



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: July 16, 2014 REPORT NO. HO 14-041

ATTENTION: Hearing Officer

SUBJECT: BELLA VIDA TENTATIVE MAP WAIVER
PROJECT NUMBER: 339752

LOCATION: 4329 and 4337 Idaho Street

APPLICANT: Mehran Saberi, Mayfair Communities, Inc.
OWNER: 1508 Brookhollow, LLC

SUMMARY

Issue: Should the Hearing Officer approve a Tentative Map Waiver to allow the creation of twelve (12) residential condominium units (under construction), including a request to waive the requirement to underground existing overhead utilities, in the Greater North Park Community Plan area?

Staff Recommendation: APPROVE Tentative Map Waiver No. 1288819.

Community Planning Group Recommendation – The North Park Planning Committee voted 12-0-0 to recommend denial at their January 21, 2014, “due to [a] negative impact on community character and lack of community input in the process.”

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (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 June 4, 2014, and the opportunity to appeal that determination ended June 20, 2014.

BACKGROUND

The 0.321-acre project site is located on the east side of Idaho Street, between El Cajon Boulevard and Meade Avenue, at 4329 and 4337 Idaho Street, in the MR-800BB Zone of the Mid-City Communities Planned District, within the Greater North Park Community Plan area (Attachment 3). The proposed project is a request to create 12 residential condominium units (under construction). On August 28, 2013, the Development Services Department approved

Building Permit Nos. 1067507 and 1072176 for the construction of 12 new residential units which have not yet received Certificates of Occupancy.

DISCUSSION

The applicant is requesting a Map Waiver to waive the requirement for a Tentative Map for the subdivision of the 0.321-acre site, with 12 residential units currently under construction, to create 12 residential condominium units. The proposed project will turn these residential units from apartments into condominiums and is purely a mapping action. No construction is associated with this mapping action.

An Affordable Housing Fee of \$53,138.28 was paid at the time of the issuance of the building permit, therefore the project is in compliance with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code) and no additional Inclusionary Housing Fees are required.

Undergrounding of Existing Utilities:

San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver from the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public rights-of-way. City staff has determined the request to waive the requirement to underground existing offsite overhead utilities, qualifies under the guidelines of San Diego Municipal Code section 144.0242 *Waiver of the Requirements to Underground Privately Owned Utility Systems and Service Facilities* in that the conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility. The applicant will be required to underground existing utilities and all new service runs to any new or proposed structures within the subdivision per Condition Nos. 9 and 10 of the draft Map Waiver conditions (Attachment 6). There are overhead utility lines existing in the alley at the rear, serving other properties, with a power pole at the southeast corner of the property in the alley. The current City's Undergrounding Master Plan designates the site within Block 3Y3, which is proposed to start the undergrounding process in Fiscal Year 2040. This situation permits the approval of the request to waive the requirement to underground existing offsite overhead utilities.

Community Planning Group:

The North Park Planning Committee voted 12-0-0 to recommend denial at their January 21, 2014, "*due to [a] negative impact on community character and lack of community input in the process.*"


Staff Response: The proposed project is a mapping action only. The construction of the existing units is proceeding via ministerial building permits, described above, which were issued due to the conformance of the buildings with the zoning and building code regulations; no deviations are proposed with this development and no discretionary actions were required for these construction permits. The applicable zoning regulations were codified by the City Council

after extensive community review. The proposed mapping action would turn the apartments into condominiums and reflects an ownership change only. The zoning code does not differentiate between apartments and condominiums as a permitted use in the applicable MR-800B Zone.

ALTERNATIVES

1. Approve Tentative Map Waiver No. 1288819, with modifications.
2. Deny Tentative Map Waiver No. 1288819, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Michelle Sokolowski, Development Project Manager

Attachments:

