



SAN DIEGO COUNTY CLERK
CEQA FILING COVER SHEET

FILED

Apr 21, 2023 10:58 AM
JORDAN Z. MARKS
SAN DIEGO COUNTY CLERK
File # 2023-000306
State Receipt # 37042120230275

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

44TH STREET TM EV/621697

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type):

FILED IN THE OFFICE OF THE SAN DIEGO

COUNTY CLERK ON April 21, 2023

Posted April 21, 2023 **Removed** MAY 21 2023

Returned to agency on MAY 22 2023

DEPUTY T. Hood

T. Hood

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

NOTICE OF EXEMPTION

(Check one or both)

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

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

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

Project Name/Number: 44th Street TM EV / 621697

SCH No.: Not Applicable

Project Location-Specific: 1008-1014 South 44th Street, San Diego, California 92113

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

Description of nature and purpose of the Project: A request for a TENTATIVE MAP and EASEMENT VACATION for the creation of four dwelling units into four condominium units and vacate a sewer easement. No development is proposed with this project. The dwelling units are constructed, approved under PTS No. 535429. The project proposes a vacation of a sewer easement (Resolution Number R-258412 recorded May 25, 1983 as Document No. 83-174313), and this sewer easement vacation would not result in any changes in land use or density considering the dwelling units are already constructed. The project also includes an underground waiver request for overhead utilities via San Diego Municipal Code section 144.0242 due to the limited length of the utilities along the project frontage, as well as undergrounding requiring significant work to the adjacent properties to complete which make the requirement for this segment to be undergrounded illogical. This waiver would result in the retention of the existing conditions and would not alter the environment. The 0.19-acre project site is located at 1008-1014 South 44th Street. The site is designated Residential and zoned RM-2-5 within the Southeastern Community Plan area. Additionally, the project site is within the Airport Land Use Compatibility Overlay Zone (San Diego International Airport), the Airport Influence Area (Review Area 2 - San Diego International Airport), the Parking Standards/Transit Priority Area, the Promise Zone, and the Transit Priority Area. (LEGAL DESCRIPTION: Parcel 1: The north 80 feet of the east 126 feet of the south half of Lot 4 of Caruther's Addition being a subdivision of Lots 57, 58, 59, and 60 of Ex-Mission Lands in the City of San Diego according to Map thereof No. 27, Parcel 2: An easement and right of way for ingress and egress for road and public utility purposes over the east 20 feet of the north half of the south half of Lot 4, Caruther's Addition, excepting therefrom the north 80 feet thereof and over the east 20 feet of the north 10 feet of the south half of the south half of said Lot 4 of Caruther's Addition being a subdivision of Lots 57, 58, 59, and 60 of Horton's purchase of the Ex-Mission Lands in the City of San Diego according to Map thereof No. 27.)

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Three Arch Capital Management, LLC, 1590 S. Coast Highway #16, Laguna Beach, California 92651, (619) 889-9146

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 15305 (Minor Alterations in Land Use Limitation) and Section 15301 (Existing Facilities)
- Statutory Exemptions:
- Other:

Reasons why project is exempt: The City of San Diego conducted an environmental review which determined the project would not have the potential for causing a significant effect on the environment in that the project is consistent with the community plan and the applicable zone. The project would not result in any significant environmental impacts. The project meets the criteria set forth in CEQA Section 15305 (Minor Alterations in Land Use Limitation) which allows for minor alterations in land use limitations in areas with an average slope of less than 20% which do not result in any changes in land use or density, including but not limited to minor lot line adjustments, side yard, and setback variances not resulting in the creation of any new parcel. In addition, the project meets the criteria set forth in CEQA section 15301 (Existing Facilities) which allows for division of existing multiple family or single-family residences into common-interest ownership and subdivision of existing commercial or industrial buildings, where no physical changes occur which are not otherwise exempt. Furthermore, the exceptions listed in 15300.2 would not apply. R-314696.

Lead Agency Contact Person: D. Marshall

Telephone: (619) 687-5904

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



Legislative Recorder

Signature/Title

April 21, 2023

Date

Check One:

- Signed By Lead Agency
- Signed by Applicant

Date Received for Filing with County Clerk or OPR:

San Diego County



Transaction #: 7105733
Receipt #: 2023138319

JORDAN Z. MARKS

Assessor/Recorder/County Clerk
1600 Pacific Highway Suite 260
P. O. Box 121750, San Diego, CA 92112-1750
Tel. (619) 237-0502 Fax (619) 557-4155
www.sdarcc.gov

Cashier Date: 04/21/2023
Cashier Location: SD

Print Date: 04/21/2023 10:58 am

Payment Summary

Total Fees:	\$50.00
Total Payments:	\$50.00
Balance:	\$0.00

Payment	
CHECK PAYMENT #2990	\$50.00
Total Payments	\$50.00
Filing	
CEQA - NOE	FILE #: 2023-000306 Date: 04/21/2023 10:58AM Pages: 3
	State Receipt # 37-04/21/2023-0275
Fees: Fish & Wildlife County Administrative Fee	\$50.00
Total Fees Due:	\$50.00
Grand Total - All Documents:	\$50.00



State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (Rev. 01/01/23) Previously DFG 753.5a

RECEIPT NUMBER: 37-04/21/2023-0275
STATE CLEARING HOUSE NUMBER(If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT	LEAD AGENCY EMAIL	DATE 04/21/2023
COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 37-2023-0275	

PROJECT TITLE
44TH STREET TM EV/621697

PROJECT APPLICANT NAME THREE ARCH CAPITAL MANAGEMENT, LLC	PROJECT APPLICANT EMAIL	PHONE NUMBER 619-889-9146
PROJECT APPLICANT ADDRESS 1590 S. COAST HIGHWAY #16	CITY LAGUNA BEACH	STATE CA
		ZIP CODE 92651

PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,839.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)/(ND)	\$2,764.00	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,305.25	\$	0.00

- Exempt from fee
- Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee(State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	0.00

PAYMENT METHOD

- Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ 50.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County Clerk, DANIEL BUTLER, Deputy
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Payment Reference #: CHECK# 2990