

001235

RECOMMENDATIONS

336
07/29

COMMUNITY PLANNING GROUP/STAFF'S/PLANNING COMMISSION

Project Manager must complete the following information for the Council docket:

CASE NO.

Project No. 84000, 2551 Worden Tentative Map and Easement Vacations

STAFF'S

Please indicate recommendation for each action. ie: resolution/ ordinance

- 1. **Approve Tentative Map No. 265665; and**
- 2. **Approve Easement Vacation No. 499428; and**
- 3. **Approve the requested waiver of the requirement to underground the existing overhead utilities.**

PLANNING COMMISSION (list names of Commissioners voting yea or nay)

YEAS: Garcia, Griswold, Ontal, Otsuji, Naslund, Smiley, Schultz

NAYS: None

ABSTAINING: None

TO:

- 1. **Approve Tentative Map No. 265665; and**
- 2. **Approve Easement Vacation No. 499428; and**
- 3. **Approve the requested waiver of the requirement to underground the existing overhead utilities.**

COMMUNITY PLANNING GROUP (choose one)

LIST NAME OF GROUP:

- No officially recognized community planning group for this area.
- Community Planning Group has been notified of this project and has not submitted a recommendation.
- Community Planning Group has been notified of this project and has not taken a position.
- Community Planning Group has recommended approval of this project.
- Community Planning Group has recommended denial of this project.
- This is a matter of City-wide effect. The following community group(s) have taken a position on the item:

By Paul Jordan
Project Manager



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: November 8, 2007 **REPORT NO. PC-07-151**

ATTENTION: Planning Commission, Agenda of November 15, 2007

SUBJECT: 2551 WORDEN TENTATIVE MAP AND EASEMENT VACATIONS
PROJECT NO. 84000, PROCESS FIVE

OWNER: Charles Warner

APPLICANT: Lintvedt, McColl & Associates

SUMMARY

Issue(s): Should the Planning Commission recommend to the City Council approval of a Tentative Map for the conversion of 29 existing residential units into condominiums, a waiver of the requirement to underground the existing overhead utilities and the vacation of several unused public service and street reservation easements at 2551 Worden Street, in the Peninsula Community Plan area?

Staff Recommendation:

1. Recommend **Approval** of Tentative Map No. 265665; and
2. Recommend **Approval** of Easement Vacation No. 499428; and
3. Recommend **Approval** of a waiver of the requirement to underground the existing overhead utilities.

Community Planning Group Recommendation: On November 17, 2005, the Peninsula Community Planning Group voted 7-1-2 to recommend denial of the project with no recommended conditions (Attachment 7).

Environmental Review: This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on October 3, 2005, and the opportunity to appeal that determination October 24, 2005.

Fiscal Impact: None associated with this action. All costs associated with the processing of this project are paid by the applicant.

Code Enforcement Impact: None with this project.

Housing Impact Statement: With the proposed conversion of 29 existing residential units into condominiums, there would be a loss of 29 rental units and a gain of 29 for-sale units. This condominium conversion project is subject to the new regulations regarding inclusionary housing and tenant relocation assistance.

BACKGROUND

This Tentative Map project is subject to the condominium conversion regulations that became effective June 13, 2006, with the exception of the parking regulations, based on the City Council's specific adoption language for the "new" condominium conversion regulations. At the June 13, 2006, hearing, the City Council adopted regulations for additional requirements for landscaping, a building conditions report, onsite inclusionary housing, noticing and parking. Based on the adopted language and project timing, all of these new regulations apply to this project, with the exception of the parking regulations. Accordingly, this project has been reviewed against the new regulations and this project can proceed to its discretionary hearing.

The 1.10-acre site is located at 2551 Worden Street in the RM-3-7 Zone and the Airport Environs, Airport Approach and Coastal Height Limit Overlay Zones, within the Peninsula Community Plan area (Attachment 3). The site is presently developed with a two-story multi-family structure that was built in 1970 and consists of 12 one-bedroom units and 17 two-bedroom units, for a total of 29 units. There are 31 parking spaces onsite, consisting of 22 garage spaces, 3 carport spaces and 6 uncovered parking spaces. Vehicular access to the site is provided from a single driveway on Worden Street. The site is surrounded by a mix of single- and multi-family residential development on all sides.

When the development was constructed in 1970, the site was zoned R-4, which would have allowed for up to 119 units on the subject site. The site is currently zoned RM-3-7, which would allow one unit per 1,000 square feet of lot area, or 48 units allowed on this 1.10-acre project site. The Community Plan designates the site for multi-family development at a density of 30 to 40 dwelling units per acre, or 33 to 44 units allowed on this site. Therefore, the project as constructed conforms with the current density requirements for this site.

A newly constructed 29-unit project such as this would require a total of 52 off-street parking spaces according to current parking regulations. The current condominium conversion parking regulations would require a total of 34 off-street parking spaces for this project. The 31 parking spaces provided are allowed because, as discussed previously, the new condominium conversion parking requirements that were approved in June 2006, do not apply to this project.

The development complies with the zoning and development regulations in effect at the time of construction and no Building or Zoning code violations have been recorded against the property. The project has previously conforming rights which allows for the current parking count, as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code.

DISCUSSION

Project Description:

The project proposes a Tentative Map for the subdivision of a 1.10-acre site into one lot to convert 29 existing dwelling units into condominiums (Attachment 5), including a request to waive the requirement to underground the existing overhead utilities. The project scope also includes several easement vacations, which require a Process Five, City Council decision. As outlined in the San Diego Municipal Code, projects such as this which include easement vacations require a recommendation from the Planning Commission before proceeding to a Process Five, City Council hearing.

Section 125.0410 of the San Diego Municipal Code (SDMC) requires that a Tentative Map be processed for the subdivision of land. According to SDMC Sections 125.0440 and 125.0444, *Findings for Tentative Maps and for Condominium Conversions*, the decisionmaker may approve a Tentative Map for the purposes of the conversion of residential property into a condominium project if the decision maker finds that the proposed conversion complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed condominium conversion and determined that it complies with both the Subdivision Map Act and the San Diego Municipal Code.

Easement Vacations

The requested Tentative Map would include the vacation of several unused public service and street reservation easements that are located within the project site. These easements include a 10-foot wide public utility easement located towards the front of the site along Worden Street, a 10-foot wide drainage easement located along the north side of the existing building and a 35-foot street reservation easement located at the northeastern corner of the property.

City staff has reviewed the requested easement vacations and determined that the easements are not being utilized, are no longer required for their original intended use and are supportive of the requested vacations. These easements are listed on the Tentative Map exhibit and would become final with the completion of the Final Map that is required subsequent to the Tentative Map.

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 undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, *Underground Conversion of Utility Lines at the Developer's Expense*, in that the conversion involves a short span of overhead facility (less than 600 feet in length), the conversion is a requirement of a condominium conversion of an existing development and the conversion would not represent a logical extension to an underground facility.

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The applicant will be required to underground all existing service to the site per Condition No. 27 of the draft Tentative Map resolution (Attachment 6). The applicant would also be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 26 of the draft Tentative Map resolution.

The project site is served by power poles and overhead utilities lines located in the Worden Street right-of-way along the property frontage. These utility lines and poles also service the adjacent properties. As indicated above, all onsite utilities serving this property will be required to be undergrounded. The waiver is being requested for the requirement to underground the utilities serving the adjacent properties. The City's Undergrounding Master Plan for Fiscal Year 2006 designates the site within Block 2M3, and the date for undergrounding has been established for the year 2055 (Attachment 9).

Community Planning Group and Neighborhood Recommendations:

On November 17, 2005, the Peninsula Community Planning Committee voted 7-1-2 to recommend denial of the project (Attachment 7). Concerns raised by Planning Group included the amount of parking provided, the age of the building and possible need for physical upgrades and that no affordable units were being provided onsite. No recommended project conditions were provided.

The project provides at least one parking space per unit and complies with the parking regulations in effect for this site. A Building Conditions Report which discloses the current condition of the building and the required repairs and upgrades was completed subsequent to the Planning Group meeting and has been reviewed and accepted by City staff. Also, the project is now required to provide onsite affordable housing to meet the current condominium conversion inclusionary housing requirements, which were approved subsequent to the Planning Group meeting.

Project-Related Issues:

All condominium conversion projects not yet heard by July 25, 2006, must conform with the current regulations regarding: inclusionary housing, tenant relocation benefits, the provision of a building conditions report, conformance with landscape regulations, and conformance with noticing requirements. This project is not required to conform with the new parking regulations for condominium conversions, based on specific language adopted by the City Council.

The requested conversion of these residential units to condominiums represents primarily a change in ownership. The applicant has certified that the required 60-day Notices of Intent to Convert to Condominiums were provided to the tenants on September 6, 2005 (Attachment 10).

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Inclusionary Housing Ordinance and Tenant Relocation Benefits Conformance:

The project has been conditioned to require the subdivider conform with the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code) and demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5) to the satisfaction of the City Manager and the Housing Commission, prior to the recordation of the Final Map.

Because the project involves the conversion of 20 or more units, the project has been conditioned to provide onsite affordable housing units to comply with the Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code). These regulations require that at least 10 percent of the units be set aside for households with an income level at or below 100 percent of the Average Median Income (AMI).

Building Conditions Report and Landscape Requirements

In accordance with the current regulations, the applicant provided a Building Conditions Report and Landscape Concept Plan. Both of these documents have been reviewed for conformance with the applicable regulations within Land Development Code (Chapter 14, Article 4, Division 5) and have been accepted by staff as conforming with the regulations.

Noticing

The proposed project has been conditioned to conform with all new noticing requirements for condominium conversions.

Conclusion:

Staff has reviewed the request for a Tentative Map for the conversion of 29 residential units into condominiums and has found the project to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps. Staff has also reviewed the requested public service and street reservation easement vacation request and has determined that these easements are no longer required for their intended use and should be vacated. All applicable City departments are supportive of the proposed Easement Vacation. Staff believes the required findings can be supported and recommends that the Planning Commission recommend approval of the project as proposed to the City Council.