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

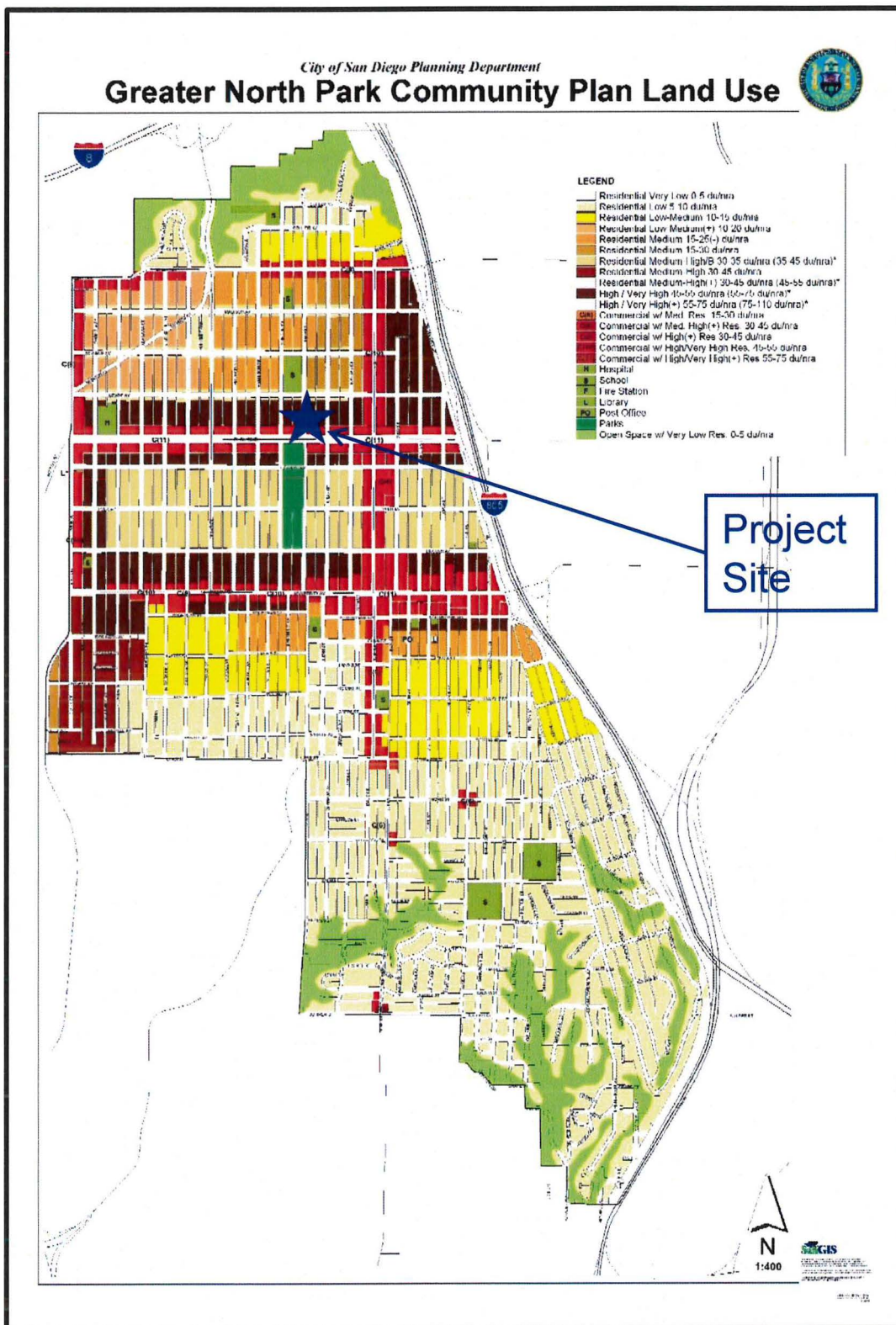


Aerial Photo

BELLA VIDA TMW - PROJECT NO. 339752

4329-4337 Idaho Street





Community Land Use Map

BELLA VIDA TMW - PROJECT NO. 339752

4329-4337 Idaho Street





Project Location Map

BELLA VIDA TMW - PROJECT NO. 339752

4329-4337 Idaho Street



PROJECT DATA SHEET

PROJECT NAME:	Bella Vida TMW – Project No. 339752	
PROJECT DESCRIPTION:	Create 12 residential condominium units (under construction), including request to waive requirement to underground existing overhead utilities	
COMMUNITY PLAN AREA:	Greater North Park Community Plan Area	
DISCRETIONARY ACTIONS:	Tentative Map Waiver	
COMMUNITY PLAN LAND USE DESIGNATION:	High/Very High Residential Density, 45-55 dwelling unit/acre	
<u>ZONING INFORMATION:</u> ZONE: MR-800B: A multi-unit residential zone in the Mid-City Communities Planned District DENSITY: 1 dwelling unit per 800 sq.ft. of lot area HEIGHT LIMIT: 50'; 60' where a building is above enclosed parking LOT SIZE: 6,000 square-foot minimum lot size. FLOOR AREA RATIO: 1.25 maximum. FRONT SETBACK: 10 feet SIDE SETBACK: 6 feet STREETSIDE SETBACK: 6 feet (N/A) REAR SETBACK: 1 foot (alley) PARKING: 24 spaces		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Residential, MR-800B	Multi-Family Residential
SOUTH:	Commercial, CN-1	Commercial
EAST:	Residential, MR-800B	Multi-Family Residential
WEST:	Residential, MR-800B	Multi-Family Residential
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	The North Park Planning Committee voted 12-0-0 to recommend denial at their January 21, 2014, " <i>due to [a] negative impact on community character and lack of community input in the process.</i> "	

RESOLUTION NO. _____
DATE OF FINAL PASSAGE JULY 16, 2014

A RESOLUTION OF THE HEARING OFFICER
ADOPTING THE FINDINGS AND APPROVING
MAP WAIVER NO. 1288819 FOR
BELLA VIDA TENTATIVE MAP WAIVER - PROJECT NO. 339752

DRAFT

WHEREAS, 1508 BROOKHOLLOW, LLC, Subdivider, and VICTOR RODRIGUEZ-FERNANDEZ, Engineer, submitted an application with the City of San Diego for Tentative Map Waiver No. 1288819, to waive the requirement for a tentative map for the creation of 12 residential condominium units, and to waive the requirement to underground existing offsite overhead utilities. The project site is located on the east side of Idaho Street, between El Cajon Boulevard and Meade Avenue, at 4329 and 4337 Idaho Street, in the MR-800B Zone of the Mid-City Communities Planned District, the Transit Area Overlay Zone, and the Federal Aviation Administration (FAA) Part 77 Notification Area, within the Greater North Park Community Plan. The property is legally described as Parcel 1, Parcel Map No. 21122; and

WHEREAS, the Map proposes the subdivision of a 0.321-acre site into one (1) lot for an 12-unit residential condominium development; and

WHEREAS, on June 4, 2014, 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 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, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, the project consists of twelve (12) 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 1351(f) and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is twelve (12); and

WHEREAS, on July 16, 2014, the Hearing Officer of the City of San Diego considered Tentative Map Waiver No. 1288819, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to sections 125.0122 (map waiver) and 144.0240 (underground) 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. 1288819:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (San Diego Municipal Code § 125.0440(a) and Subdivision Map Act §§ 66473.5, 66474(a), and 66474(b)).

