



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: April 11, 2018 REPORT NO. HO-18-033

HEARING DATE: April 18, 2018

SUBJECT: 3135 HUGO Tentative Map Waiver, Process Three Decision

PROJECT NUMBER: [562431](#)

OWNER/APPLICANT: 3135 Hugo, LLC

### SUMMARY

Issue: Should the Hearing Officer approve a Tentative Map Waiver for the creation of four residential condominium units (currently under construction) located at 3135 Hugo Street in the RM-3-7 Zone within the Peninsula Community Plan and Local Coastal Program Land Use Plan area?

#### Staff Recommendation:

1. Approve Tentative Map Waiver No. 2119564.

Community Planning Group Recommendation: On September 21, 2017, the Peninsula Community Planning Board voted 6-4-1-4 to recommend approval of the proposed project without conditions. The Planning Board expressed concern that they didn't have an opportunity to review the project prior to construction. However, the project was built by right, via the ministerial permitting process.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on November 1, 2017, and the opportunity to appeal that determination ended November 16, 2017.

### BACKGROUND

The 0.11-acre site is located at 3135 Hugo Street in the RM-3-7 Zone, Coastal Height Limit Overlay, FAA Part 77 Noticing area within the Peninsula Community Planning area.

Four residential units are currently under construction at the project site, approved in June 2015, under a ministerial approval, Project No. [429136](#). The Construction Permit allowed the construction of four new residential units. All four units are two bedrooms, with 2 ½ bathrooms. In addition, the project provides eight off-street parking spaces onsite. No deviations were required for approval of the project.

This development project under construction is required to provide public improvements per Project No. 443394, including new City Standard curbs, gutters, new sewer lateral, water lateral, water meter, storm drain, driveway, street trees in the right of way and new sidewalks.

## DISCUSSION

### Project Description:

The proposed project requests a Map Waiver pursuant to San Diego Municipal Code (SDMC) Section 125.0120(b)(1) to create four residential condominium units that are currently under construction on a single parcel that was previously mapped. The project as proposed requires a Process Three, Hearing Officer decision with appeal rights to the Planning Commission.

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.

The project includes a request to waive the requirement to underground the existing offsite overhead utilities. The requested waiver of the requirement to underground the existing overhead utility facilities in the public right-of-way qualifies under the guidelines of SDMC Section 144.0242, Waiver of the Requirements to Underground Privately Owned Utility Systems and Service Facilities, in that the project 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. City staff supports the requested waiver and the project has been conditioned to underground any new service run to any new or proposed structures within the subdivision.

### Community Planning Analysis:

The project is located in an area identified as Residential Medium density (15-29 du/ac) in the Peninsula Community Plan and the project is consistent with that land use. The project site is designated Multiple Use in the General Plan and is consistent with existing General Plan designations by providing housing within a medium-density range within an urbanized core of the City. In addition, the proposed subdivision will provide an opportunity for home ownership which is consistent with the General Plan, Housing Element, Goal No. 4: "to provide affordable housing opportunities consistent with a land use pattern which promotes infill development and socioeconomic equity; and facilitate compliance with all applicable federal, state, and local laws and regulations". The project is surrounded by both multi-family and single-family residential development.

### 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 Local Coastal Program Land Use Plan and the City's General Plan. According to SDMC Section 125.0123, Findings for a Map Waiver, the decision maker may approve a Map Waiver if the decision maker finds that the proposed subdivision complies with the requirements of the Subdivision Map Act and the SDMC. Staff has reviewed the proposed subdivision and determined that it complies with both the Subdivision Map Act and the SDMC and recommends the Hearing Officer approve the project as proposed.

ALTERNATIVES

1. Approve Tentative Map Waiver No. 2119564, with modifications.
2. Deny Tentative Map Waiver, 2119564, if the findings required to approve the project cannot be affirmed.