ALTERNATIVES:

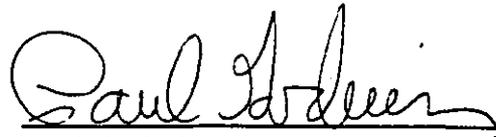
1. **Approve** Tentative Map No. 265665; and Easement Vacation No. 499428, **with modifications.**
2. **Deny** Tentative Map No. 265665; and Easement Vacation No. 499428, **if the findings required to approve the project cannot be affirmed.**

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Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department

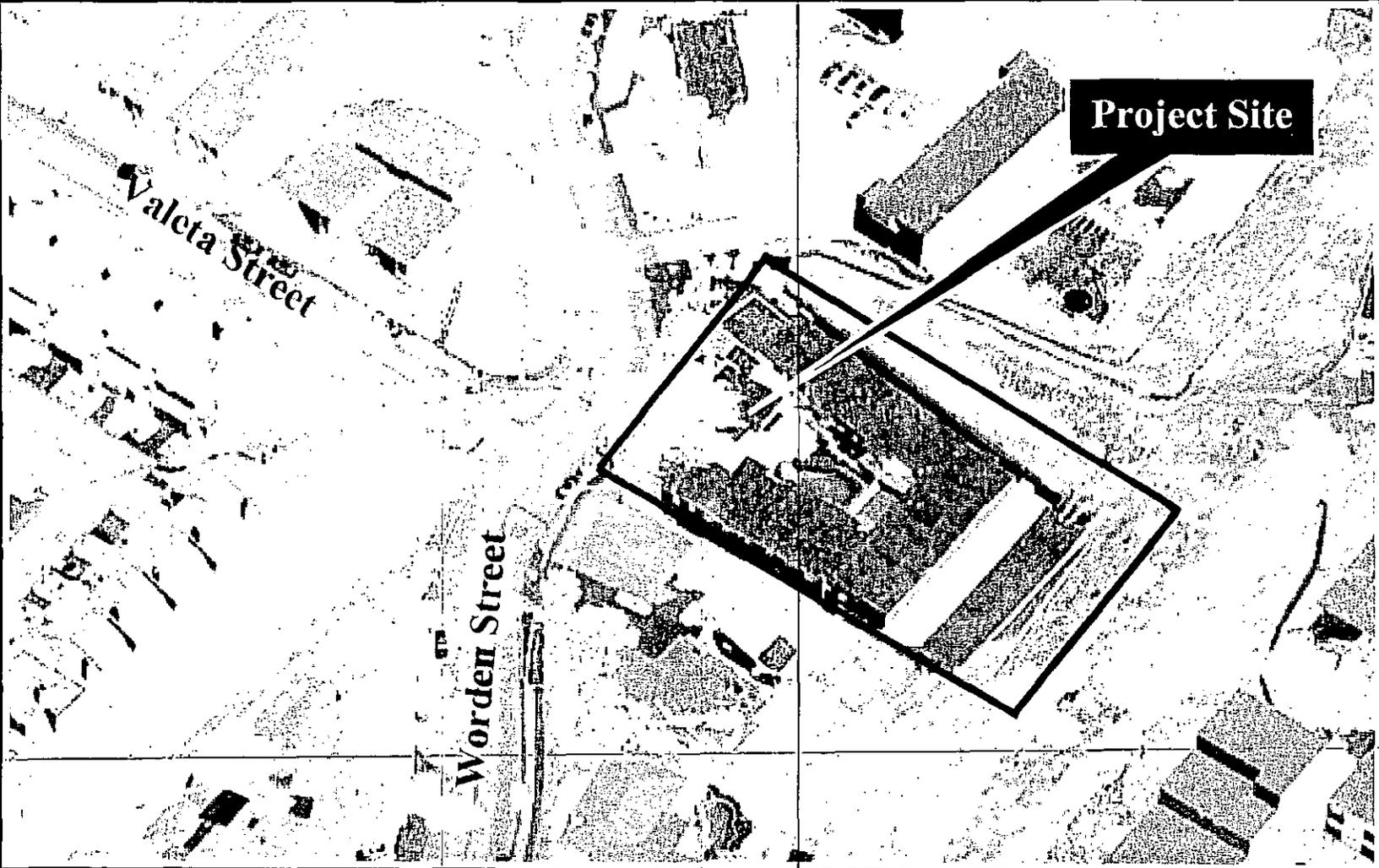


Paul Godwin
Development Project Manager
Development Services Department

WESTLAKE/PBG

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Tentative Map and Landscape Plan
6. Draft Map Conditions and Subdivision Resolution
7. Community Planning Group Recommendation
8. Project Chronology
9. Undergrounding Master Plan 2M3
10. Sample 60-Day Notice
11. Ownership Disclosure Statement
12. Photos of Existing Elevations
13. Applicant's proposed schematic presented to Community Planning Group
14. Building Conditions Report (Under Separate Cover)