The proposed project is a request to create 12 residential condominium units (under construction). On August 28, 2013, the Development Services Department approved Building Permit Nos. 1067507 and 1072176 for the construction of 12 new residential units which have not yet received Certificates of Occupancy. The project conforms to the development regulations of the MR-800BB Zone of the Mid-City Communities Planned District, within the Greater North Park Community Plan. The Greater North Park Community Plan designates this site for high/very-high density residential use at a density of 45-55 dwelling units per acre. The 0.321-acre site could accommodate up to 18 units based on the underlying zone and from 14 to 18 units based on the community plan. The project does not include deviations from the regulations, therefore the proposed subdivision and its design or improvements are consistent with the policies, goals and objectives of the Greater North Park Community Plan.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (San Diego Municipal Code § 125.0440(b)).

The proposed project is a request to create 12 residential condominium units (under construction). The proposed project conforms with the development regulations of the MR-800B Zone of the Mid-City Communities Planned District. On August 28, 2013, the Development Services Department approved Building Permit Nos. 1067507 and 1072176 for the construction of 12 new residential units which have not yet received Certificates of Occupancy. The request to waive the requirement to underground existing offsite overhead utilities has been evaluated based on documentation provided by the applicant demonstrating that one or more of the relevant factors are applicable to the development in accordance with San Diego Municipal Code § 144.0240 and 144.0242. The conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility. The developer will continue to be required to underground any new service run to the proposed structures within the subdivision, and the design of the proposed, privately-owned underground utilities that will be constructed within the subdivision are consistent with accepted engineering practices and meet the requirements of Municipal Code Section 144.0240 *Underground Conversion of Utility Lines at Developers Expense*. Therefore, the request to waive the requirement to underground existing offsite overhead utilities can be approved.

The project does not include any other deviations from the applicable regulations; 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 (San Diego Municipal Code § 125.0440(c) and Subdivision Map Act §§ 66474(c) and 66474(d)).

The proposed project is a request to create 12 residential condominium units (under construction). The project site is located in the MR-800B Zone of the Mid-City Communities Planned District, within Greater North Park Community Plan. The Greater North Park Community Plan designates this site for high/very-high density residential use at a density of 45-55 dwelling units per acre. The 0.321-acre site could accommodate up to 18 units based on the underlying zone and from 14 to 18 units based on the community plan. All of the proposed development will be contained within the existing disturbed, developed and graded site. 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 (San Diego Municipal Code § 125.0440(d) and Subdivision Map Act § 66474(e)).

The proposed project is a request to create 12 residential condominium units (under construction). 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] under CEQA Guidelines Section 15305-(Minor Alterations in Land Use Limitations). The proposed development occurs within city limits and is surrounded by urban uses. All proposed development will be contained within the existing disturbed, developed and graded site. The project site has no value as habitat for endangered, rare or threatened species. The site does not contain and is not adjacent to the MHPA, environmentally sensitive lands or other areas that would support fish or wildlife, since there is no habitat present. Therefore the proposed subdivision and the proposed improvements are 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 (San Diego Municipal Code § 125.0440(e) and Subdivision Map Act § 66474(f)).

The proposed project is a request to create 12 residential condominium units (under construction). On August 28, 2013, the Development Services Department approved Building Permit Nos. 1067507 and 1072176 for the construction of 12 new residential units which have not yet received Certificates of Occupancy. The approval for this project includes various conditions and referenced exhibits of

approval relevant to achieving project compliance with the applicable regulations of the San Diego Municipal Code in effect for this subdivision and improvements. Such conditions have been determined by the decisionmaker as necessary to avoid adverse impacts upon the public health, safety and welfare. Further, the applicant is required to abide by all relevant Federal, State and Local regulations, including building regulations. Therefore, the design of the subdivision and 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 (San Diego Municipal Code § 125.0440(f) and Subdivision Map Act § 66474(g)).

The proposed project is a request to create 12 residential condominium units (under construction). The project is located on the east side of Idaho Street between El Cajon Boulevard and Meade Avenue. The site is an interior lot, bordered on the east and south by alleys, and does not contain any 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 (San Diego Municipal Code § 125.0440(g) and Subdivision Map Act § 66473.1).

The proposed project is a request to create 12 residential condominium units (under construction). The proposed subdivision of a 0.321-acre parcel into one lot for a 12-unit residential condominium development will not impede or inhibit any future passive or natural heating and cooling opportunities. The design of the subdivision has taken into account the best use of the land to minimize grading. The design of each structure provides the opportunity through building materials, architectural treatments, placement and selection of plant materials to provide 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 (San Diego Municipal Code § 125.0440(h) and Subdivision Map Act § 66412.3).

The proposed project is a request to create 12 residential condominium units (under construction). The project site is located in the MR-800B Zone of the Mid-City Communities Planned District, within Greater North Park Community Plan. The Greater North Park Community Plan designates this site for high/very-high density residential use at a density of 45-55 dwelling units per acre. The 0.321-acre site could accommodate up to 18 units based on the underlying zone and from 14 to 18 units based on the community plan. 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] under CEQA Guidelines Section 15305-(Minor Alterations in Land Use Limitations). On August 28, 2013, the Development Services Department approved Building Permit Nos. 1067507 and 1072176 for the construction of 12 new residential units which have not yet received Certificates of Occupancy. An Affordable Housing Fee totaling \$53,138.28 for the 12 units was paid at the time of building permit issuance, therefore the project is in compliance with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code) and no additional Inclusionary Housing Fees are required. The project is currently under construction and would not be subject to tenant relocation assistance regulations. Therefore, the decisionmaker 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.

9. The proposed subdivision of land complies with requirements of the Subdivision Map Act and the Land Development Code as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of the Subdivision Map Act or the Land Development Code enacted pursuant thereto (San Diego Municipal Code § 125.0123 and Subdivision Map Act § 66428(b)).