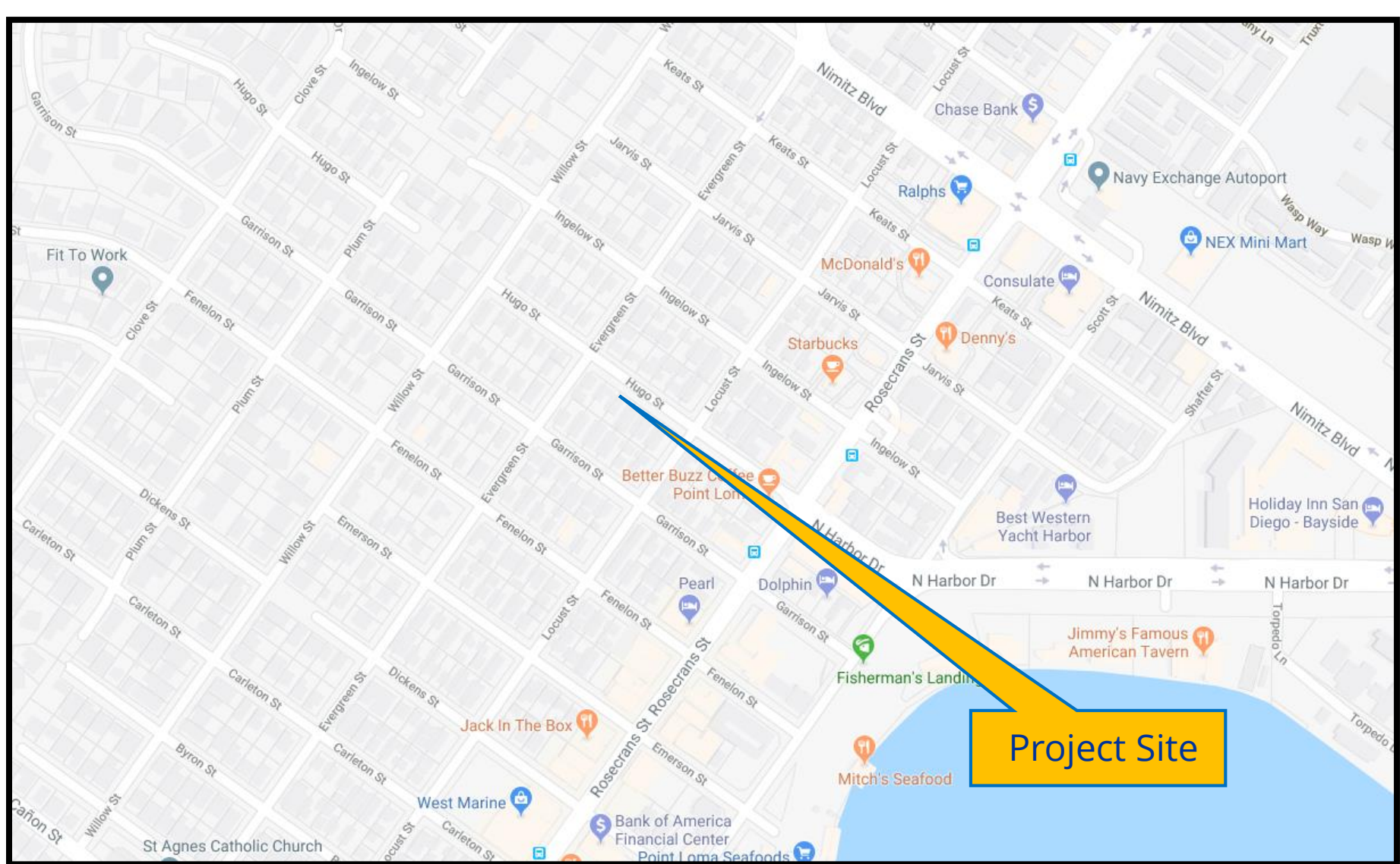
Respectfully submitted,



\_\_\_\_\_  
Derrick Johnson (D.J.), Development Project Manager

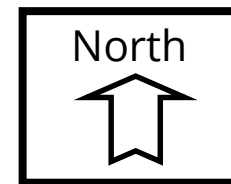
Attachments:

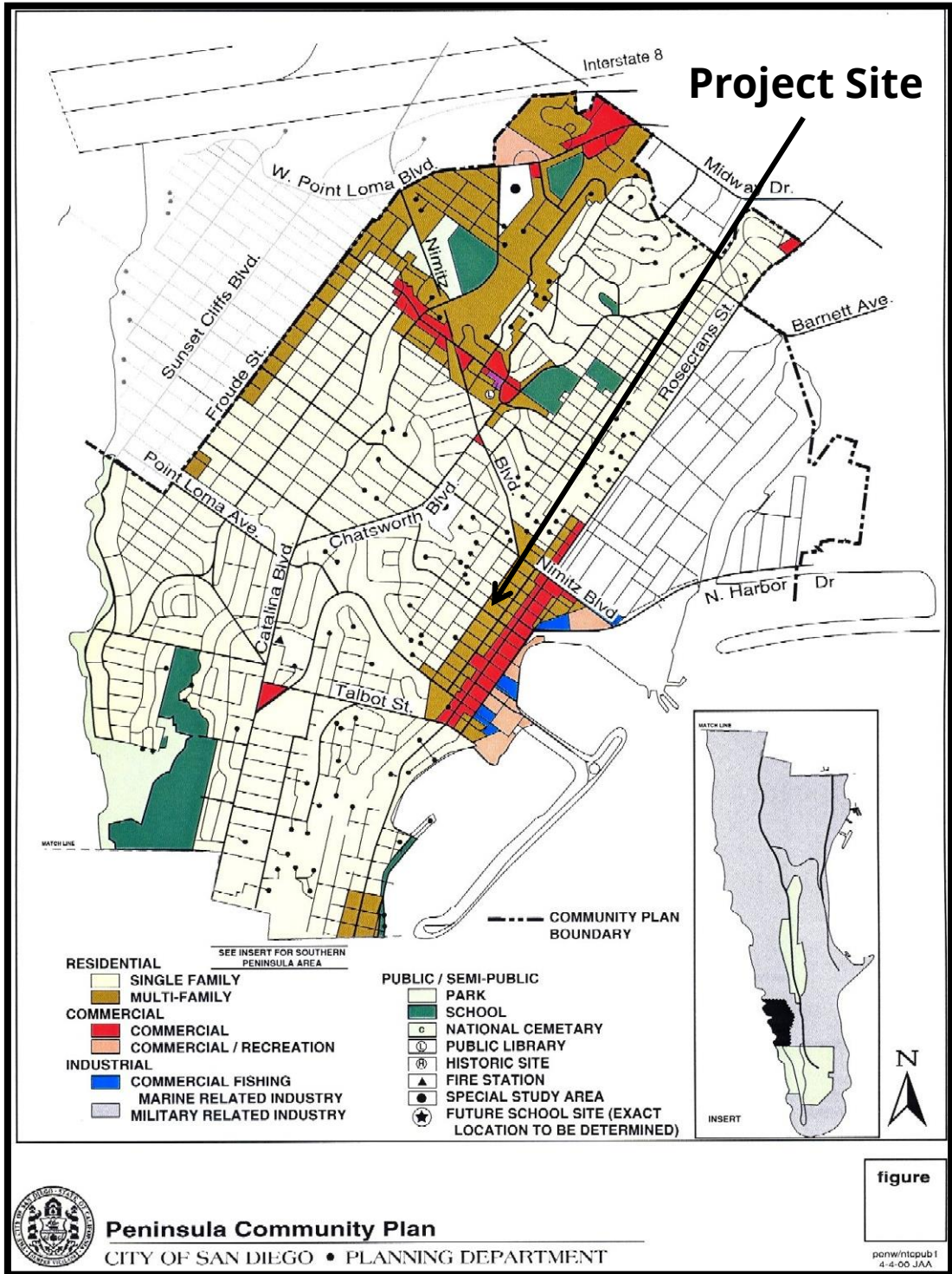
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Project Data Sheet
5. Draft Map Resolution
6. Draft Map Conditions
7. Environmental Exemption
8. Community Planning Group Recommendation
9. Ownership Disclosure Statement
10. Map Waiver Exhibit-Tentative Map Waiver