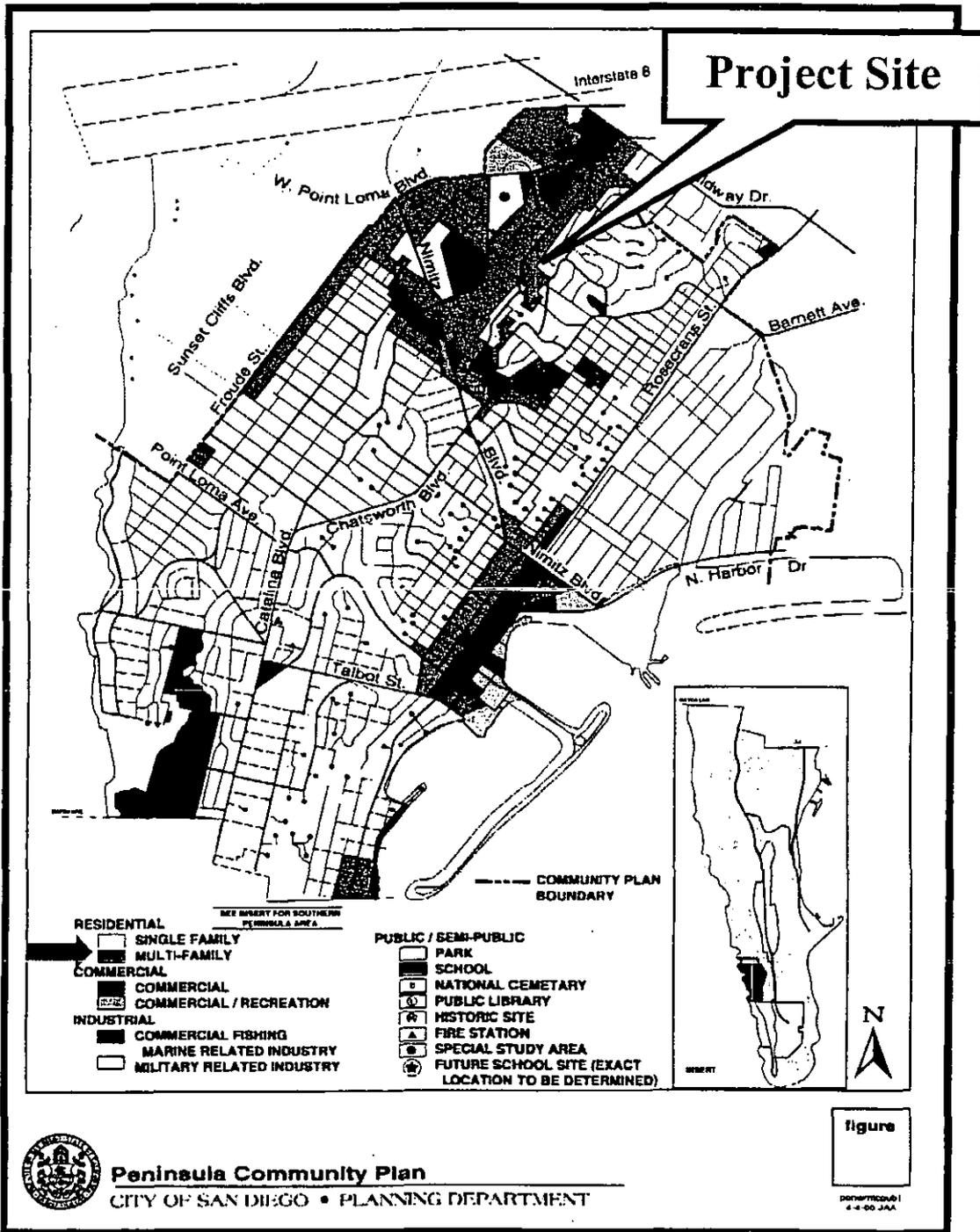


Aerial Photo

2551 WORDEN TENTATIVE MAP- 2551 WORDEN STREET

PROJECT NO. 84000



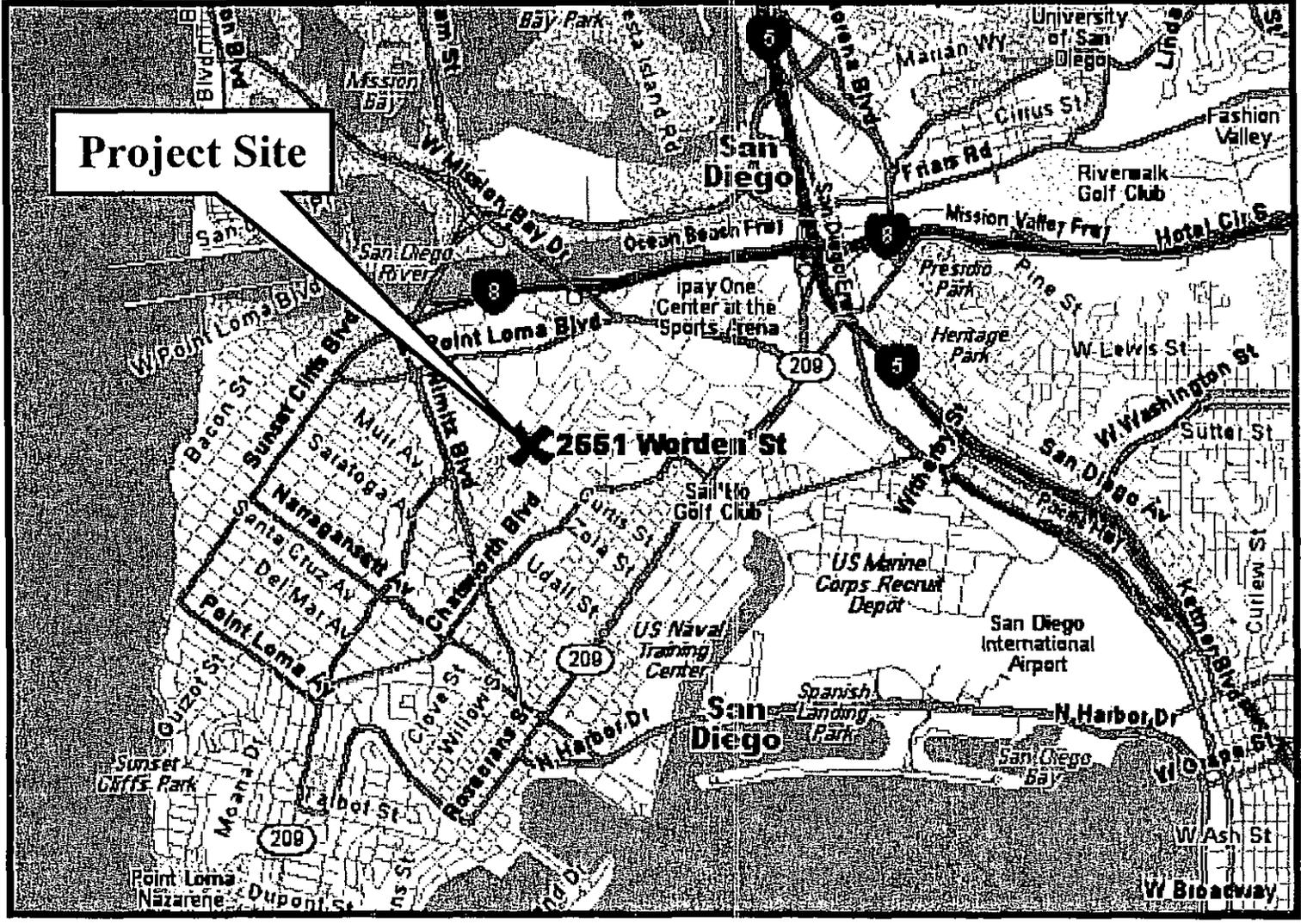


Community Plan Land Use Map

2551 WORDEN TENTATIVE MAP - 2551 WORDEN STREET

PROJECT NO. 84000 - PENINSULA





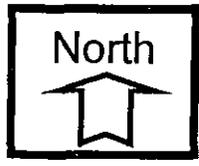
Project Site

2551 Worden St



Project Location Map

**2551 WORDEN TENTATIVE MAP – 2551 WORDEN STREET
PROJECT NO. 84000**

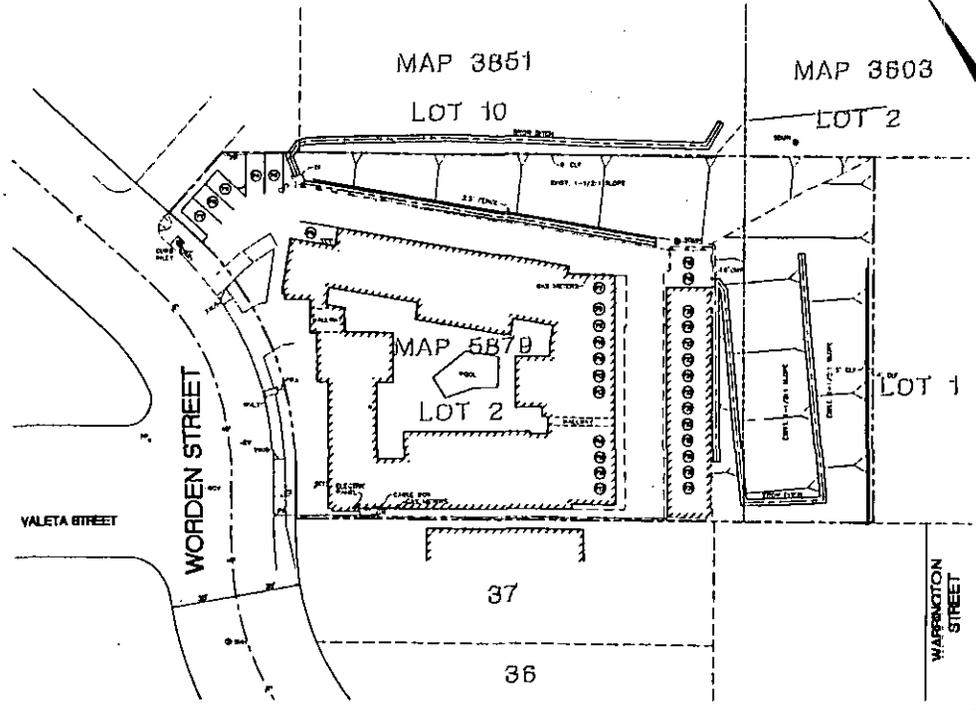


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PROJECT DATA SHEET FOR CONDOMINIUM CONVERSIONS

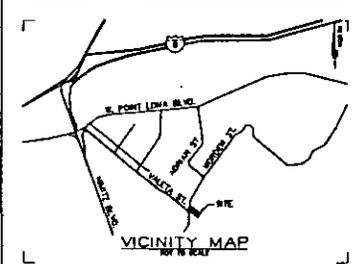
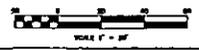
PROJECT NAME:	2551 Worden Tentative Map	
PROJECT DESCRIPTION:	Conversion of 29 residential units to condominium ownership and a waiver from the requirement to underground existing utilities.	
COMMUNITY PLAN AREA:	Peninsula Plan area.	
DISCRETIONARY ACTIONS:	Tentative Map and utility underground waiver	
COMMUNITY PLAN LAND USE DESIGNATION:	Multi-Family Residential @ 30-40 dwelling units per acre.	
<u>CURRENT ZONING INFORMATION:</u>	<u>CONSTRUCTED:</u>	
ZONE: RM-3-7: A multi-unit residential zone	R-4	
DENSITY: one dwelling unit per 1,000 sq.ft. of lot area, or 48 units allowed onsite	One unit per 400 sq.ft. of lot area or 119 units allowed onsite	
HEIGHT LIMIT: 40-foot maximum height limit	Two stories	
LOT SIZE: 7,000 square-foot minimum lot size	1.10 acres	
FLOOR AREA RATIO: 1.80 maximum	Not Available	
FRONT SETBACK: Standard 20 feet	14.6 feet	
SIDE SETBACK: 5 feet	3.7 feet	
STREETSIDE SETBACK: 10 feet	Not Applicable	
REAR SETBACK: 5 feet	74.5 feet	
PARKING: 52 spaces required	34 spaces	
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Multi-Family Residential; RM-3-7.	Single-Family
SOUTH:	Multi-Family Residential; RS-1-7.	Single-Family
EAST:	Multi-Family Residential; RM-3-7.	Multi-Family
WEST:	Multi-Family Residential; RM-2-5.	Multi-Family
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On November 17, 2005, the Peninsula Community Planning Group voted 7-1-2 to recommend denial of the project with no recommended conditions	

TENTATIVE MAP NO. 93149



PARKING

SPACE	WIDTH	REMARKS
①+②	8.7' x 16.1'	
③	7.8' x 16.1'	
④	6.7' x 16.1'	CONCRETE DRIVE
⑤+⑥	11.8' x 16.1'	DRIVING WAY TO LOT 10
⑦+⑧	11.8' x 16.1'	DRIVING WAY TO LOT 10
⑨+⑩	11.8' x 16.1'	DRIVING WAY TO LOT 10
⑪+⑫	11.8' x 16.1'	DRIVING WAY TO LOT 10
⑬+⑭	11.8' x 16.1'	DRIVING WAY TO LOT 10
⑮+⑯	11.8' x 16.1'	DRIVING WAY TO LOT 10
⑰+⑱	11.8' x 16.1'	DRIVING WAY TO LOT 10
⑲+⑳	11.8' x 16.1'	DRIVING WAY TO LOT 10
㉑+㉒	11.8' x 16.1'	DRIVING WAY TO LOT 10
㉓+㉔	11.8' x 16.1'	DRIVING WAY TO LOT 10
㉕+㉖	11.8' x 16.1'	DRIVING WAY TO LOT 10
㉗+㉘	11.8' x 16.1'	DRIVING WAY TO LOT 10
㉙+㉚	11.8' x 16.1'	DRIVING WAY TO LOT 10
㉛+㉜	11.8' x 16.1'	DRIVING WAY TO LOT 10
㉝+㉞	11.8' x 16.1'	DRIVING WAY TO LOT 10
㉟+㊱	11.8' x 16.1'	DRIVING WAY TO LOT 10
㊲+㊳	11.8' x 16.1'	DRIVING WAY TO LOT 10
㊴+㊵	11.8' x 16.1'	DRIVING WAY TO LOT 10
㊶+㊷	11.8' x 16.1'	DRIVING WAY TO LOT 10
㊸+㊹	11.8' x 16.1'	DRIVING WAY TO LOT 10
㊺+㊻	11.8' x 16.1'	DRIVING WAY TO LOT 10
㊼+㊽	11.8' x 16.1'	DRIVING WAY TO LOT 10
㊾+㊿	11.8' x 16.1'	DRIVING WAY TO LOT 10



Prepared by: LETICIA, HOGAN & ASSOCIATES

Address: 2001 SHAWNEE DR., SUITE 200, SAN DIEGO, CA 92108

Phone: (619) 584-1144

Project Address: 2001 SHAWNEE DR., SUITE 200, SAN DIEGO, CA 92108

Project Name: LETICIA, HOGAN & ASSOCIATES

Drawn by: LETICIA, HOGAN & ASSOCIATES

Scale: _____

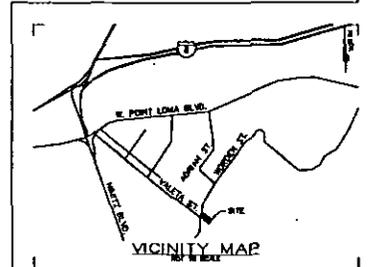
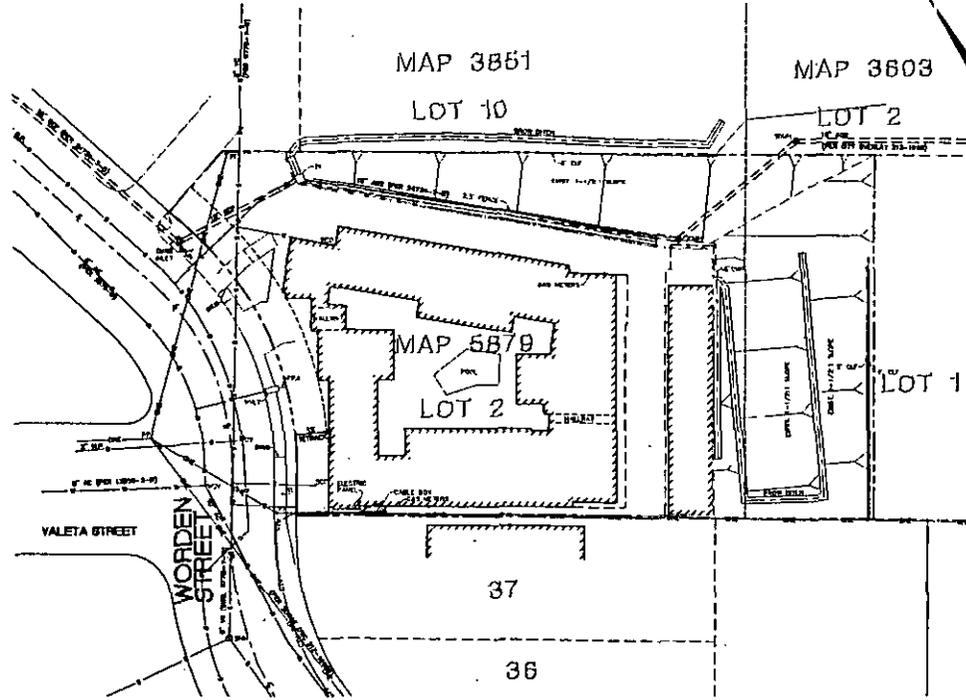
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Sheet _____ of _____

