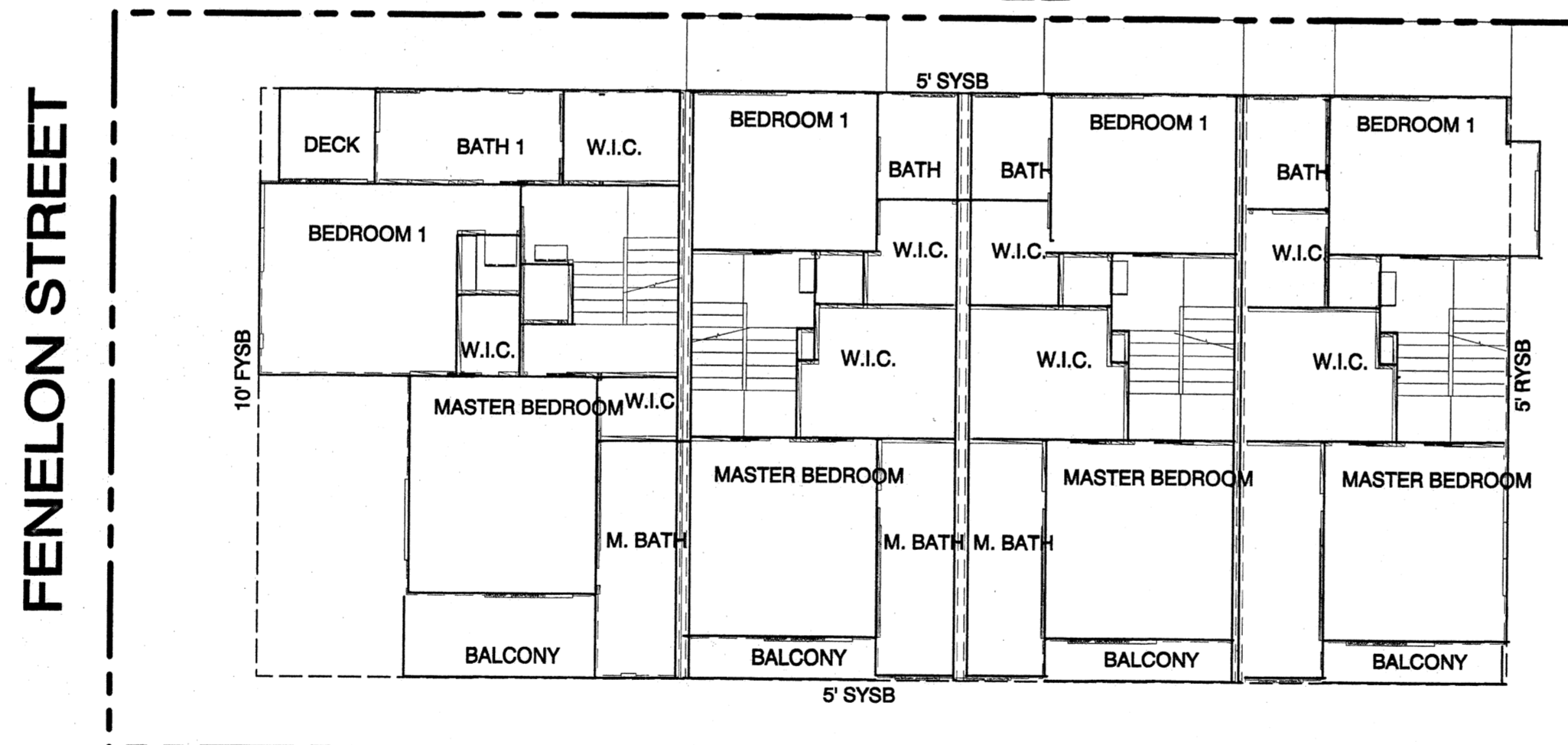
FAR = 7,925 (LESS 482 GARAGE ENTRY)/5,010 = 1.5