The proposed project is a request to create 12 residential condominium units (under construction). The project site is located in the MR-800B Zone of the Mid-City Communities Planned District, within Greater North Park Community Plan. The site is within Zone X of the Flood Insurance Map Rates for San Diego County, which is an area determined to be outside the 500-year flood plain. The project fronts on an already-improved street, with frontage along alleys at the side and rear, and no additional improvements are required. This infill development is connected to the City's water and sewer system and is supplied accordingly. No additional impact is anticipated for the creation of these new units, and the development is anticipated by the zoning and community plan designation. The zoning designation is multi-family residential and allows for one residential unit per 800 square feet of lot area. The Greater North Park Community Plan designates this site for high/very-high density residential use at a density of 45-55 dwelling units per acre. The 0.321-acre site could accommodate up to 18 units based on the underlying zone and from 14 to 18 units based on the community plan. 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] under CEQA Guidelines Section 15305-(Minor Alterations in Land Use Limitations). The project is not requesting any deviations from the regulations and is designed and conditioned to conform with all underlying San Diego Municipal Code and applicable building code regulations. Therefore, the proposed subdivision of land

complies with requirements of the Subdivision Map Act and the Land Development Code as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of the Subdivision Map Act or the Land Development Code.

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, Map Waiver No. 1288819; is hereby granted to 1508 Brookhollow, LLC, subject to the attached conditions which are made a part of this resolution by this reference.

By

Michelle Sokolowski
Development Project Manager
Development Services Department

ATTACHMENT: Map Waiver Conditions

Internal Order No. 24004081

HEARING OFFICER
CONDITIONS FOR MAP WAIVER NO. 1288819
BELLA VIDA TENTATIVE MAP WAIVER - **PROJECT NO. 339752**
ADOPTED BY RESOLUTION NO. _____ ON JULY 16, 2014

DRAFT

GENERAL

1. This Map Waiver will expire July 30, 2017.
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 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. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition.
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 reconstruct the curb, gutter and sidewalk on Idaho Street, and reconstruct the existing curb ramps on both sides of the alley entrance,

adjacent to the site, per approved PTS No. 32594 and City Improvement Plan 37560-D, satisfactory to the City Engineer.

7. The Subdivider shall provide a letter, agreeing to prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.
8. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
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. 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

11. Prior to the issuance of a Certificate of Compliance, City staff will perform a field site visit to verify that all property corners, or property corner offsets have been set. If any property corner is missing, it must be set or reset 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 Record of Survey or Corner Record shall be provided to the City.

WATER & WASTEWATER

12. The Subdivider shall assure, by permit and bond the design and construction of any new water and sewer service(s) outside of any driveway, and the disconnection of the existing unused water and sewer service adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.
13. The Subdivider shall apply for and obtain 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.

14. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.
15. Prior to the issuance of any certificates of occupancy, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.
16. The Subdivider shall design and construct all proposed public water and sewer facilities in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

GEOLOGY

17. The Subdivider shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans, satisfactory to the City Engineer. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.
18. The Subdivider shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading, satisfactory to the City Engineer. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

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 Tentative 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 Tentative Map Waiver, may protest the imposition within 90 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).

Internal Order No. 24004081

NOTICE OF EXEMPTION

TO: X Recorder/County Clerk
P.O. Box 1750, MS A-33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

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.: 339752

Project Title: Bella Vida TMW

Project Location-Specific: 4329-4337 Idaho Street, San Diego, California 92104

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

Description of nature and purpose of the Project: The project proposes a Tentative Map Waiver to allow the creation of 12 residential condominium units (under construction) on a 0.321 acre site.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Gary Taylor (Agent)
Gary Taylor and Associates (Firm)
3241 Adams Avenue
San Diego, California 92116
(619) 280-7613

Exempt Status:

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



Signature/Title

June 4, 2014

Date

Check One:

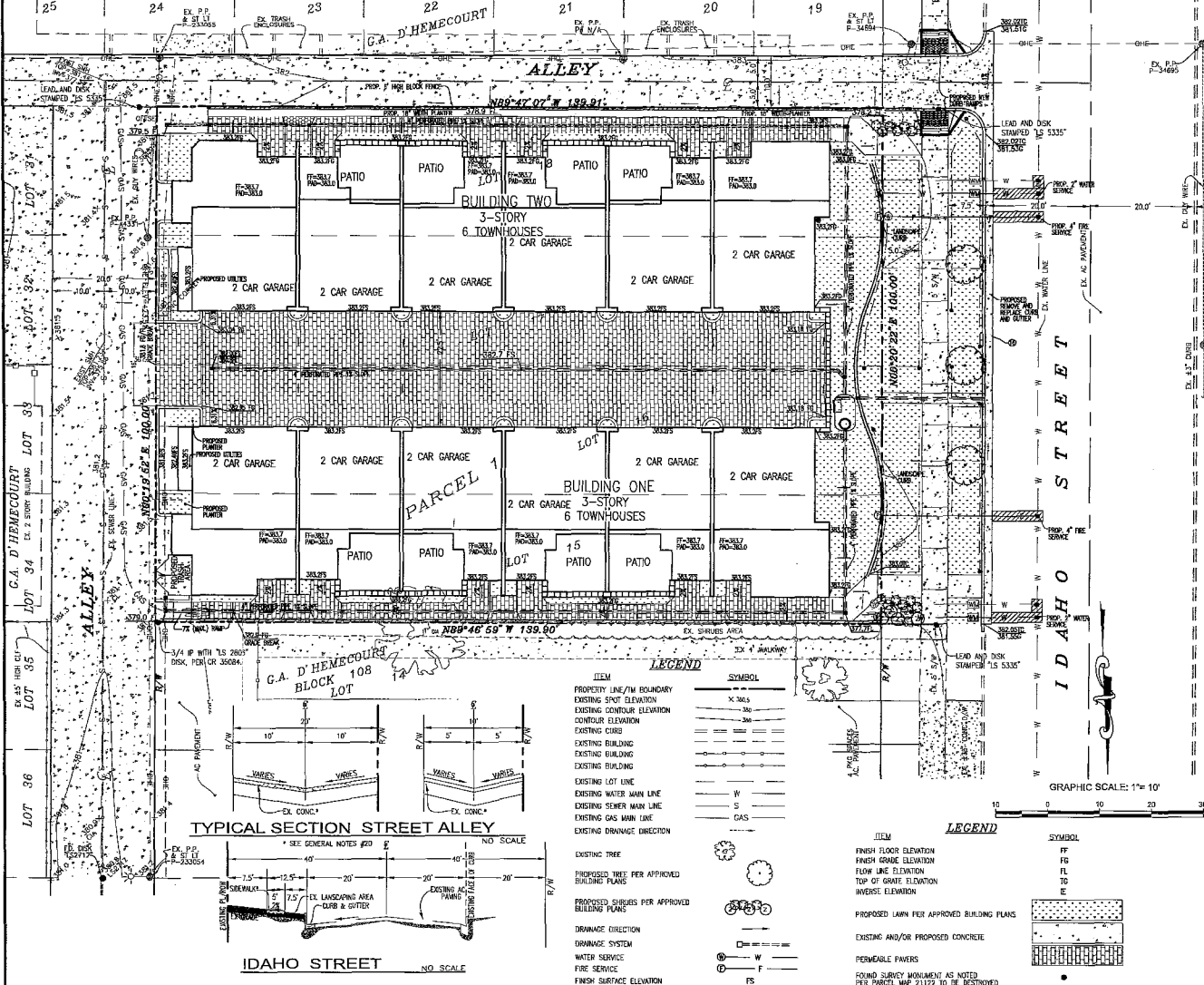
- Signed By Lead Agency
- Signed by Applicant