APPY

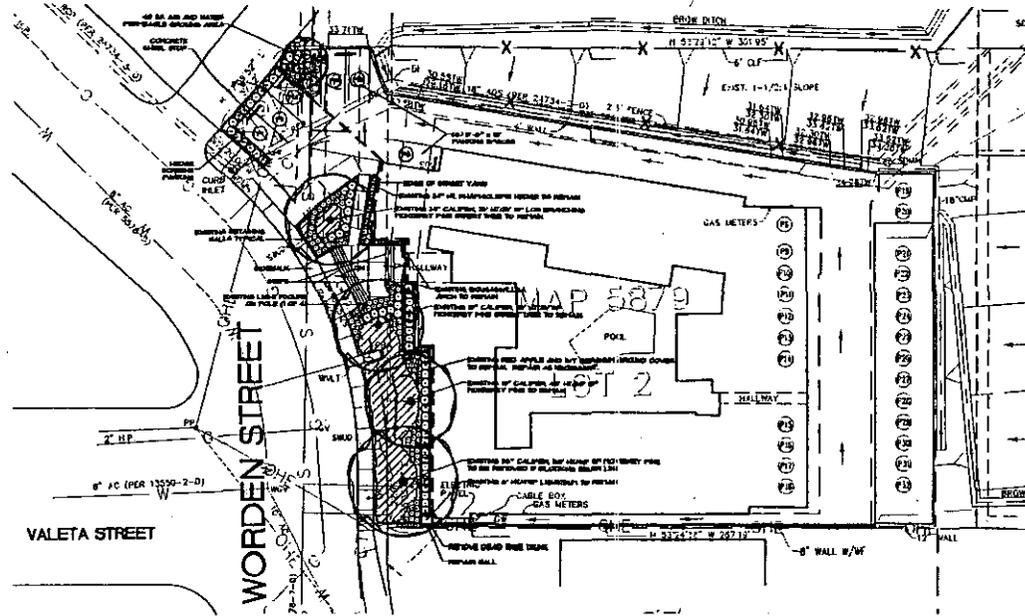


TENTATIVE MAP NO. 93149



Prepared By	LITVEED, McCALL & ASSOCIATES	Checked By	
Date		Reviewed By	
Address	2500 SHERMAN ST., SUITE 200, SAN DIEGO, CA 92108	Approved By	
Phone	619-594-4488	Project No.	
Project Name	2500 SHERMAN ST. SUBDIVISION	Project Date	
Project No.	TENTATIVE MAP NO. 93149	Original Date	
Drawn By	MATTIE WALKER	Scale	1" = 100'
		Sheet No.	001





PLANT LEGEND

SYMBOL	SIZE	QTY	FORM	BOTANICAL NAME	COMMON NAME
	100% 24" BOX	1	SMALL CANOPY TREE	CASIA LEPTOPHYLLA LACONOSTICHIA HYBRID METHOXYGENA EXCELLENS PYLAE HANIKAIKI	OLD MEDALLION TREE STANDARD CHAME MYRTLE STANDARD NEW ZEALAND CHURCHMAN STANDARD WYANDEREA PEAR STANDARD
	50% 6 GALLON	6	LARGE NARROW ACCENT SHRUB	CAMELLIA SPP. DORONICUM ANTHURICA EUCOMMIS SPP. LEUCOSTEMUM JAP. PENTSTEMON FRAGRANS	CAMELLIA TANIGAWA TREE PERSI EUCOMMIS PINKET PENTSTEMON
	100% 6 GALLON	63	MEDIUM SCREENING SHRUB	ADALEA SPP. BUDROSA SPP. LEUCOSTEMUM JAP. PITTOCOPIUM SPP. PITTOCOPIUM SPP.	ADALEA BUDROSA EUCOMMIS PINKET PITTOCOPIUM NEW HOLLAND
	100% 1 GALLON	118	ACCENT SHRUB	ADAPANTHE SPP. CLAVA BRIGATA GUTIER SPP. HEMIPHYLLIS HYBRID LINDERA SPP.	LEY OF THE MILE KAPPALEY NORTHWEST LILEY DAYLEY LEY TREE
	100% PLANTS @ 12" O.C.		GROUND COVER	BECCARIA SPP. CAMPANULA SPP. GAZANIA SPP. MERTENSIA VILLERIANA PELAGONIUM SPP.	BECCARIA CAMPANULA GAZANIA MERTENS GERANIUM

(* NOTE UNDER ELECTRICAL LINES - MAX. 24" AT MATURITY)

GENERAL NOTES

Conformance: All landscape and irrigation shall be installed and maintained in accordance with the City of San Diego's Landscape Regulations, the Land Development Manual Landscape Standards, and all other landscape related City and Regional Standards as of the approved date of these plans.

Maintenance: This project shall be maintained by the Owner who shall assume responsibility for the long term landscape maintenance including the landscaping in the adjoining public right of way. The landscape areas shall be free of debris and litter and all plant material shall be maintained in a healthy growing condition. Diseased or dead plant material shall be satisfactorily treated or replaced per the conditions of the permit.

Street Trees and Landscaping in the Public Right of Way:

- One street tree per 50 feet of property frontage with in the public ROW.
- Provide a 40 sq. ft. 8" and wider permeable growing area per street tree, minimum 30 sq. ft. per palm. Minimum clearance (width) of the planting area to be 3 ft.
- MINIMUM TREE/IMPROVEMENT SEPARATION DISTANCE:
TRAFFIC SIGNALS (STOP SIGNS) - 20 FT.
UNDERGROUND UTILITY LINES - 3 FT. (10 FT. FOR SEWER)
ABOVE GROUND UTILITY LINES - 10 FT.
DRIVEWAYS (ENTRIES) - 10 FT.
INTERSECTIONS (INTERSECTING CURB LINES OF 2 STREETS) - 25 FT.

Root Barriers: Root barriers shall be provided for all newly installed trees within 3 ft. of any sidewalk, pavement, wall, building or curb and where new public improvements are placed adjacent to existing trees. Root barriers will not be wrapped around the rootball and shall be 24" deep and 18" in length. Length to be centered on rootball.

Mulch: Install 2" deep bark mulch chips in all planting areas, excluding slopes requiring revegetation and areas planted with groundcover or lawn. All exposed soil areas without vegetation shall also be mulched to this minimum depth.

Irrigation:

- An automatic, electrically controlled irrigation system shall be provided as required for proper irrigation, development, and maintenance of the vegetation in a healthy, disease-resistant condition. The design of the system shall provide adequate support for the vegetation selected.
- All planting areas shall be irrigated by an automatic below grade system featuring a combination of spray heads, drip heads, and bubblers.

Disturbed Areas: All graded, disturbed or eroded areas that will not be permanently paved or covered by structures shall be permanently revegetated and irrigated as shown in Table 142-6-11 and in accordance with the standards in the Land Development Manual (142-6-11.2).

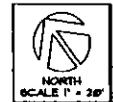
Landscape Concept Plans: The Landscape Concept Plan shall conform to Section 144.056(f)(d) of the Land Development Manual Landscape Standards, and all other City and Regional Standards.

Drainage: Repair existing landscape drainage systems as necessary.

LANDSCAPE CALCULATIONS - CONDOMINIUM CONVERSION

STREET YARD			
	PLANTING AREA REQUIRED	PLANT AREA PROVIDED	EXCESS AREA PROVIDED
TOTAL AREA	3,542 SQ.FT. @ 20% = 708 SQ.FT.	1,894 SQ.FT.	211 SQ.FT.
PLANTING POINTS REQUIRED			
	PLANTING POINTS REQUIRED	PLANT POINTS PROVIDED	EXCESS POINTS PROVIDED
TOTAL AREA	3,542 SQ.FT. @ 0.02 = 71 POINTS	657 POINTS	486 POINTS
POINTS ACHIEVED BY TREES	450 POINTS		
PLANTING AREA ALLOWABLE AS HARDSCAPE OR PAVED			
	PLANTING AREA ALLOWABLE AS HARDSCAPE OR PAVED	PROVIDED	
TOTAL AREA	1,771 SQ.FT. @ 100% = 177 SQ.FT.	N/A	SQ.FT.
STREET TREES			
	NUMBER OF 24" BOX STREET TREES REQUIRED	PROVIDED	
STREET FRONTAGE	11 L.F. / 30 L.F. = 3.7 TREES	4 TREES	

* 3 EXISTING MATURE TREES TO REMAIN - SEE PLAN



PROJECT TITLE & ADDRESS
Worden St. Condo Conversion
 2551 Worden Street
 San Diego, CA 92110



THE KEMP COMPANIES, INC.
 LANDSCAPE ARCHITECTURE
 2551 WORDEN STREET
 SAN DIEGO, CA 92110
 TEL: (619) 594-3400
 FAX: (619) 594-3400



001154

JOB NO. 0440 K. KEMP ASLA 1787
 DRAWN
 CHECKED

PROJECT NAME SHEET TITLE DATE 8-8-97

Worden St. Condo Conversion Landscape Development Plan

001255

PLANNING COMMISSION
RESOLUTION NO.
TENTATIVE MAP NO. 265665
EASEMENT VACATION NO. 499428
2551 WORDEN TENTATIVE MAP, PROJECT NO. 84000
DRAFT

WHEREAS, CHARLES WARNER, Applicant/Subdivider, LINTVEDT, MCCOLL & ASSOCIATES, Engineer, submitted an application with the City of San Diego for a Tentative Map No. 265665, and Easement Vacation No. 499428, for the conversion of 29 existing residential units into condominiums, the vacation of two public service easements and the vacation of one street reservation easement as shown on the Tentative Map and a waiver of the requirement to underground the existing overhead utilities. The project site is located on the east side of Worden Street, at 2551 Worden Street, in the RM-3-7 Zone and the Airport Environs, Airport Approach and Coastal Height Limit Overlay Zones, within the Peninsula Community Plan area, legally described as Lot 2 of West Point Loma, according to Map No. 5879, filed May 8, 1967; and

WHEREAS, the Map proposes the subdivision of a 1.10-acre site into one (1) lot for a 29 unit residential condominium conversion; and

WHEREAS, the project is exempt from environmental review pursuant to Article 19, Section 15301 of the California Environmental Quality Act (CEQA) on the basis that the facilities are existing; and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineer pursuant to the Subdivision Map Act and Section 144.0220 of the Municipal Code of the City of San Diego; and

WHEREAS, the subdivision is a condominium project as defined in Section 1350 et seq. of the Civil Code of the State of California and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is 29; and

WHEREAS, on November 15, 2007, the Planning Commission of the City of San Diego considered Tentative Map No. 265665 and Easement Vacation No. 499428, and pursuant to Resolution No. --, voted to recommend City Council approval of the map; and

WHEREAS, on November 15, 2007, the Planning Commission of the City of San Diego considered Tentative Map No. 265665 and Easement Vacation No. 499428, including the waiver of the requirement to underground existing overhead utilities, and pursuant to Sections 125.0440 (tentative map), 125.0444 (condo conversion), and 144.0240 (underground) and 125.0430 (easement vacation via tentative map) of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, and the Planning Commission

having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 265665:

1. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 125.0440.b).
2. 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 (Land Development Code Section 125.0440.h and State Map Act Section 66412.3).
3. Each of the tenants of the proposed condominium project has received, pursuant to State Map Action Section 66452.9, written notification of intention to convert at least 60 days prior to the filing of a tentative map (Land Development Code 125.0444 and State Map Act Section 66427.1(a)).
4. The project has been conditioned that the Subdivider will give each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the State Map Act (Land Development Code Section 125.0444 and State Map Act Section 66427.1(a)).
5. The project has been conditioned that the Subdivider will give each tenant 10 days' written notification that an application for a public report will be, or has been, submitted to the Department of Real Estate, and that such report will be available on request (Land Development Code Section 125.0444 and State Map Act Section 66427.1(a)).
6. The project has been conditioned that the Subdivider will give each tenant of the proposed condominium project written notification within 10 days of approval of a final map for the proposed conversion (Land Development Code Section 125.0444 and State Map Act Section 66427.1(b)). If the subdivider chooses to provide affordable housing units, the subdivider shall enter into an affordable housing agreement with the Housing Commission, prior to recordation of the Final Map.
7. The project has been conditioned that the Subdivider will give each of the tenants of the proposed condominium project 180 days' written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion (Land Development Code Section 125.0444 and State Map Act Section 66427.1(c)).