## Project Location Map

3135 Hugo TMW / 3135 Hugo Street  
PROJECT NO. 562431



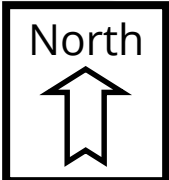


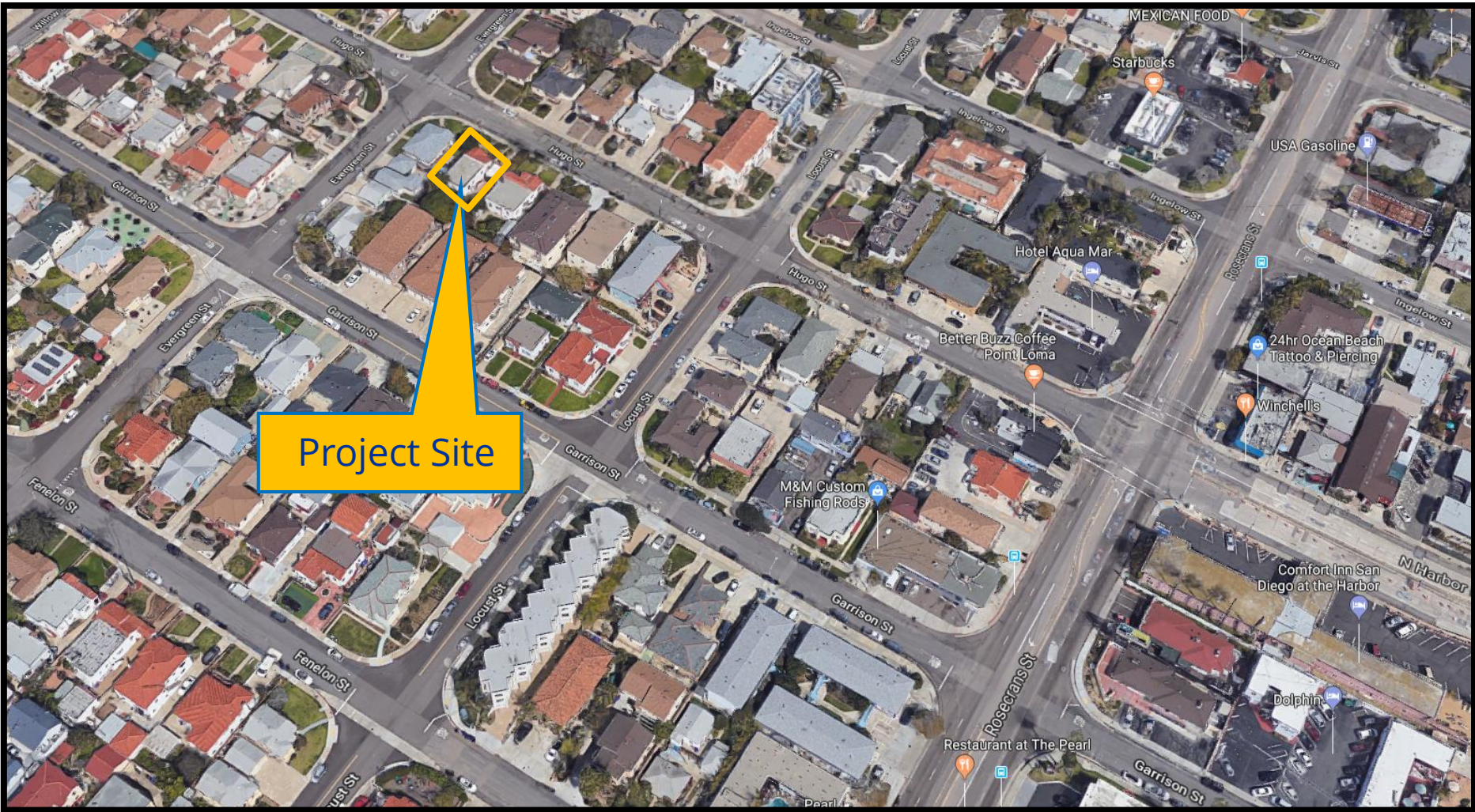
**Peninsula Community Plan**  
CITY OF SAN DIEGO • PLANNING DEPARTMENT



# Land Use Map

3135 Hugo TMW / 3135 Hugo Street  
PROJECT NO. 562431



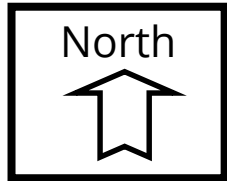


Project Site



## Aerial Photo

3135 Hugo TMW / 3135 Hugo Street  
PROJECT NO. 562431



HEARING OFFICER RESOLUTION NUMBER R-\_\_\_\_\_

TENTATIVE MAP WAIVER NO. 2119564  
3135 HUGO TMW  
PROJECT No. 562431

WHEREAS, 3135 Hugo, LLC, a California Limited Liability Company, Subdivider, and, Vernon Franck, Surveyor, submitted an application to the City of San Diego for a Tentative Map Waiver No. 2119564, to waive the requirement for a Tentative Map for the creation of four residential condominium units (currently under construction), and to waive the requirement to underground existing offsite overhead utilities. The project site is located at 3155 Hugo Street in the RM-3-7 Zone of the Peninsula Community Plan area. The property is legally described as Lot 11, Block 64 of Roseville, City of San Diego, Map No. 165, County of San Diego; and

WHEREAS, the Map proposes the subdivision of a 0.11-site into one (1) lot for a four-unit residential condominium; and

WHEREAS, on November 1, 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 Guideline Section 15305(Minor Alterations in Land Use Limitations; 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 April 18, 2018, the Hearing Officer of the City of San Diego considered Tentative Map Waiver No. 2119564, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to San Diego Municipal Code sections 125.0440 and 144.0240 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. 2119564:

**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 a Tentative Map Waiver for the subdivision of the 0.11-acre site to create four residential condominium units and to waive the requirements to underground overhead utilities. The 0.11-acre site is located at 3135 Hugo Street in the RM-3-7 Zone, within the Peninsula Community Plan area. The proposed project is located in an area identified as residential medium density (15-29 du/ac) in the Peninsula Community Plan and the project is consistent with that land use. The project has four units on site and is consistent with density regulations. The Peninsula Community Plan encourages a wide variety of housing types for all age, income and social groups. The project would provide four, two-bedroom units. The project site is designated Multiple Use in the General Plan and is consistent with existing General Plan designations. In addition, the proposed subdivision will provide another opportunity for home ownership which is consistent with the General Plan, Housing Element, Goal No. 4: "to provide affordable housing opportunities consistent with a land use pattern which promotes infill development and socioeconomic equity; and facilitate compliance with all applicable federal, state, and local laws and regulations". The



project is surrounded by both multi-family and single-family residential development. 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 a Tentative Map Waiver for the subdivision of the 0.11-acre site to create four residential condominium units. The site is located at 3135 Hugo Street in the RM-3-7 Zone within the Peninsula Community Plan area.