Date Received for Filing with County Clerk or OPR:

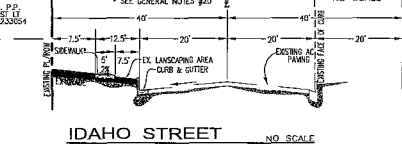
TENTATIVE MAP WAIVER NO. 1288819

BELLA VIDA TOWNHOMES

A TWELVE UNITS CONDOMINIUM PROJECT, 4329 & 4337 IDAHO STREET, SAN DIEGO CA. 92104



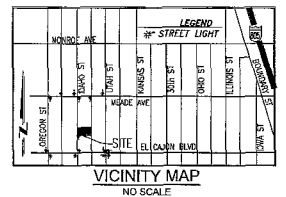
TYPICAL SECTION STREET ALLEY



ITEM	SYMBOL
PROPERTY LINE/W BOUNDARY	---
EXISTING SPOT ELEVATION	•
EXISTING CONTOUR ELEVATION	—
EXISTING CURB	—
EXISTING BUILDING	—
EXISTING LOT LINE	---
EXISTING WATER MAIN LINE	W
EXISTING SEWER MAIN LINE	S
EXISTING GAS MAIN LINE	CAS
EXISTING DRAINAGE DIRECTION	→
EXISTING TREE	⊙
PROPOSED TREE PER APPROVED BUILDING PLANS	⊙
PROPOSED SHRUBS PER APPROVED BUILDING PLANS	⊙
DRAINAGE DIRECTION	→
DRAINAGE SYSTEM	—
WATER SERVICE	W
FIRE SERVICE	F
FINISH SURFACE ELEVATION	FS

ITEM	SYMBOL
FINISH FLOOR ELEVATION	FF
FINISH GRADE ELEVATION	FG
FLOW LINE ELEVATION	FL
TOP OF GRADE ELEVATION	TE
INVERT ELEVATION	IE
PROPOSED LAWN PER APPROVED BUILDING PLANS	—
EXISTING AND/OR PROPOSED CONCRETE	—
PERMEABLE PAVERS	—
FOUND SURVEY MONUMENT AS NOTED PER PARCEL MAP 21122 TO BE DESTROYED DURING AND REPLACED AFTER CONSTRUCTION	•

ITEM	SYMBOL
EXISTING AND/OR PROPOSED CONCRETE	—
PERMEABLE PAVERS	—
FOUND SURVEY MONUMENT AS NOTED PER PARCEL MAP 21122 TO BE DESTROYED DURING AND REPLACED AFTER CONSTRUCTION	•



DEVELOPMENT SUMMARY

THIS IS A MAP OF A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4125 ET. SEQ. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA, AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. TOTAL NUMBER OF PROPOSED RESIDENTIAL CONDOMINIUM UNITS IS: (12) TWELVE

GENERAL NOTES:

- ZONING: MR-8003 (NORTH PBRK REDEVELOPMENT DISTRICT)
- ASSESSOR'S PARCEL NUMBERS: 445-362-10 & 445-362-11 (NEW APN TO BE ASSIGNED AFTER CONSOLIDATION PARCEL MAP, IN PROCESS, RECORDED)
- SEWER SERVICE: CITY OF SAN DIEGO.
- WATER SERVICE: CITY OF SAN DIEGO.
- GAS: SAN DIEGO GAS & ELECTRIC COMPANY.
- UTILITY TABLE