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8. The project has been conditioned that the Subdivider will give each of the tenants of the proposed condominium project notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, which notice shall be provided within 5 working days of the issuance of the Subdivision Public Report.. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right (Land Development Code Section 125.0444 and State Map Act Section 66427.1(d)).
9. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing (Land Development Code Section 125.0444.b).
10. For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed (Land Development Code Section 125.0444.c).
11. Each of the tenants of the proposed condominium project has received written notification of the project application for the condominium conversion within 10 days after the application was deemed complete (Land Development Code 125.0431(a)(3)).
12. The project has been conditioned that the Subdivider will give each person applying for the rental of a unit in such residential real property written notification that the project application for the condominium conversion was deemed complete (Land Development Code 125.0431(a)(3)).
13. The project has been conditioned that the Subdivider will give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (Land Development Code Section 125.0431(a)(4)).
14. A Building Conditions Report has been prepared in accordance with the Land Development Manual by a registered architect or engineer licensed by the State of California (Land Development Code Section 144.0504(b)).
15. The project has been conditioned that the Subdivider will provide to a prospective purchaser a copy of the Building Conditions Report prior to the opening of an escrow account. (Land Development Code Section 144.0504(c)).
16. The project has been conditioned that the Subdivider will provide a relocation assistance payment to all tenants of the project whose tenancy has terminated due to the condominium conversion. (Land Development Code Section 144.0505).

17. The project has been conditioned for the Subdivider to complete the physical improvements as outlined in Land Development Code Section 144.0507, to the satisfaction of the City Engineer prior to final map approval.
18. The project has been conditioned for the Subdivider to satisfy the inclusionary housing requirements on-site in accordance with Land Development Code Section 142.1306. (Land Development Code Section 144.0508).
19. The property contains easements and a street reservation which must be vacated to implement the Final Map in accordance with San Diego Municipal Code 125.0430.
20. The requested underground waiver of the existing overhead facilities, qualifies under the guidelines of Council Policy No. 600-25 *Underground Conversion of Utility Lines at Developers Expense* in that:
 - A. The conversion involves a short span of overhead facility (less than 600 feet in length).
 - B. The conversion is a requirement of a condominium conversion of an existing development and the conversion would not represent a logical extension to an underground facility.
21. That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that pursuant to California Government Code section 66434 (g), the following public service easements and street reservation, located within the project boundaries as shown in Tentative Map No. 265665, shall be vacated, contingent upon the recordation of the approved final map for the project:

- a. The 10 feet wide public utility easement dedicated on Map No. 3851.
- b. The drain easement granted per deed recorded May 7, 1963, File/Page 79089, Series 4, Bk. 1963.
- c. A 35 feet wide portion of the street reservation in Map 5879 reserved per Map 3603.

BE IT FURTHER RESOLVED, that, based on the Findings hereinbefore adopted by the Planning Commission, Tentative Map No. 265665 and Easement Vacation No. 499428, including the waiver of the requirement to underground existing overhead utilities, is hereby granted to CHARLES WARNER, Applicant/Subdivider, subject to the following conditions:

GENERAL

1. This Tentative Map will expire November 15, 2010.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the Tentative Map expiration date, a Final Map to consolidate the existing lots into one lot shall be recorded in the Office of the County Recorder.
4. Prior to the issuance of the Final Map, taxes must be paid on this property pursuant to section 66492 of the Subdivision Map Act. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition
5. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, including, but not limited to, any to any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant
6. The Subdivider shall provide a Notice of Tenants Rights and Notices for Condominium Conversion, consistent with the Land Development Manual to be provided as follows:
 - a. For existing tenants, within 10 days of the project application for the *condominium conversion* being deemed complete; or
 - b. For prospective tenants, upon application for the rental of a unit in the proposed *condominium conversion*.

7. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the State Map Act.
8. The Subdivider shall provide the tenants a Notice of Application for a Public Report at least 10 days prior to the submittal to the Department of Real Estate (DRB), pursuant to Section 66427.1(a) of the Subdivision Map Act.
9. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion in conformance with Section 66427.1(c) of the Subdivision Map Act. The provisions of this subdivision shall not alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Sections 1941, 1941.1 and 1941.2 of the Civil Code.
10. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Section 66427.1(d) of the State Map Act. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report, pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.
11. The Subdivider shall provide the tenants of the proposed condominiums with written notification within 10 days or approval of a Final Map for the proposed conversion, in conformance with Section 66427.1(b) of the Subdivision Map Act.
12. Prior to recordation of the Final Map, the Subdivider shall provide a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration (FAA).

AFFORDABLE HOUSING

13. Prior to the recordation of the Final Map, the Subdivider shall enter into an affordable housing agreement with the Housing Commission to provide affordable housing units 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).

14. Prior to the recordation of the Final Map, the Subdivider shall demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5), to the satisfaction of the Development Services Department and the Housing Commission.
15. The Subdivider will give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (Land Development Code Section 125.0431(a)(4)).
16. The Subdivider will provide to a prospective purchaser a copy of the Building Conditions Report prior to the opening of an escrow account. (Land Development Code Section 144.0504(c)).

ENGINEERING

17. Pursuant to City Council Policy 600-20, the Subdivider shall provide evidence to ensure that an affirmative marketing program is established.
18. The Subdivider shall replace the damaged curb, gutter and sidewalk, preserving any contractor's stamp, adjacent to the site on Worden Street. The Subdivider shall ensure that the water vault is flush with the sidewalk and that there is a four foot clear path around the southerly power pole.
19. The Subdivider shall construct a new curb ramp and reconstruct the curb ramp and driveway, at the northerly end of the project. The Subdivider shall also construct a curb ramp adjacent to the site, across from the northerly curb return of Valeta Street, all to current City Standards.
20. The Subdivider shall repair the onsite drive aisles and parking areas.
21. The Subdivider shall discharge the southerly on site drain pipes at the curb, via sidewalk underdrains and repair the existing sidewalk underdrain.
22. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement for the existing and proposed sidewalk underdrains, retaining wall, landscape and appurtenances within the Worden Street right-of-way.
23. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement for the existing retaining wall and brow ditch within the drain easements.
24. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement for the connection of the private 18" CMP to the public drain system.
25. The Subdivider shall clean all brow ditches within the TM boundary.

26. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
27. 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.
28. Taxes must be paid on this property pursuant to section 66492 of the Subdivision Map Act. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition.
29. The design of the subdivision shall include private easements, if any, serving parcels of land outside the subdivision boundary or such easements must be removed from the title of the subdivided lands prior to filing any parcel or final map encumbered by these easements.
30. Prior to the recordation of the Final Map, the Subdivider shall demonstrate conformance with the Municipal Code provisions for building and landscape improvements (Land Development Code Sections 144.0507), to the satisfaction of the City Engineer. The parking requirements in Land Development Code Sections 144.0507 and 142.0525.a do not apply, since this project was deemed complete prior to the effective date of this ordinance (July 27, 2006).
31. 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

32. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
33. "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."

34. The Final Map shall:

- a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
- b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. 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.

SEWER AND WATER

35. 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.
36. 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.

LANDSCAPE

37. Prior to recordation of the Final Map, complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with the Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department.
38. Prior to recordation of the Final Map, and after Landscape and Irrigation Construction Documents have been approved by Development Services, the Subdivider shall install all required landscaping consistent with the approved plans and the Land Development Manual, Landscape Standards.
39. Prior to recordation of the Final Map, it shall be the responsibility of the Permittee/Owner to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

40. The Landscape Construction Plan shall take into account a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.
41. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.
42. The Permittee or subsequent owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.
43. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to a Certificate of Occupancy or a Final Landscape Inspection.

INFORMATION:

- The approval of this Tentative Map by the Planning Commission 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 Section 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then 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 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, may protest the imposition within 90 days of the approval of this Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.
- Where in the course of development of private property, public facilities are damaged or removed the property owner 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. Municipal Code Section 142.0607.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SAN DIEGO, CALIFORNIA, ON NOVEMBER 15, 2007.