The project includes a request to waive the requirement to underground the existing offsite overhead utilities. The requested waiver of the requirement to underground the existing overhead utility facilities in the public right-of-way qualifies under the guidelines of Municipal Code Section 144.0242, Waiver of the Requirements to Underground Privately Owned Utility Systems and Service Facilities, in that the project involves a short span of overhead facility, less than a full block in length and would not represent a logical extension to an underground facility. The project has been conditioned to underground any new service run to any new or proposed structures within the subdivision.

The current development is being constructed by right in accordance with the San Diego Municipal Code's base zone regulations. On October 18, 2016, the City of San Diego approved the residential development's building structure construction permits, Project No. 429136. 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 project 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 under construction, in-fill project site is located on a flat, previously graded parcel. No deviations were required for the construction of the project. The original development project was required to construct public improvements, per Project No. 429136 and ROW Project No. 443394, including new City Standard curbs, gutters, new sewer lateral, water lateral, water meter, storm drain, driveway, street trees in the right of way and new sidewalks. Therefore, the site is physically suitable for the type and density of development. The project is located in an area identified as Residential Medium density (15-29du/ac) in the Peninsula Community Plan and the project is consistent with that land use. The project is providing four units, which is consistent with the density regulations for the project site. The project site is designated Multiple Use in the General Plan and is consistent with existing General Plan designations by providing housing within a medium-density range within an urbanized core of the City.

**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 developed project site is located in an urban in-fill area and does not contain nor is it adjacent to any sensitive resources, Multiple Habitat Planning Area lands, Environmentally Sensitive Lands or existing fish or wildlife habitats. Therefore, the design of the subdivision or the proposed improvements 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 Waiver for the subdivision of the 0.11-acre site to create four residential condominium units. The project includes a request to waive the requirement to underground the existing offsite overhead utilities. All Uniform Building, Fire, Plumbing, Electrical, Mechanical Code and other regulations governing construction, continued operation and health/life/safety requirements apply to this project. The project is in compliance with the Municipal Code and the Subdivision Map Act and includes conditions and exhibits to ensure the provision of adequate parking, public improvements and compliance with the Land Development Code. The project has been conditioned to construct public improvements, as shown on the previously approved construction plans for Project No. 443394, including new City Standard curbs, gutters, new sewer lateral, water lateral, water meter, storm drain, driveway, street trees in the right of way and new sidewalks. Therefore, the design of the subdivision or the type of improvement 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 or propose any new easements for the development. The site has frontage on Hugo Street. The subdivision proposes public improvements including curbs, gutters, sidewalk and driveway. 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 a Tentative Map Waiver for the subdivision of the 0.11-acre site to create four residential condominium units. The proposed subdivision will not impede or inhibit any future passive or natural heating and cooling opportunities. Each unit is exposed on two sides (north and south) to ensure passive cooling through cross-ventilation of the interior spaces. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

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

The in-fill project site is surrounded by existing development, consisting primarily of both multi-family residential complexes and single-family residences. The site is currently under construction and has paid all applicable Developer Impact Fees (DIF), school fees, water/sewer connection fees and other impact fees, and the affordable housing fee at building permit issuance in accordance with the City's Public Facilities Financing Plan and Impact Fee Schedule. The project site is served by existing public infrastructure, including, water, sewer, electrical and gas lines.

The Hearing Officer has reviewed the administrative record including the project plans, environmental documentation, and heard public testimony to determine 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 and found that the creation of four units into condominium ownership is consistent with the housing needs anticipated for the Peninsula Community Plan area.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Tentative Map Waiver No. 2119564, including the waiver of the requirement to underground existing offsite overhead utilities, is hereby granted to 3135 Hugo LLC, a California Limited Liability Company, subject to the attached conditions which are made a part of this resolution by this reference.

By  \_\_\_\_\_  
Derrick Johnson (D.J.)  
Development Project Manager  
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 12002110

HEARING OFFICER  
CONDITIONS FOR TENTATIVE MAP WAIVER NO. 2119564  
HUGO TMW PROJECT NO. 562431  
ADOPTED BY RESOLUTION NO. R-\_\_\_\_\_ ON APRIL 18, 2018

**GENERAL**

1. This Tentative Map Waiver will expire April 18, 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. 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.
4. 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**

5. The Subdivider shall construct the required Public Improvements per approved Right-of-Way Permit No. 1550442 – PTS#443394, including a 14' driveway, sidewalk, curb and gutter along entire frontage, adjacent to the site on Hugo Street.
6. Per the City of San Diego Street Design Manual-Street Light Standards, and Council Policy 200-18, the Subdivider shall install a new street light adjacent to the site on Hugo Street.
7. The Subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

8. Prior to recordation of the Certificate of Compliance, the Subdivider shall provide CC&Rs for the operation and maintenance of all private water and sewer facilities in a manner satisfactory to the Public Utilities Director and the City Engineer.
9. 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.
10. Conformance 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.

**MAPPING**

11. "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].
12. "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."
13. 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.
14. Prior to the recordation of the Certificate of Compliance, all conditions in the Tentative Map Waiver Resolution of Approval must be satisfied.
15. 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.
  - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
  - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map

are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

### **INFORMATION:**

- The approval of this TMW 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 TMW 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 TMW, may protest the imposition within ninety days of the approval of this Tentative Map Waiver by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).
- If the submitted tax certificate indicates a required tax bond being imposed to the property, then prior to the approval & recordation of the Certificate of Compliance the amount of the required tax bond must be paid/posted to the office of the County of San Diego Clerk of the Board.

Internal Order No.12002110

## NOTICE OF EXEMPTION

(Check one or both)

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

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

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

FILED

Ernest J Dronenburg, Jr. Recorder County Clerk

MAR 23 2018

BY

DEPUTY

Project No. 562431/SCH No.: N.A.