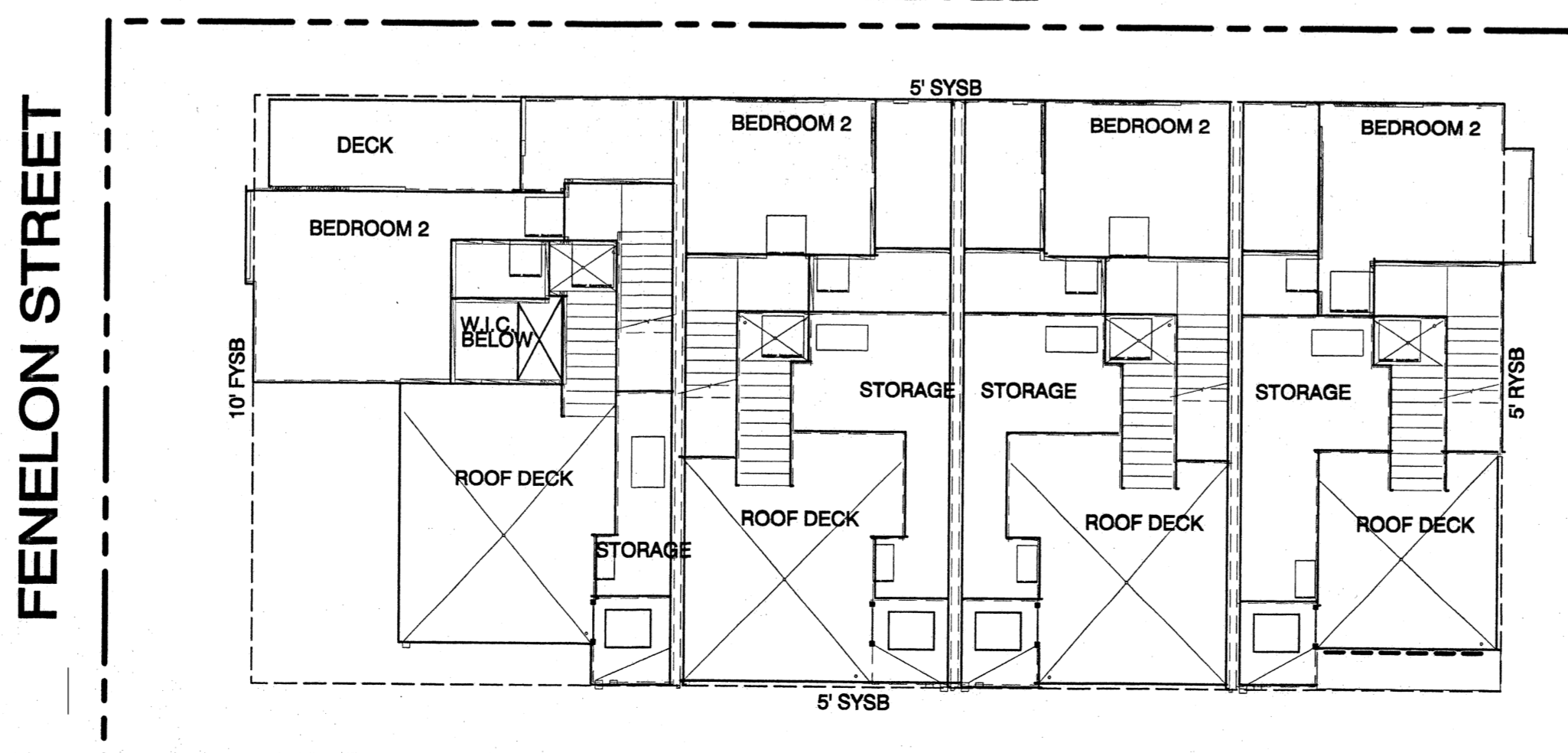
FIRST LEVEL



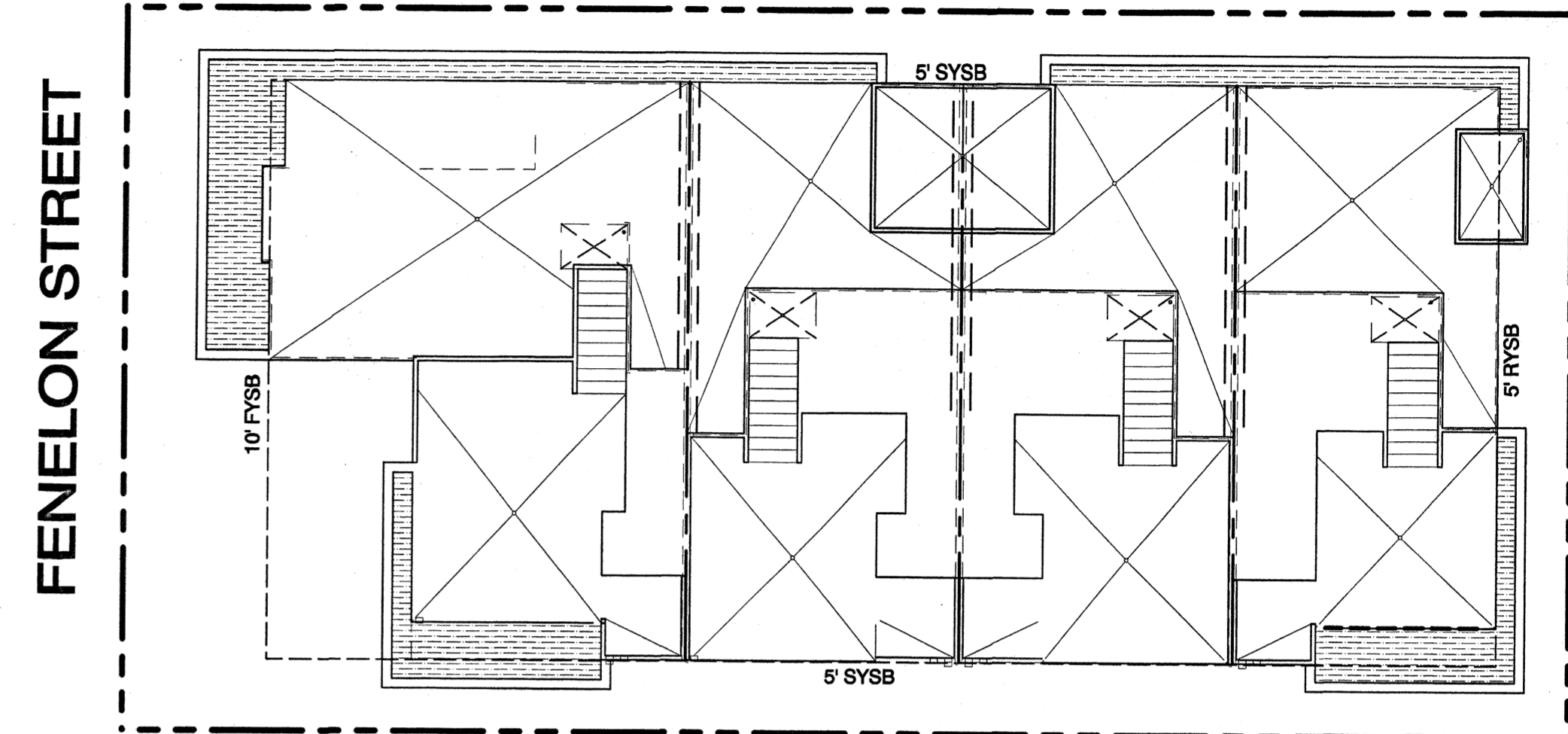
SECOND LEVEL



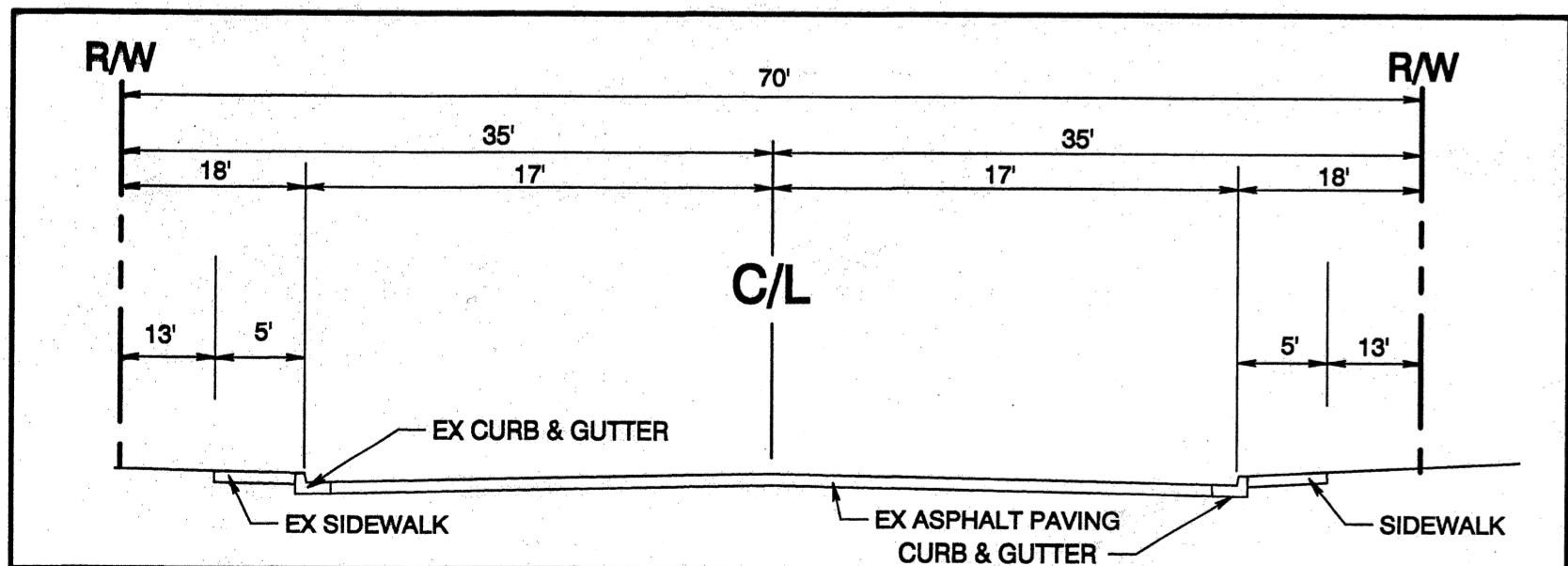
THIRD LEVEL



FOURTH LEVEL

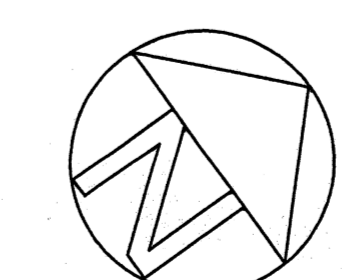
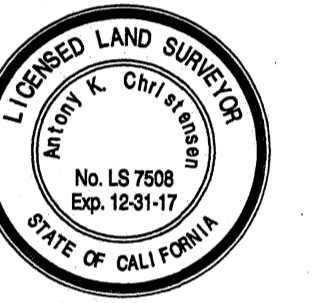


ROOF LEVEL

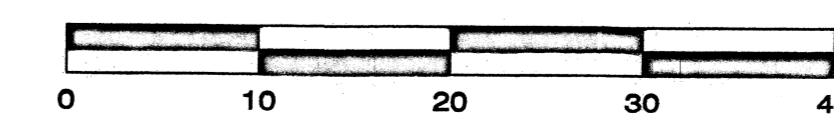


TYPICAL STREET SECTION: FENELON STREET
NOT TO SCALE

ANTONY K. CHRISTENSEN, LS7508
EXP. 12-31-17
OCTOBER 13, 2017
DATE



SCALE: 1" = 10'



Prepared By:
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Original Date: AUGUST 02, 2017
Sheet 2 of 2 Sheets

TENTATIVE MAP WAIVER

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