SERVICE TYPE	FRANCHISE	CURRENT LINES STATUS
ELECTRIC	SAN DIEGO GAS & ELECTRIC CO.	OVERHEAD
TELEPHONE	AT&T AND CO COMMUNICATIONS	OVERHEAD
CABLE	COX COMMUNICATIONS	OVERHEAD
- NO GRADING PROPOSED
- NAD 27 COORDINATE INDEX (LAMBERT): 214-1727
- NAD 83: 1554 N, 5237 E
- NO EASEMENTS EXIST WITHIN PROPERTY
- SITE NET & GROSS ACREAGE = 0.321 AC. (14,033 SF)
- TOPOGRAPHY PER FIELD SURVEY BY VICTOR RODRIGUEZ-FERNANDEZ, LS 6336, IN AUGUST 2013.
- TOTAL NUMBER OF EXISTING LEGAL LOTS IS: ONE.
- TOTAL NUMBER OF PROPOSED LOTS IS: ONE.
- TOTAL NUMBER OF PROPOSED UNITS IS: (12) TWELVE.
- FLOOR AREA SIZES:

PROPOSED TWO BUILDINGS, EACH BUILDING HAS 6 UNITS:		
UNIT 1:	UNIT 2-5:	UNIT 6:
LIVING AREA: 1,546 S.F.	LIVING AREA: 1,581 S.F.	LIVING AREA: 1,466 S.F.
GARAGE: 400 S.F.	GARAGE: 402 S.F.	GARAGE: 400 S.F.
TOTAL UNIT: 1,946 S.F.	TOTAL UNIT: 1,983 S.F.	TOTAL UNIT: 1,866 S.F.
- PARKING TABLE:

PARKING (12) 3-BEDROOM UNITS X 2 (TRANSIT COORDIOR) = 24 SPACES REQUIRED	
24 SPACES REQUIRED	24 SPACES SHOWN 9X18 EACH.
- BASIS OF BEARINGS: THE 10.00' OFFSET LINE OF THE EAST LINE OF IDAHO STREET PER PM 21122, IE: N 90° 20' 22" E
- REFERENCE DRAWINGS: MAP 13389, CR 2599, CR 6855, CR 9739, CR 4022, CR 39330, 37550-D, CR 14726, CR 7471, CR 6021, CR 35084, MAP 15580, MAP 15215, PM 21122.
- (12) RESIDENTIAL UNITS UNDER CONSTRUCTION PER BUILDING PERMIT PLAN FILE # 204700.
- THE SUBDIVIDER SHALL RECONSTRUCT THE CURB, GUTTER AND SIDEWALK ON IDAHO STREET, AND RECONSTRUCT THE EXISTING CURB RAMPS ON BOTH SIDES OF THE ALLEY ENTRANCE, ADJACENT TO THE SITE, PER APPROVED PIS NO. 35294 AND CITY IMPROVEMENT PLAN 37560-D.
- MINIMUM SETBACKS REQUIRED: FRONT = 10', SIDE = 5', REAR = 5'
- THE SUBDIVIDER SHALL INCORPORATE THE POST-CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP'S), CONSISTENT WITH THE APPROVED WATER QUALITY TECHNICAL REPORT PER APPROVED PIS 30470.
- ENGINEERING REVIEW HAS BEEN OBTAINED; THERE IS AN EXISTING STREET LIGHT ON IDAHO STREET LESS THAN 300 FEET FROM THE PROJECT SITE AND THEREFORE THIS MAPPING PROCESS PROJECT WILL NOT BE REQUIRED TO CONSTRUCT A CURRENT CITY STANDARD STREET LIGHT.
- VISIBILITY AREA REQUIREMENTS FOR THE INTERSECTION OF THE ALLEYS WERE REVIEWED AND APPROVED BY PIS 35294.
- NO ALLEY RIGHT-OF-WAY DEDICATION FOR THE EXISTING 19 FEET WIDE ALLEY WAS REVIEWED AND APPROVED BY PIS NO. 3269.

LEGAL DESCRIPTION

PARCEL 1 AS SHOWN ON PARCEL MAP NO. 21122, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING MAP THEREOF FILED IN THE OFFICE OF THE SAN DIEGO COUNTY RECORDER, APRIL 10, 2014.

BENCHMARK

DESCRIPTION: 3/8" BIP
LOCATION: 43 CAJON BOULEVARD & UTAH STREET
ELEVATION: 376.38 MSL.

APPLICANT

MAYFAIR COMMUNITIES, INC.
P.O. BOX 3198, SAN DIEGO, CA 92108
(619) 200-7775

OWNER:

1508 BROOKHOLLOW LLC,
A CALIFORNIA LIMITED LIABILITY COMPANY

BY: _____

DATE: _____

Revision 10:	_____
Revision 9:	_____
Revision 8:	_____
Revision 7:	_____
Revision 6:	_____
Revision 5:	_____
Revision 4:	09/07/2014
Revision 3:	04/02/2014
Revision 2:	03/21/2014
Original Date:	10/11/2013
Sheet	1 of 1
DEP#	339752

Prepared By:
Name: VICTOR RODRIGUEZ-FERNANDEZ
1283 E MAIN STREET, SUITE 109
EL CAJON, CA 92021
Phone #: (760) 357-2434





VICTOR RODRIGUEZ-FERNANDEZ
09/07/2014
DATE

Project Address:
4329, 4333-4337 IDAHO ST.
SAN DIEGO, CA, 92104
Project Name:
BELLA VIDA TOWNHOMES
Sheet Title:
TENTATIVE MAP WAIVER

THIS IS A MAP OF A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4125 ET. SEQ. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA, AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. TOTAL NUMBER OF PROPOSED RESIDENTIAL CONDOMINIUM UNITS IS: (12) TWELVE



NORTH PARK PLANNING COMMITTEE
Draft Minutes: January 21, 2013– 6:30 PM
www.northparkplanning.org
info@northparkplanning.org

Like us:  [NorthParkPlanning](https://www.facebook.com/NorthParkPlanning) Follow us:  [@NPPlanning](https://twitter.com/NPPlanning)