**Project Name:** 3135 Hugo Map Waiver**Project Location-Specific:** 3135 Hugo Street, San Diego, California 92106**Project Location-City/County:** San Diego/San Diego

**Description of nature and purpose of the Project:** MAP WAIVER (MW) for the subdivision of four condominium units within a structure, currently under construction, on a 0.11-acre site. The project is located in the RM-3-7 zone of the Peninsula Community Plan.

**Name of Public Agency Approving Project:** City of San Diego

**Name of Person or Agency Carrying Out Project:** Maggie Roland, Maggie Roland Associates (Firm), 3752 Park Boulevard, #701, San Diego, CA 92103, (619) 578-2916

**Exempt Status:** (CHECK ONE)

- Ministerial (Sec. 21080(b)(1); 15268);  
 Declared Emergency (Sec. 21080(b)(3); 15269(a));  
 Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))  
 Categorical Exemption: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15305 (Minor Alterations in Land Use Limitations)

**Reasons why project is exempt:** The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15305 which addresses minor alterations in land use limitations, in areas with an average slope of less than 20 percent, and which do not result in any changes in land use density. In addition, the exceptions listed in CEQA Section 15300.2 would not apply.

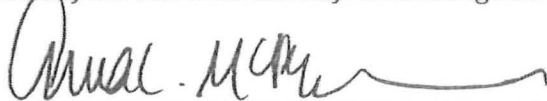
Lead Agency Contact Person: Rhonda Benally

Telephone: (619) 446-5468

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



Anna L. McPherson, AICP, Senior Planner

November 16, 2017

Date

Check One:

Signed By Lead Agency

Signed by Applicant

Date Received for Filing with County Clerk or OPR:

FILED IN THE OFFICE OF THE COUNTY CLERK

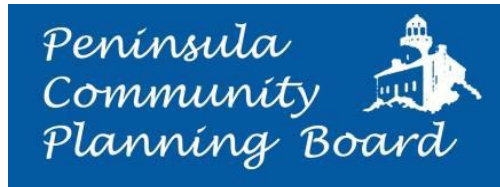
San Diego County on MAR 23 2018

Posted MAR 23 2018 Removed \_\_\_\_\_

Returned to agency on \_\_\_\_\_

Deputy **M. Romero**





**MEETING MINUTES**

September 21, 2017

The regularly scheduled meeting of the Peninsula Community Planning Board was held on Thursday, September 21, 2017 at the Point Loma/Hervey Branch Library, located at 3701 Voltaire Street, San Diego California 92106.

The meeting was called to order by Chair Jon Linney at 6:35 p.m.

**PRESENT** (11): Robert Goldyn, Jim Hare, Brad Herrin, Joe Holasek, Mark Krencik, Jon Linney, Jerry Lohla, Laura Miller, Julia Quinn, Don Sevrens, Margaret Virissimo

**ABSENT** (0): Patricia Clark, Bruce Coons, David Dick, Fred Kosmo

**Parliamentary Items**

**September Agenda:**

Motion made by Margaret Virissimo Second by Jerry Lohla to approve **September** Agenda

Yes: Goldyn, Hare, Holasek, Krencik, Lohla, Quinn, Sevrens, Virissimo

Abstaining: Linney (chair does not vote)

Absent: Herrin (late), Miller (late), Clark, Coons, Dick, Kosmo

(Approved 8-1-6) Motion Passed

**Meeting Minutes:** Approval of **July** PCPB meeting minutes.

Motion made by Jim Hare Second by Jerry Lohla to approve **July** PCPB meeting minutes.

Yes: Goldyn, Hare, Holasek, Krencik, Lohla, Quinn, Sevrens, Virissimo

Abstaining: Linney (chair does not vote)

Absent: Herrin (late), Miller (late), Clark, Coons, Dick, Kosmo

(Approved 8-1-6) Motion Passed

**Secretary's Report:** Margaret Virissimo

No Report

**Treasurer's Report:** Patricia Clark

On behalf of Patricia, Robert Goldyn reported that our PCPB bank account balance is currently \$672.92

Board member Sevrens said there is incredible liability for the City, which is still the owner of Martinez, when the hillside collapses. After severe storms, the City supplies portable generators and pumps to Runnymead Lane residents just below the site to the east, a recognition that the City is aware of major drainage issues.

Goldyn said that despite late developments just hours before the meeting, delaying a vote would serve no purpose. Hare said that laymen are not qualified to challenge the City's geotech survey, only experts.

Krencik said he had concerns about the three- in- one lots reconfiguration and the hillside, especially in light of landslides in 1977, 1981 and 2005.

M/Sevrens and S/Lohla to recommend denial of lot line adjustment or approval of a third house on the site. It is being opposed in its entirety because it is situated on an unstable hillside, an independent geotechnical survey commissioned by the neighbors shows it is unstable, is the source of previous landslides, no retaining wall or adequate runoff capture is proposed, involves environmentally sensitive land and offsite remediation is considered unacceptable. Further the project is not in compliance with the Community Plan (Page 109), involves uncertainty as land is currently being marketed for sale to unknown developer, and is opposed by several hundred neighbors. Additionally this presents severe liability to the City and no indemnity bond in case of landslide is being posted. The board authorizes appeal if necessary.

Motion Made by Don Sevrens, second by Jerry Lohla to deny Harborview Lot Project on 3340/3328 line revisions and the ability to build new (third) home. Reasons are unstable hillsides, project against community plan (page 109), severe liability to city, intense neighborhood oppositions, uncertainty of new owner and plans, lack of retaining wall, environmentally sensitive land, and lastly the board authorizes future appeal if necessary to deny project.

Yes: Goldyn, Hare, Herrin, Holasek, Krencik, Lohla, Miller, Sevrens, Virissimo

Abstaining: Quinn (did not have enough info) Linney (chair does not vote)

Absent: Patricia Clark, Bruce Coons, David Dick, Fred Kosmo

(Approved 9-2-4)

Motion Passed to Deny Project

## **2. 3135 Hugo Street (Tentative Map Waiver) – Maggie Roland**

Speaker made a presentation and asked for a Tentative Map Waiver to sell condos to individual consumers with no restrictions except to not exceed the 30foot height limit on project. Mark Krencik confirmed project was reviewed by the PCPB Project Review committee last Thursday and the committee really did not have any issues since the project is already grandfathered through the city pipelines. Mark went on to mention that it does also meet the parking standards for the project.