APPROVED: _____, City Attorney

By _____

Deputy City Attorney

By _____

Paul Godwin
Development Project Manager
Development Services Department

Job Order No. 42-5252

Peninsula Community Planning Board Minutes (edited)

Thursday, November 17, 2005, 6:30-9:30 pm

2130 Poinsettia/Voltaire St. (Pkg. off Udall)

001267

- I. Parliamentary Items
- A. Minutes Approval (2 Corrections: Sept. Minutes, Approved)
 - B. Chair Report: C.Conger, 3-yr. March Election, Nomination/Election Committee-Dec; Appt. of R. Agee to ANAC
 - C. Treasurer: G. Fisher, No Report
 - D. Attendance: Ross, Conger, Seymour, Valentine, Goddard, Perreira, Hollingworth, Bedore, Robinson, Kelly
Excused: Deck, Rank, Fisher, Myers, Scherer
 - E. Non-Agenda Public Input 1. J. O'Connor-letter to AA/City re: Noise monitor in ROW in bad location, Bd. agreed to write letter in accordance with Community Plan directives. 2. R. Bushon against airport expansion.
- II. Government Office Reports/Public Communications:
- A. District 2 Office-A. Wexler left for employment elsewhere. Bd. Thanked for his efforts. No Representative.
 - B. Planning-T. Kempton 1. Stop Sign Coronado/Venice denied-rep. in Dec. 2. Stonewood Apartments-No Chg.
- III. Actic Review Applications: (2nd Wed./mo., 8:45 am, 3115 Loma Riviera Drive)
- A. F...22, 2nd Hearing Design Changes at Catalina/Savoy St. New Constr. from 2270 sf to 6000 sf, Concern w/Height, Cost-service area increase to NTC? **Motion to Approve, M/S/C/A: 12-0-0.**
 - B. 3035 Lawrence St., S. Thomas, 7500 sf. lot New 6-unit 'Apt.' Conv., RM 3-9 Zone. RESubmit-'No Notice'. Red Curb-North side, SFR street, Only 2 hour parking on south side. Hi Density across Rosecrans & military/military/civilian service 'overflow' pkg. already (2 hr. pkg). No visitor parking. Parking insufficient for existing unit's needed visitor parking going from '1 house to 6-unit'-visitor capacity, Dan Stricker, City Proj. Mgr. **Motion to Continue, call for Design Changes: M/S/C/A: 10-0-2**
 - C. **MTS Bus Route Change**, (D. Sheffler), prop. to remove 70-yr. existing bus Routes on Chatsworth/Catalina/Rosecrans in La Playa, to increase frequency of NTC-serving routes: **Motion to Keep Present Routes, with less frequency. To send letter with results of vote/concerns M/S/C/A. 10-0-2**
 - D. **Nextel Cell**, 1775 Catalina-M. Ruble- Antenna Application for 6-Panel Antennas on ROOF of HOUSE-in strictly SFR Zoning. **Motion to Deny Location & Req. for CUP/NUP-w/letter. M/S/C/A: 10-0-2**
 - E. 1524 Locust, S. Kaplan, 4-Unit New Constr., Condo Conv. (5-units allowed-RM3-7) 8 pkg. sp. 1/2-UG **Motion to Approve. M/S/C/A: 10-0-2 Request Owners come to PCPB Before Bldg. New Condos.**
 - F. 717 Silvergate, B. Peeling, Demo & Nw 2919 sf. on 5000 sf lot RS1-4 **Motion to Approve. M/S/C/A: 8-0-2**
 - G. 2551 Worden St., Melissa Cooper, Condo Conv., RM-3-7, 1.10 acre site, 29 existing apts., waive underground. No assurance of Utility Upgrades. **Motion to Deny. M/S/C/A: 7-1-2**
 - H. 4517 W. Pt. Loma Blvd. Condo Conv. 14 apt. units on .23 acres, current code=10 units pkg. requires 26 sp., 26 are avail., 2 units 'affordable', blt. 1972. **Motion to Approve w/Condition of Utility Upgrades. M/S/C/A: 6-4-0**
 - I. 3319 Hill Street -Metz, Demo w/New 3400 sf on 7084 steep hill. **Motion to Approve. M/S/C/A: 10-0-0**
- IV. Committee Reports
- A. **Airport Authority-ANAC**-(Report Noise Violations at: 400-2799), R. Agee-www.san.org.-Airport Noise Monitoring Pole-Amaryllis near Poinsettia, diagram Not same as photo displayed to PCPB nor neighbors
 - B. **Traffic & Transp.:** G. Robinson-Lowell Stop Sign, Nimitz Crash, Study on Voltaire
 - C. **Parks & Recreation:** B. Bedore/G. Fisher, No Report
 - D. **Midway Plng. Bd.:** M. Scherer-No Report
 - E. **North Bay Redevelopment PAC:** M. Valentine-Contrib. to Midway area? **PAC Re-Elections 12/15/05**
 - F. **Arts & Culture:** Glenn Fisher, PLHS Winter Concert 12/14/05, Brubeck Brothers to work w/Schools.
- V. New/Old Business -New Cell Tower to Replace Old Tower with merging of companies at Albertson's Site.
- VI. Adjournment 9:35 pm

Future Projects to Review:

1. 3034 Canon St. Condo Conversion (18) with NO OFF STREET Parking in already deficient location.
2. 3244 Nimitz Blvd., W. Stricker, "Water Main Vacation" =New Condo Conversion-Units(?) in parking-deficient area.
3. 3731 Lotus St., Guest Qtrs above garage.
4. 2369 Etiwanda -2 existing units on 6750 sf lot Condo conversion, Pkg?
5. Amendment to Midway C. Plan-2015 Hancock, from Lt. Industrial to RM4-10, 75-110 units/acre w/13 'affordable' units
6. 4303 Mentone, Bateman, Condo Conv. 7 Apt. units on .144 acre site. LI
7. 4594 Pescadero, Bateman, Condo Conv. 3 units on .16 acre, LI
8. 2231 Mendocino, Condo Conversion, 4 units, on Debra Auer CW (Jim Thompson-Postponed to Dec.)
9. 3142 Sterne, L. Morton, F. Leland Hope, New Constr. of 2982 sf. House on 5000 sf. vacant lot.
10. Bangor/Martinez, Morris, New house on Steep Vacant lot, Variance on front setback, EIR?
11. 2256 Seaside, S. Marjiana, Condo Conver., 4 Apt. units on .18 acre ,Pkg. Impact Overlay
12. NTC/McMillin Shoreline Plaza, K. Riser Maj. Parking Lot vs. 'Kumeyay, Portuguese, South Pacific-'Boating Village'

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City of San Diego
 Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 446-5210

Community Planning Committee Distribution Form Part 1

Project Name : 2551 Worden Tentative Map	Project Number 84000	Distribution Date 9/19/05
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Project Scope: PENINSULA JO#42-5252 *** SELF CERTIFICATION SUBMITTAL ***
 (PROCESS 4) Tentative Map to convert 29 existing residential units to condominiums and waiver for under grounding overhead utilities on a 1.10 acre site at 2551 Worden Street in the RM-3-7 Zone within Peninsula Community Plan, Airport Environs, Airport approach, Coastal Height Limit, Council District 2.

Project Location: 2551 Worden Street

Applicant Name: Melissa Cooper	Applicant Phone No. (619) 294-4440
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Related Projects

Project Manager Cory Wilkinson	Phone Number (619) 557-7900	Fax Number (619) 446-5245	E-mail Address CWilkinson@sandiego.gov
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Community Plan Peninsula	Council District 2	Existing Zone RM-3-7	Proposed Zone RM-3-7
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Project Issues (To be completed by Community Planning Committee for initial review):

1. meets zoning
2. Brown Ditch?
3. Parking - plg. deficient area already (44 sp^{now} Required) have 34 off site parking spaces.
4. Owners not sure if "upgrading" plumbing & electrical (Bldg. 1970 ~~35~~ years old)
5. would not consider "combining" some⁽³⁾ of 12 - 1 Bedroom units w/ 1 Bldg. plus office, etc. 17 - 2 Bedroom units.
6. Request Bldg. Cond. Report (also wiring in '05 - ok), NOT sure of Bldg. Safety (fire) with increased usage, not condition of plumbing.
7. No "affordable" units provided.

Attach Additional Pages If Necessary.

Return Within 30 Days of Distribution of Project Plans To:
 Project Management Division
 City Of San Diego
 Development Services Department
 1222 First Avenue, MS 302
 San Diego, CA 92101

DEVELOPMENT SERVICES
Project Chronology
 2551 WORDEN TENTATIVE MAP- PROJECT NO. 84000

Date	Action	Description	City Review Time	Applicant Response
9/19/2005	First Submittal	Project Deemed Complete		
10/5/2005	First Assessment Letter		16 days	
11/8/2005	Second Submittal			34 days
12/6/2005	Second Assessment Letter		28 days	
5/3/2006	Third Submittal			148 days
5/12/2006	Third Assessment Letter		9 days	
6/12/2006	Fourth Submittal			31 days
6/20/2006	Fourth Assessment Letter		8 days	
7/31/2006	Fifth Submittal			41 days
8/11/2006	Fifth Assessment Letter		11 days	
8/20/2007	Sixth Submittal			374 days
8/31/2007	Sixth Assessment Letter		11 days	
8/31/2007	Seventh Submittal			0 days
9/18/2007	All Issues Resolved		18 days	
11/15/2007	Public Hearing-Planning Commission		45 days	
TOTAL STAFF TIME**			159 days	
TOTAL APPLICANT TIME**				628 days
TOTAL PROJECT RUNNING TIME		From Deemed Complete to PC Hearing	787 DAYS	

Project Block 2X2	2040	2	unallocated
Project Block 2X3	2041	2	unallocated
Project Block 2L1	2042	2	unallocated
Project Block 2M1	2043	2	unallocated
Project Block 2C	2044	2	unallocated
Project Block 2U	2045	2	unallocated
Project Block 2BB	2046	2	unallocated
Project Block 2Q3	2047	2	unallocated
Project Block 2D2	2048	2	unallocated
Project Block 2Y1	2049	2	unallocated
Project Block 2Y	2050	2	unallocated
Project Block 2Q2	2051	2	unallocated
Project Block 2D	2052	2	unallocated
Project Block 2F1	2053	2	unallocated
Project Block 2U1	2054	2	unallocated
Project Block 2M3	2055	2	unallocated
Project Block 2M4	2056	2	unallocated
Project Block 2G	2057	2	unallocated
Project Block 2G5	2058	2	unallocated
Project Block 2AA2	2059	2	unallocated
Project Block 2O	2060	2	unallocated
Project Block 2G1	2061	2	unallocated

Project Site



Utilities Undergrounding Mapping

2551 WORDEN TENTATIVE MAP - 2551 WORDEN STREET

PROJECT NO. 84000

001273

60 Day Notice of Filing Tentative Map for Conversion

To: All Occupants of Monterey Apartments
 2551 Worden Street Unit _____
 San Diego, CA 92107

The owner of Monterey Apartments, San Diego, CA plans to file a Tentative Map with the City of San Diego to convert this building to a condominium project. You shall be given notice of each hearing for which notice is required pursuant to Sections 66451.3 and 66452.5 of the Government Code and you have the right to appear and the right to be heard at any such hearing. Should the condominium conversion project be approved, tenants may be required to vacate the premises.

The subdivider of a condominium conversion project shall provide the benefits specified in section 144.0503 to any person whose tenancy in the project the subdivider terminates due to the condominium conversion.

The applicant shall provide a relocation assistance payment equivalent to three months current rent to all tenants of the project whose income is less than 100% of area median income (as calculated by the U.S. Department of Housing and Urban Development for the San Diego Standard Metropolitan Statistical Area). The relocation payment shall be paid no later than the day on which the applicant gives notice to the tenant to vacate the premises.

By:



Steve Huffman, Owner Representative

SanDiegoApartments.com Inc.

Date: September 6, 2005

SIGNATURE OF RECEIPT

I, _____ received a copy of the above notice on _____ date
 Print names of all occupants on lease

 Signature

 Signature

001274

NOTICE TO TENANTS OF INTENTION TO CONVERT TO CONDOMINIUMS AND TERMINATION OF TENANCY
GOVERNMENT CODE SECTION 66427.1

The following written 180 day Notice to Tenants of intention to convert to Condominiums and Termination of Tenancy in accordance with Government Code Section 66427.1 is provided to each tenant as follows:

To: All Occupants of Monterey Apartments, Unit _____

The owner of the following described real property:

Monterey Apartments
2551 Worden Street
San Diego, CA 92107

Hereby provide 180 days written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion to condominiums of the real property described herein.