- I. Call to order: 6:38pm
- II. Attendance Report:

Member	Robert Barry	Howard Blackson	Dionne Carlson	Daniel Gebreselassie	Vicki Granowitz	Peter Hill	Brandon Hilpert	Roger Lewis	Carl Moczydlowsky	Lucky Morrison	Dang Nguyen	Omar Passons	Rick Pyles	Sarah McAlear	René Vidales
Attendance	1	2	3	4	5		6	7	8		9	10	11	12	13
Late													6:57		
Absences	1	3	1			1		1	1	2	3	2	3		1

III. Modifications to and Adoption of the 01/21/14 Agenda

- a. Motion to adopt as modified. January 21, 2014 NPPC Agenda Vidales/Carlson 12-0-0 (Passons Late)

IV. Consent Agenda: Items on the Consent Agenda were heard & voted on at an NPPC subcommittee; are not considered controversial. *Items on the Consent Agenda can be moved to Action for full discussion by any member of the Board or Public; (UD/PR 1/6/14: Barry, Hill, Bonn, Callen, Gebreselassie Morrison, Pyles, Steppke, Vidales)*

a. Bella Vida Tentative Map (TM) – 4329-4337 Idaho Street (Project No. 339752): MOTION: To deny request for tentative map approval due to negative impact on community character and lack of community input in the process. Blackson/UDPR 12-0-0 Passons Late; On Consent

- b. Bicycle Corral in Public Right-of-Way – 4327 Alabama Street: Motion: To support bike corral at 4327 Alabama Street to be located south of a proposed parklet. Blackson/UDPR 12-0-0 Passons Late; On Consent

V. Approval of Previous Minutes

- a. NPPC November 19, 2013 Minutes
 - i. MOTION TO APPROVE November 19, 2013 NPPC Minutes as modified with the correction to XIII.E.: Vidales/Carlson 12-0-0 (Passons Late)
- b. NPPC December 10, 2013 Minutes
 - i. MOTION TO APPROVE December 10, 2013 NPPC Minutes: Vidales/Pyles 11-0-1 (Hilpert abstain, Passons Late)

VI. Treasurer’s Report

- a. Brandon Hilpert – current balance \$611.87

VII. Chair’s Report/CPC

- a. Bylaws are being reviewed by staff, to give an opinion on what if anything we need to do related to changes proposed for CP 600-24.
- b. Will be meeting with DSD Staff regarding Equivalence on 1/29/14

- c. Balboa Park Golf Course Clubhouse General Development Plan –GGHPC Request - meets the secretary of the Interior standards, however, substantially larger facility and additional facilities. Have not made plans to mitigate increased usage to the course.
- d. The Northparker - Parking Impacts Board Members Morrison & Passons looking into solutions; Referring to Public Facilities
- e. Request for NPPC to support putting old North Park Street Sign in Balboa Park. Individual has been told Balboa Park has very stringent rules this usage would be inconsistent with it. Proponent needs to establish with CD3 & Park staff there is any possibility of this usage being allowed prior to consideration of agendizing.

VIII. **Social Media Report, Brandon Hilpert**

- a. Website launch pending.
- b. Hosting and registration renewed.

IX. **Non Agenda Public Comment**

- a. Dewey Bratcher – Relay for Life, American Cancer Society – June 21-22, 2014 Alice Birney Elementary, 4345 Campus Ave. 24 Hour Relay. <http://www.Relayforlife.org/SanDiegoUptownCA>
- b. Jack-in-the-Box lawsuit - Rally and Fundraiser at Cardamom Cafe & Bakery, Thursday, January 30th, 5:30 pm
- c. NPCA Monthly Meeting - for details see northparksd.org

X. **Elected Official's Report**

- a. **Toni Atkins with Jason Wiesz, Hon. Toni Atkins, State Assembly District 76** – 619.645.3090 jason.weisz@asm.ca.gov - absent
- b. **Christopher Ward, Hon. Marti Block, State Senate District 39** – 619.645.3133 christopher.ward@sen.ca.gov - absent
- c. **Gavin Deeb, Hon. Susan Davis, US Congressional District 53**, 619.208.5353 Gavin.Deeb@mail.house.gov - National Defense Authorization Act signed into law, 1% salary increase, sexual assault issues, and small business access to DOD contracts. Expanding access to services to 400% of federal poverty line.
- d. **Adrian Granda, Hon. Todd Gloria, City Councilmember District 3**, AGranda@sandiego.gov <http://sandiego.gov/cd3> - State of the City last week, commented on city reorganization, affordable housing, infrastructure improvements, fiscal health of the city – short term reduction of services, transportation and climate change. SANDAG working on bike infrastructure improvements. Food trucks will be heard at planning commission on January 30th.

XI. **Planner's Report** - Marlon Pangilinan, 619.235.5293; mpangilinan@sandiego.gov

a.

XII. **Discussion/Action Items**

- a. **St Luke's: Steve Hon, President NPHS met with a representative from Todd Gloria's office and from the Episcopal Diocese.** Because of declining membership, St Luke's no longer has independent parish status, is under the direct administration of the Diocese, the Chapel is in obviously poor condition, and continues to deteriorate. Designed by Irving Gill and Hebbard, built 1897. The diocese is willing to let the Chapel be moved (it was moved once before), but has no money or a location. District 3 desires more input from the NPPC/Community.
MOTION: NPPC opposes any action to demolish the historic Hebbard/Gill Chapel. Furthermore the NPPC supports actions from the community to save the historic chapel even if it has to be moved from its present site. Blackson/Passons 12-1-0 (Hilpert votes no)
- b. **Community Plan Scoping Meeting – Comments due 30 days after receipt of notice (not sure when that was)**
 - i. Explanation of Process - Planner Marlon Pangilinan
 - 1. January 9, 2014 meeting overview – CEQA requires a NOP to prepare an environmental document. Includes an IS checklist. Scoping meeting is to scope the list of issues in the NOP. December 22nd 30 day comment period started. Comments in writing are generally granted comment extensions.
 - a. Boundary Issue – environmental analysis doesn't see it as a physical change so doesn't see it as a CEQA issue.
 - b. Civic Innovation Lab would like to contribute.
 - c. Transportation discussion needs to be more comprehensive than just level of service.
 - d. Street Car Lines – why is there only a separate study for uptown given the 2050 Plan inclusion of street cars – despite issues with previous PAC funding, this is inconsistent with the connectivity of communities. Potential funding available for North Park inclusion.
 - e. Analyze light pollution as an addition to the community plan.