Motion Made by Margaret Virissimo, second by Joe Holasek to approve Map Waiver on 3135 Hugo Street with the conditions in CC&R's

Yes: Goldyn, Hare, Herrin, Holasek, Krencik, Virissimo

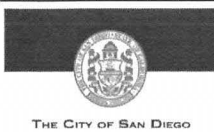
No: Lohla, Miller, Quinn, Sevrens

Abstaining: Linney (chair does not vote)

Absent: Patricia Clark, Bruce Coons, David Dick, Fred Kosmo

(Approved 6-4-1-4)

Motion Passed to Approve Tentative Map Waiver



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

# Ownership Disclosure Statement

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

**Project Title**

**Project No.** *For City Use Only*

3135 Hugo TM Waiver

**Project Address:**

3135 Hugo Street, San Diego, CA. 92106

**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):

Name of Individual (type or print):

Owner  Tenant/Lessee  Redevelopment Agency

Owner  Tenant/Lessee  Redevelopment Agency

Street Address:

Street Address:

City/State/Zip:

City/State/Zip:

Phone No:

Fax No:

Phone No:

Fax No:

Signature :

Date:

Signature :

Date:

Name of Individual (type or print):

Name of Individual (type or print):

Owner  Tenant/Lessee  Redevelopment Agency

Owner  Tenant/Lessee  Redevelopment Agency

Street Address:

Street Address:

City/State/Zip:

City/State/Zip:

Phone No:

Fax No:

Phone No:

Fax No:

Signature :

Date:

Signature :

Date:



TENTATIVE MAP WAIVER NO. 2119564  
 PROJECT NO. 562431  
 BUILDING APPROVAL NO. 1501283  
 3135 HUGO RESIDENCES

**PROJECT SUMMARY**  
 TENTATIVE MAP AND PARCEL MAP WAIVER (FOR CONDOMINIUM PURPOSES)  
 PURSUANT TO MUNICIPAL CODE SECTION 125.0120 (b) (1)

NUMBER OF EXISTING LOTS: 1  
 NUMBER OF DWELLINGS: 4

**EXISTING SITE DATA**  
 SITE ADDRESS: 3135 HUGO STREET, SAN DIEGO, CA 92106

ASSESSOR'S PARCEL NUMBER: 530-736-11

LEGAL DESCRIPTION: LOT 11, BLOCK 64, MAP (165) 305-ROSEVILLE REFILED  
 SITE AREA: 5,000 SF / 0.115 ACRES

**EXISTING ZONING**  
 BASE ZONE: RM-3-7

**OVERLAY ZONES**  
 AIRPORT ENVIRONS/INFLUENCE  
 COASTAL HEIGHT LIMIT

**GEOLOGIC HAZARD CATEGORY: 52**

**BUILDING SETBACKS**

FRONT YARD: 10'/20'  
 SIDE YARD: 5'  
 REAR YARD: 5'

**BUILDING DATA**

NUMBER OF RESIDENTIAL UNITS: 4  
 TOTAL FLOOR AREA OF RESIDENTIAL UNITS: 7,533 SF  
 NUMBER OF STORIES: 3  
 NUMBER OF BUILDINGS: 1

**OFF-STREET PARKING SPACE REQUIREMENTS**  
 PARKING REQUIRED: 4 UNITS @ 2.0 SPACES PER UNIT=8 SPACES PROVIDED

**CONDOMINIUM NOTE**

THIS IS A MAP OF 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. THE TOTAL NUMBER OF CONDOMINIUM DWELLING UNITS IS 4.

**MONUMENTATION NOTES**

ALL PROPERTY CORNERS WILL BE SET AND A CORNER RECORD WILL BE FILED.

**REFERENCE DRAWINGS**

MAP (165) 305-ROSEVILLE REFILED  
 MAP 16904-5-D (WATER)  
 DWG 31686-10-D (SEWER)  
 BUILDING APPROVAL 1501283, ROW PERMIT NO. 1551442/PRS #443394

**NOTES**

- THE MAINTENANCE OF THE PRIVATE WATER AND SEWER FACILITIES SERVING THIS PROJECT SHALL BE GOVERNED BY PRIVATE COVENANTS, CONDITIONS, AND RESTRICTIONS.
- EXISTING DRAINAGE PATTERNS: SURFACE FLOW TO HUGO STREET
- THE SUBDIVIDER SHALL INSTALL APPROPRIATE PRIVATE BACK FLOW PREVENTION DEVICES ON ALL EXISTING AND PROPOSED WATER SERVICES (DOMESTIC, IRRIGATION, AND FIRE) ADJACENT TO THE PROJECT SITE IN A MANNER SATISFACTORY TO THE WATER DEPARTMENT DIRECTOR.
- THERE ARE NO KNOWN EASEMENTS ON THIS SITE.
- THE PROJECT IS PERMITTED PER BUILDING APPROVAL NO. 1501283
- THE SUBDIVIDER SHALL CONSTRUCT THE REQUIRED PUBLIC IMPROVEMENTS PER APPROVED RIGHT-OF-WAY PERMIT NO. 1550442 - PTS#443394 INCLUDING A 14' DRIVEWAY, SIDEWALK, CURB AND GUTTER ALONG ENTIRE FRONTAGE, ADJACENT TO THE SITE ON HUGO STREET.