No units may be sold in this building unless the conversion is approved by the city and until after a public report is issued by the Department of Real Estate.

You shall be given notice of each hearing for which notice is required pursuant to Sections 66451.3 and 66452.5 of the Government Code, and you have the right to appear and the right to be heard at any such hearing.

Should the condominium conversion project be approved, tenants may be required to vacate the premises.

By:



Steve Huffman, SanDiegoApartments.com Inc.
Owner Representative

September 6, 2005

SIGNATURE OF RECEIPT

I, _____ received a copy of the above notice on _____
Print names of all occupants on lease date

Signature

Signature

001275

2551 Worden Street Tenant List					
Unit #	Tenant Name	Signed 60-Day	Signed NOI	Signed for Cert Mail	Return to Sender
1	Hull/Jennison			X	
2	Cadieux/Abshere				X
3	Partridge/Baughman				X
4	Tierman/Sentell				X
5	Fudge/Ford			X	
6	Fiske/Tovar/Edwards	X	X		
7	Ahumada/Becerra			X	
8	Colleen Hinmon				X
9	Stefanie	X	X		
10	Jade Pavel			X	
11	Michelle Johnson			X	
12	Katherine Sheets	X	X		
13	Mullen/Hamm			X	
14	Terry Blanton			X	
15	Charles Warner	X	X		
16	Osness	X	X		
17	Sarah/Grant Guillard	X	X		
18	David/Candice Miller	X	X		
19	Lloyd/Gibson/Morrison				X
20	Lindsey VanHagen	X	X		
21	Anthony Pileggi				X
22	Tracey Tashiro				X
23	Lisa Stadler	X	X		
24	Matthew Elser				X
25	Grosso			X	
26	McKinney	X	X		
27	Compton			X	
28	Karmen F. Salgado	X	X		
29	Hien Hoang			X	
30	John Schneider				X

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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

84000

Project Address:

2551 Worden 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):

Charles Warner

Owner Tenant/Lessee Redevelopment Agency

Street Address:

1855 Weaversville Road

City/State/Zip:

Allentown, PA 18109

Phone No:

(610) 264-5700

Fax No:

(610) 264-1700

Signature :

Charles Warner 9-2-05

Date:

Name of Individual (type or print):

Owner Tenant/Lessee Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

Owner Tenant/Lessee Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of individual (type or print):

Owner Tenant/Lessee Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:



Existing Elevation on Worden Street



Existing Elevation on Worden Street



Project Rendering Provided by Applicant

PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF REGULAR SCHEDULED MEETING OF
NOVEMBER 15, 2007
IN CITY COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING

Item no: 17

CHRONOLOGY OF THE MEETING:

Chairperson Schultz called the meeting to order at 9:10 a.m. Chairperson Schultz adjourned the meeting at 6:18 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Barry Schultz - present
Vice-Chairperson Kathleen Garcia - present
Commissioner Robert Griswold - present
Commissioner Gil Ontai - present
Commissioner Dennis Otsuji - present
Commissioner Eric Naslund - present
Commissioner Mike Smiley - present

Staff

Andrea Dixon, City Attorney - present
Cecilia Gallardo Planning Department - present
Mike Westlake, Development Services Department - present
Sabrina Curtin, Recorder - present

ITEM 1: **ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD:**
None

ITEM 2: **REQUESTS FOR CONTINUANCE AND/OR ITEMS TO BE WITHDRAWN:**
Item No. 8 was withdrawn. Item No. 18 was continued to December 6, 2007.
Request for continuance for Item No. 15 was denied; project was heard.

ITEM 3: **REQUESTS FOR ITEMS TO BE PLACED ON THE CONSENT AGENDA:**
Item No. 9, 10, 12, 14, 16, and 17 was placed on the consent agenda

ITEM 4: **DIRECTOR'S REPORT:**
None given.

ITEM -5: **COMMISSION COMMENT:**
None given.

ITEM-6: **ADOPTION OF THE 2007 CALIFORNIA BUILDING CODE AND ASSOCIATED CODES**
City Council District: All; Plan Area: Citywide

Staff: Ali Fattah
No speaker slips were submitted

COMMISSION ACTION:

MOTION BY COMMISSIONER ONTAI TO RECOMMEND TO CITY COUNCIL APPROVAL OF AMENDMENTS TO THE LAND DEVELOPMENT CODE RELATED TO ADOPTION OF THE 2007 CALIFORNIA BUILDING, ELECTRICAL, FIRE, MECHANICAL AND PLUMBING CODE (CHAPTER 5, ARTICLE 5; CHAPTER 11, ARTICLE 3 DIVISION 1; CHAPTER 12, ARTICLE 1, DIVISION 4; CHAPTER 12, ARTICLE 9, DIVISION 1 THROUGH 4; CHAPTER 14, ARTICLE 6; CHAPTER 14, ARTICLE 7) AS PRESENTED IN REPORT NO. PC-07-163. Second by Commissioner Griswold.

Amendment to the motion; Vice-Chairperson Garcia added; the Commissions are not in agreement in regards to policy 505.1. The Commission was not given adequate back ground information on both the residential occupancies and the general occupancies stating changes were appropriate. The residential numbers now available for purchase are smaller then what is going to be required in the codes. Vice-Chairperson Garcia withdrew her amendment to the motion.

Staff will make note of the commission's discussion and concerns when presented to City Council. Passed by a 7-0 vote. Resolution No. PC-4332

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Break - 10:09am to 10:21am

ITEM-7: *Continued from October 18 and November 8, 2007;***KENSINGTON TERRACE - PROJECT NO. 105244**

City Council District: 3 Plan Area: Mid-Cities –Kensington-Talmadge Neighborhood.

Staff: Dan Stricker; was presented by John Fisher

Speaker slips in favor by Robert Utt, Clint Kisner, Joe Carta, Joan Fitzaimons, Mary Ellen Denneby, Liz Jardine, Tina Zenzola, Rex Downing, Louis Misko, Sam Guillen, Gary Furstenfell, Brad Richter, Allan Jansen, Justin Suiter, Justing Rasas, Damon McGorey, Mike Hughes, Tyler Lawson, James Shettino, Jessica Greslick, Todd Ray, Hannah Devine, Change Billmeyer, Dan Larson, John Dietrick, Cecelia Garr, Margaret Downing, and Daniele Laman.

Speaker slip in opposition by Margaret Mc Cann, Sue Lee, Greg Lee, Billie Hastings, Liliam Cooper, Joan Bormann, David Hamilton Jennifer Reed, Derby Pattengill, Virginia Belk, Dreq Hubbell, John Dunne, Pam Hubbell, Sharon Hall, Virginia Berger, Kathleen Kaiser Judy Raune, Gina Gianzero, Gael Green, Denise Richards, Barbara Hartman, Karen Friedman, Tim Blood, Nuri Uzgunduz, Don Rodesiler, Felipe, Susan Jones, Dominic D'Amigo, Thomas Rauner, David Lippincott, Grham Pattingill, Ann Ozgunez, Wayne Murphy, John Mc Garrison, Frank Duft, Richard Czarwiecki, Kevin Kelly, Susanna Gonzalez, Charles Craven, Yolanda Thomas, Rodney Humphrey, Steve Hubachek, Cecilia Conover, Bill Martin, Rick Richards, Todd Cuffado, Elaine Mc Elhinney, Harmon Huff, Pat Driscoll, Robert Hunt, Marie Berry, and Peter Berry.

COMMISSION ACTION:

MOTION BY COMMISSIONER GRISWOLD TO CERTIFY MITIGATED NEGATIVE DECLARATION NO. 105244 AND APPROVE PLANNED DEVELOPMENT PERMIT NO 360181 AND VESTING TENTATIVE MAP NO. 360180 AS PRESENTED IN REPORT NO. PC-07-140. Second By Commissioner Smiley. Passed by a 6-0-1 with Commissioner Otsuji not present.

Lunch Break – 12:26pm to 1:26pm

ITEM-8: ***SEACREST - PROJECT NO. 134855**
City Council District: 2; Plan Area: Pacific Beach

Staff: Dan Stricker

COMMISSION ACTION:

This item was withdrawn from the docket

001286

ITEM-9: **TEEN CHALLENGE – PROJECT NO. 122595**
City Council District: 7 Plan Area: Eastern Area Neighborhood of Mid City
Communities Plan Area

Staff: PJ Fitzgerald

Speaker slips submitted in favor by Terrence Quinn and Herlindo Salinas

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER OTSUJI TO APPROVE
CONDITIONAL USE PERMIT NO. 417644 AS PRESENTED IN REPORT NO.
PC-07-132. Second by Commissioner Naslund. Passed by a 7-0 vote. Resolution
No. PC-4334.

ITEM--10: ***BOOTH BUILDING/GEORGE E. BARNES FAMILY JUNIOR TENNIS
CENTER - PROJECT NO.116246**
City Council District: 2 Plan Area: Ocean Beach

Staff: Sandra Teasley

No speaker slips were submitted.

DEPARTMENT RECOMMENDATION:

CONSENT MOTION BY COMMISSIONER OTSUJI TO CERTIFY THE
ADDENDUM TO ENVIRONMENTAL IMPACT REPORT NO 91041080 AND;
APPROVE CONDITIONAL USE PERMIT NO. 392576 AS PRESENTED IN
REPORT NO. PC-07-159. Second by Commissioner Griswold. Passed by a 7-0
vote. Resolution No. PC-4335

ITEM-11: **ERMA ROAD PROJECT – INITIATION - COMMUNITY PLAN
AMENDMENT – PROJECT NO. 137944**
City Council District: 5 Plan Area: Scripps Miramar Ranch

Staff: Dan Monroe

Speaker slip submitted in favor by Allen Jones.

No opposition.

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DEPARTMENT RECOMMENDATION:

MOTION BY COMMISSIONER GRISOWOLD APPROVES THE INITIATION OF THE PLAN AMENDMENT PROCESS AS PRESENTED IN REPORT NO. PC-07-146 WITH THE ADDITION; INVESTIGATION INTO A LARGER PARCEL. Second by Vice-Chairperson Garcia. Passed by a 5-0-2 vote with commissioners Ontai and Otsuji not present. Resolution No. PC-4336

ITEM-12: **4155 GEORGIA TENTATIVE MAP - PROJECT NO. 95649**
City Council District: 3 Plan Area: Greater North Park Community Plan

Staff: Derrick Johnson

No speaker slips submitted.

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER OTSUJI TO APPROVE TENTATIVE MAP NO 309834; AND APPROVE WAIVER TO THE REQUIREMENT TO UNDERGROUND EXISTING OVERHEAD UTILITIES AS PRESENTED IN REPORT NO. PC-07-144.