- f. Gas station locations, drive through locations, and appropriate uses should be analyzed in the land use element.
- g. Boundary Issue must be addressed in the EIR. Specifically from CEQA: *Human beings are an integral part of the "environment." An agency is required to find that a "project may have a 'significant effect on the environment'" if, among other things, "[t]he environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly[.]"* (Pub. Res. Code, § 21083, subd. (b)(3); see also CEQA Guidelines, 2 § 15126.2 Just because a physical change isn't occurring doesn't mean there is not an environmental impact.
- h. Boundary Issue should also be addressed from an Environmental Justice impact perspective. Guidance from the Office of the Attorney General specifically states: *The Governor's Office of Planning and Research (OPR) in its General Plan Guidelines recommends that local governments' planning efforts squarely address environmental justice. Local governments can integrate environmental justice into the mandatory elements of the general plan or include an optional environmental justice element.*
- i. This scoping is both premature and inadequate with a number of the elements not provided to the stakeholders – especially traffic data/circulation/mobility and historic preservation;
- j. Lack of current maps – last ones for Uptown were dated 2011;
- k. Sandag's Congestion Mgmt Program Draft 2008 (copy attached), which was supposed to be updated every two years and hasn't been – an important document compiling data concerning impacts to our neighborhoods at freeways and other primary corridors – Level of Service (LOS) was given an F for impacts at 163 and Hwy 8 – meaning severe deficiencies;
- l. Sensitivity to the built environment where neighborhood character and potential historic districts are at risk by infill;
- m. Water – we are at 20% of resources at this time -- limit new water meters;
- n. Impacts on ingress/egress to Mission Valley – any development will affect our NP & Uptown neighborhoods
- o. Impacts from utility boxes to parking, pedestrian circulation, etc.

MOTION: Due to the timing of the NOP on December 23rd and NPPC's inability to meet during the response period, NPPC requests an additional 60 days after the original January 23rd due date to submit EIR Scoping input. Carlson/Gebreselassie 13-0-0

c. Community Plan Update:

- i. Report out Meeting with Vicki Granowitz - Chair, Rob Steppke - Former Chair NPPC, Marlon Pangilinan – Sr. Planner & Nancy Bragado - Deputy Planning Director
 - 1. NPPC feels that the City has not followed through on its commitments to NPPC.
 - a. Regulatory and General Plan conflicts were identified as the reason for input not being used. NPPC requested a redline process to correct those issues.
 - 2. NPPC would like to combine sustainability and mobility elements. Would like to address sound issues as well.
 - 3. Several changes to elements, committees on elements, and changes to elements and comments.

XIII. Subcommittee Reports:

- a. **Urban Design/Project Review, Robert Barry - NP Adult Community Center, 6:00pm 1st Monday. Next meeting February 3, 2014** – Community plan elements and possible wireless issues. Also discussed Community Plan Scoping meeting.
- b. **Public Facilities/Public Art, Dionne Carlson, Rene Vidales – NP Adult Community Center, 6:00 pm, 2nd Wednesday. Next meeting February 12, 2014** – Busy meeting, a lot of traffic and circulation issues.

XIV. Liaisons Reports

- a. **Balboa Park Committee, Steppke:** No Meeting in January.
- b. **Maintenance Assessment, District Peter Hill (Steppke):** Approved the fiscal year budget, approved re-balloting. Discussed street trees as a part of the mid-city rapid bus.
- c. **North Park Main Street, Ngyuen:** Annual festival of the arts on May 17th. Property and Business assessment district campaign ramping up in the next 6 months. San Diego County Credit Union is opening in the bank building. iMayor Gloria is attending the opening. Angie has lots of meetings with people.

- d. **Regional Bike Plan Proposed Initial Implementation, Carlson/Vidales:** Thursday Feb 6th, Uptown bike corridor meeting at Roosevelt middle school library. Mid City will be on the 19th of February but it has not been officially announced.
- e. **Adams Ave BIA, Dionne Carlson:** Congresswoman Davis and Marti Emerald spoke at the annual breakfast.
- f. **El Cajon BIA, Granowitz** – becoming involved in the community plan update process
- g. **BID Collaborative, Granowitz** – getting it started again.

XV. Unfinished and Future Agenda Items

- a. Tasting Room vs Bars on type 23 license types. Blackson, McAlear, Passons, and Marlon Palignan to discuss at a future meeting.

XVI. Next Meeting Date: Board Meeting February 18, 2014.

XVII. Motion to Adjourn: Passons/Barry 13-0-0

Minutes submitted by Carl Moczydlowsky

OWNERSHIP DISCLOSURE STATEMENT

BELLA VIDA TENTATIVE MAP WAIVER

Project No. 339752

Property Owner: 1508 Brookhollow, LLC, a California Limited Liability Company

Members: Mehran Saberi, Chief Operating Officer
Barnet Resnick, Managing Member

Applicant: Mayfair Communities, Inc., a California Corporation

Officer (only officer): Mehran Saberi