**PROJECT PERMITS REQUIRED**

TENTATIVE MAP WAIVER  
 LOT CONSOLIDATION PARCEL MAP FOR CONDOMINIUM PURPOSES

**PROJECT OWNER**

G INVEST, LLC  
 255 G STREET, SAN DIEGO, CA 92101

ALEX LISNEVSKY, MANAGING PARTNER DATE

**LEGAL DESCRIPTION**

LOT 11, BLOCK 64, MAP (165) 305-ROSEVILLE REFILED

**SOURCE OF TOPOGRAPHY**

FIELD SURVEY BY METROPOLITAN MAPPING, MAY 2017

**BASIS OF ELEVATIONS**

CITY OF SAN DIEGO BENCHMARK DESCRIPTION: BRASS PLUG  
 LOCATION: GARRISON STREET & LOCUST STREET, WEST INTERSECTION  
 ELEVATION: 18.43 FEET DATUM: MEAN SEA LEVEL (NGVD 29)

**BASIS OF BEARINGS**

THE EASTERLY ROW OF GARRISON STREET AS SHOWN ON MAP 15547  
 I.E., N53°38'16"W

**COORDINATES**

NAD 27: 204-1697 CCS 83: 1844-6257

**PROJECT NAME**

3135 HUGO RESIDENCES

**SHEET TITLE**

TENTATIVE MAP WAIVER NO. 2119564

EVERGREEN STREET  
 (70' ROW)

LOT 1

LOT 12

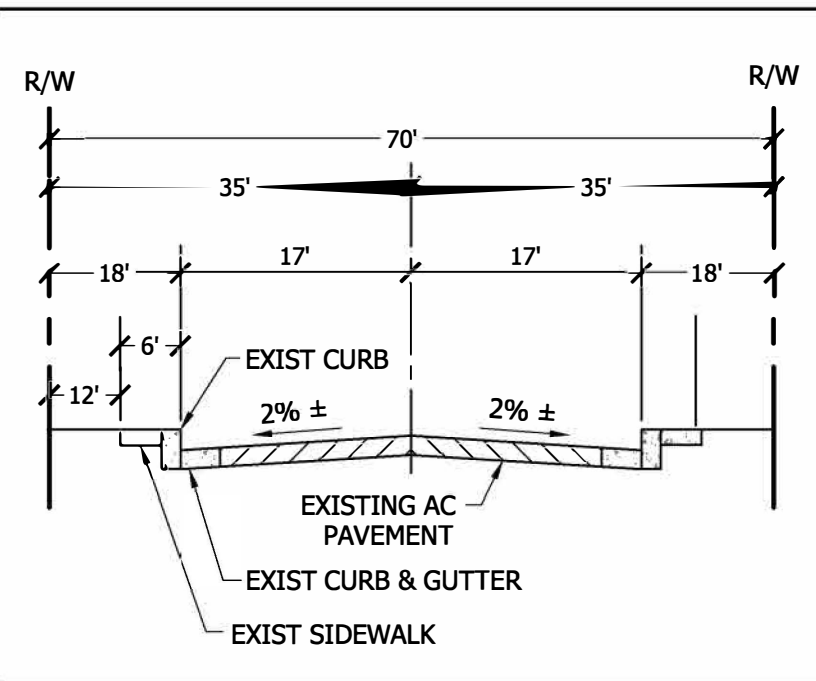
LOT 1

GARRISON STREET  
 (70' ROW)

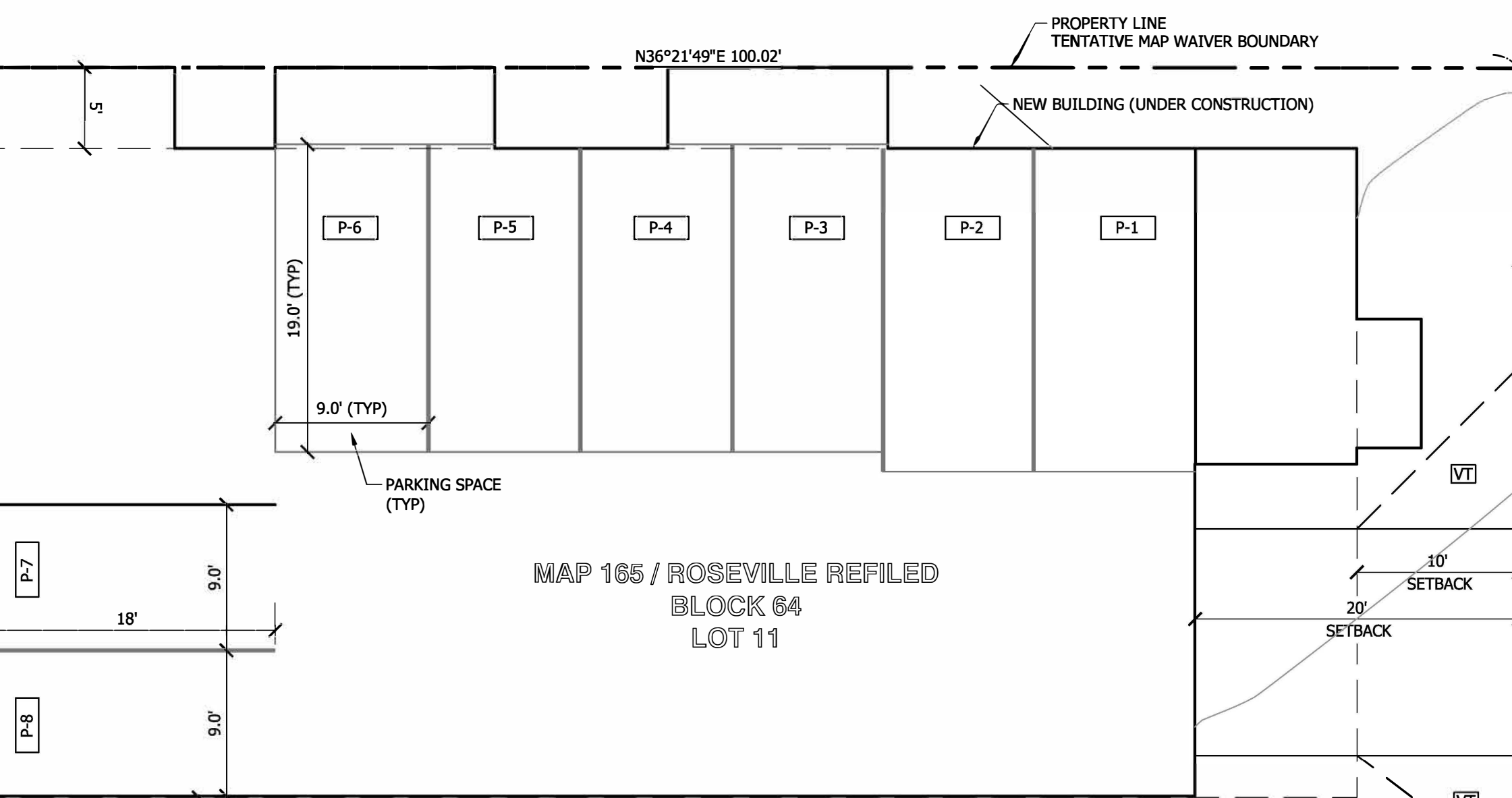
LOT 2

MAP 165 / BLOCK 73  
 LOT 2

LOT 3

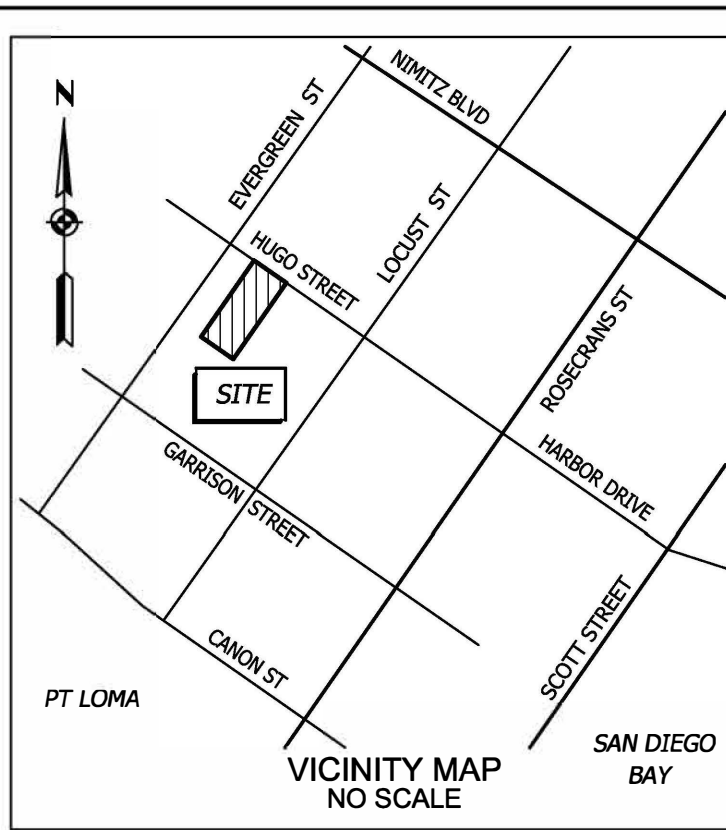
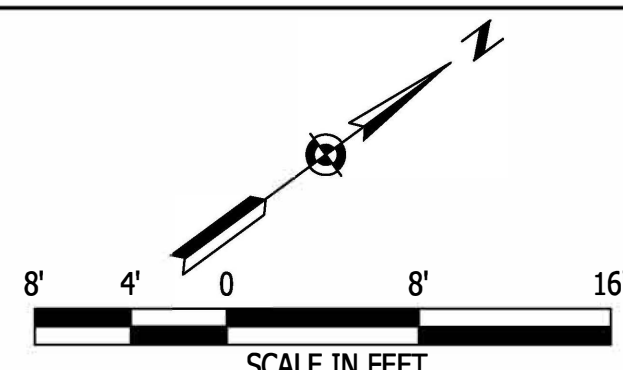


TYPICAL CROSS SECTION  
 HUGO STREET & EVERGREEN STREET  
 NOT TO SCALE



NO OBSTRUCTION INCLUDING SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT. PLANT MATERIAL, OTHER THAN TREES, WITHIN THE PUBLIC RIGHT-OF-WAY THAT IS LOCATED WITHIN VISIBILITY AREAS SHALL NOT EXCEED 24 INCHES IN HEIGHT, MEASURED FROM THE TOP OF THE ADJACENT CURB.

ADEQUATE SIGHT VISIBILITY FOR VEHICLES LEAVING THE PROPOSED PARKING STRUCTURE SHALL BE PROVIDED BY MAKING THE VISIBILITY AREAS VISUALLY OPEN USING GLASS WALLS OR SOME OTHER VISUALLY OPEN CONCEPT AND/OR INSTALLING CONVEX SAFETY MIRRORS TO INDICATE TO MOTORISTS LEAVING THE PARKING STRUCTURE THE PRESENCE OR ABSENCE OF A MOVING OR STATIONARY VEHICLE AND/OR PEDESTRIAN IN THE RIGHT-OF-WAY.



**ABBREVIATIONS**

APPROX	APPROXIMATE
BLDG	BUILDING
CMU	CONCRETE MASONRY UNIT
CO	CLEANOUT
CONC	CONCRETE
DI	DRAIN INLET
DWAY	DRIVEWAY
EL	ELEVATION
FF	FINISHED FLOOR
FL	FLOWLINE
FTEL	FOOTING
GB	GRADE BREAK
PP	UTILITY POLE
TBR	TO BE REMOVED
TG	TOP OF GRATE (DRAIN)
TC	TOP OF CURB
TYP	TYPICAL
TW	TOP OF WALL
UP	UP (STEP)
WM	WATER METER

**LEGEND**

---	PROPERTY LINE/TMW BOUNDARY
---	RIGHT OF WAY (ROW)
---	CENTER LINE
---	LOT LINE
---	SETBACK
---	FENCE-WOOD
---	BUILDING LINE
---	EDGE OF CONCRETE
---	CMU WALL
---	CONC
---	CONCRETE SURFACE
---	WATER LINE
---	SEWER LINE
---	PARKING SPACE ID
---	GROUND CONTOUR (2.5' INTERVAL)
---	GROUND CONTOUR (0.5' INTERVAL)
---	WATER METER
---	SPOT ELEVATION
---	BOUNDARY LINE DATA

**EXISTING FRANCHISE UTILITY TABLE**

(TYPE)	(STATUS)
ELECTRIC	OVERHEAD
TELEPHONE	OVERHEAD
CABLE TELEVISION	OVERHEAD

THE SUBDIVIDER SHALL ENSURE THAT ALL ONSITE UTILITIES SERVING THE SUBDIVISION SHALL BE UNDERGROUND WITH THE APPROPRIATE PERMITS

PREPARED BY:  
 METROPOLITAN MAPPING  
 3712 30TH STREET  
 SAN DIEGO, CA 92104  
 TAL: 619-431-5250  
 FAX: 619-330-1830  
 email: metromap.sd@gmail.com

VERNON V. FRANCK, PLS 7927

MARCH 28, 2018  
 DATE