Second by Commissioner Griswold. Passed by a 7-0 vote.
Resolution No. PC-4337

ITEM-13: ***SAN DIEGO TECH CENTER – PROJECT NO. 1689**
City Council District: 5; Plan Area: Mira Mesa

Staff: Tim Daly

Speaker slips submitted in favor by Bob Goodwin, Mike Asaro, Paul Robinson and Mark Lammar.

No opposition.

DEPARTMENT RECOMMENDATION:

MOTION BY COMMISSIONER NASLUND TO CERTIFY THE ENVIRONMENTAL IMPACT REPORT NO. 1689 AND ADOPT THE MITIGATION MONITORING AND REPORTING PROGRAM AND STATEMENT OF OVERRIDING CONSIDERATIONS.

APPROVE VESTING TENTATIVE MAP NO. 18547 AND PLANNED DEVELOPMENT PERMIT NO. 18546 AS PRESENTED IN REPORT NO. PC-07-147 WITH THE ADDED CONDITIONS;

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NO CHANGE TO THE JAPANESE GARDEN; ELIMINATION OF LOT 4 AS SHOWN; PHASING PLAN NEEDS TO BE PROVIDING PARKING; PARKING STRUCTURE WOULD STAY ONSITE.

Second by Commissioner Garcia. Passed by a 4-1-2 vote with Commission Griswold voting nay and Commissioners Otsuji and Ontai not present. Resolution No.

ITEM-14: **WINDANSEA TENTATIVE MAP - PROJECT NO. 128934**
City Council District: 1; Plan Area: La Jolla

Staff: Edith Gutierrez

No speaker slips were submitted.

Commission action:

CONSENT MOTION BY COMMISSIONER OTSUJI TO RECOMMEND TO THE CITY COUNCIL TO APPROVE COASTAL DEVELOPMENT PERMIT NO. 443805, TENTATIVE MAP NO 444017 AND SEWER EASEMENT ABANDONMENT NO. 445335.

RECOMMEND THE CITY COUNCIL APPROVE TO WAIVE THE REQUIREMENTS TO UNDERGROUND EXISTING OVERHEAD UTILITIES AS PRESENTED IN REPORT NO. PC-07-148.

Second by Commissioner Griswold. Passed by a 7-0 vote.
Resolution No. PC-4339

ITEM-15: **LINDA VISTA/CLAIREMONT OPEN SPACE – REZONING
COMMUNITY PLAN AMENDMENT – PARK DEDICATION**
City Council District: 6; Plan Area: Linda Vista, Clairemont Mesa

Staff: Brian Schoenfisch

Speaker slips in favor by David Potter, Doug Beckham, and Brooke Peterson.

Speaker slips in opposition by Dirfi Wilson, Wayne Bamford, Donna Erickson, Margarita Castro, and Gail Cole.

001289

COMMISSION ACTION:

MOTION BY COMMISSIONER NASLUND TO RECOMMEND TO CITY COUNCIL TO APPROVE AMENDMENTS TO THE PROGRESS GUIDE AND GENERAL PLAN AND THE LINDA VISTA AND CLAIREMONT MESA COMMUNITY PLANS, REZONE NO. 445143 AND THE DEDICATION OF PARK LAND AS PRESENTED IN REPORT NO. PC-07-145 TO THE PLANNING COMMISSION. Second by Commissioner Smiley. Passed by a 5-0-2 vote with commissioners Otsuji and Ontai not present. Resolution No. 4340-PC

ITEM-16: **4133 KANSAS STREET TENTATIVE MAP - PROJECT NO. 83998**
City Council District: 3; Plan Area: Greater North Park

Staff: Michelle Sokolowski

Speaker slip in favor by Patricia Mc Coll

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER OTSUJI TO APPROVE TENTATIVE MAP NO. 264794 AND APPROVE WAIVER TO THE REQUIREMENTS TO UNDERGROUND EXISTING OVERHEAD UTILITIES AS PRESENTED IN REPORT NO. PC-07-149.

Second By Commissioner Griswold. Passed by a 7-0 vote.
Resolution No. PC-4341.

ITEM-17: **2551 WORDEN TENTATIVE MAP - PROJECT NO. 84000**
City Council District: 2; Plan Area: Peninsula

Staff: Paul Godwin

Speaker slip in favor by Patricia Mc Coll

DEPARTMENT RECOMMENDATION:

CONSENT MOTION BY COMMISSION OTSUJI TO RECOMMEND TO CITY COUNCIL TO APPROVAL OF TENTATIVE MAP NO. 265665; RECOMMEND APPROVAL OF EASEMENT VACATION NO. 499428 AND RECOMMEND APPROVAL OF A WAIVER OF THE REQUIREMENT TO UNDERGROUND THE EXISTING OVERHEAD UTILITIES AS PRESENTED IN REPORT NO. PC-

001290

07-151. Second by Commissioner Griswold. Passed by a 7-0 vote. Resolution No. 4342-PC

ITEM-18: **NATIONAL UNIVERSITY BUILDING D - PROJECT NO. 92959**
City Council District: 6; Plan Area: Kearny Mesa

Staff: Patrica Grabski

COMMISSIONER ACTION:

MOTION BY COMMISSIONER OTSUJI TO CONTINUE TO DECEMBER 6, 2007. Second by Commissioner Griswold.
Passed by a 7-0 vote.

001291

PLANNING COMMISSION
RESOLUTION NO. 4342-PC
RECOMMENDING TO THE CITY COUNCIL APPROVAL OF
TENTATIVE MAP NO. 265665 AND EASEMENT VACATION NO. 499428,
2551 WORDEN TENTATIVE MAP - PROJECT NO. 84000

WHEREAS, on November 15, 2007, the Planning Commission of the City of San Diego held a public hearing for the purpose of considering and recommending to the Council of The City of San Diego approval of Tentative Map No. 265665, including a waiver of the requirement to underground the existing overhead utilities and Easement Vacation No. 499428; and

WHEREAS, CHARLES WARNER, Owner and Permittee, requested approval of Tentative Map No. 265665 and Easement Vacation No. 499428, to allow the condominium conversion of 29 existing residential units, including a request to waive the requirement to underground existing overhead utilities and the vacation of two public service easements and the vacation of one street reservation easement as shown on the Tentative Map. The project site located on the east side of Worden Street, at 2551 Worden Street, in the RM-3-7 Zone and the Airport Environs, Airport Approach and Coastal Height Limit Overlay Zones, within the Peninsula Community Plan area, legally described as Lot 2 of West Point Loma, according to Map No. 5879, filed May 8, 1967; and

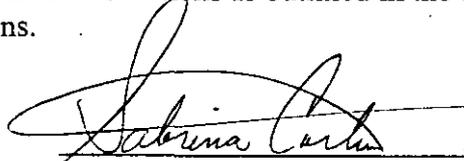
WHEREAS, the Planning Commission of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW HEREOFRE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego that it hereby recommends approval of Tentative Map No. 265665 and Easement Vacation No. 499428; and incorporate all other listed actions.

Motion made by Commissioner Otsuji, second by Commissioner Ontai to approve the item on the consent agenda and passed by a 7-0 Vote, with the conditions as outlined in the draft Tentative Map and Easement Vacation resolutions.



Paul Godwin
Development Project Manager
Development Services Department



Sabrina Curtin
Planning Commission Secretary

Godwin, Paul

From: 001293 PlanningCommission
Sent: Thursday, November 15, 2007 7:33 AM
To: Godwin, Paul
Subject: Fwd: Agenda Item - 17 - November 15, 2007

Attachments: Outlook.bmp



Outlook.bmp (27 KB)

fyi -sc

>>> Geoff Page 11/15/2007 6:48:AM >>>
Planning Commission

City of San Diego

1222 First Ave, 4th floor

San Diego, CA 92101

Subject: November 15, 2007 Agenda

Re: Item 17 - 2551 Worden

Project No. 84000

Dear Sir or Madam,

The purpose of this letter is to reiterate the Peninsula Community Planning Board's (PCPB) opposition to this project. The PCPB voted to deny this project on the grounds that there was inadequate parking. This conversion of apartments to condominiums, without sufficient parking for the 29 units, 17 two-bedroom and 12 one-bedroom, will cause additional parking difficulties for an already over-burdened community. The PCPB proposed that the applicant reduce the number of units in order to mitigate the parking situation and the applicant has apparently chosen to ignore that suggestion and move forward. To our dismay, the City Staff is recommending approval of the project. We urge the Planning Commission to deny this project and require the applicant to address the parking issue for the good of the community.

Sincerely yours,

001294

Geoff Page

Chair - Peninsula Community Planning Board

619-694-7993 (cell)

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: November 8, 2007 REPORT NO.: PC-07-151
 ATTENTION: Council President and City Council
 ORIGINATING DEPARTMENT: Development Services Department
 SUBJECT: 2551 Worden Tentative Map Project Number: 84000
 COUNCIL DISTRICT: 2
 STAFF CONTACT: Paul Godwin, Phone 619-446-5103, Email pgodwin@sandiego.gov

REQUESTED ACTION:

Approval of a Tentative Map to allow the conversion of 29 existing residential rental units into condominiums and an Easement Vacation to allow the vacation of several unused public service and street reservation easements at 2551 Worden Street in the Peninsula Community Plan area.

STAFF RECOMMENDATION:

1. **Approve** Tentative Map No. 265665; and
2. **Approve** Easement Vacation No. 499428; and
3. **Approve** the requested waiver of the requirement to underground the existing overhead utilities.

EXECUTIVE SUMMARY:

The following is a brief summary of the project background and issues. Please refer to the attached Report Planning Commission for more detailed information (Attachment 2). The existing two-story, 29-unit apartment building was constructed in 1970 and consists of 12 one-bedroom units and 17 two-bedroom units with 31 onsite parking spaces. A Tentative Map to allow the conversion of existing units to condominiums would typically require a Process Four, Planning Commission decision. However, this project includes a request to vacate several unused public service and street reservation easements, which elevates the project to a Process Five, City Council decision.

This project is subject to the condominium conversion regulations that became effective June 13, 2006, with the exception of the parking regulations, based on the City Council's specific adoption language for the "new" condominium conversion regulations. These regulations include additional landscape requirements, the preparation of a building conditions report, provision of onsite inclusionary housing, additional public noticing and parking. Based on the adopted language and project timing, all of these new regulations apply to this project, with the exception of the parking regulations.

City staff has reviewed and approved the Building Conditions Report and landscape plan for this project. As required by the current condominium conversion regulations, the project has been conditioned to set aside at least 10 percent of the units for households with an income level at or below 100 percent of the Average Median Income (AMI).

The requested Tentative Map would include the vacation of several unused public service and street reservation easements that are located within the project site. These easements include a 10-foot wide public utility easement located towards the front of the site along Worden Street, a 10-foot wide drainage easement located along the north side of the

existing building and a 35-foot street reservation easement located at the northeastern corner of the property. City staff has reviewed the requested easement vacations and determined that the easements are not being utilized, are no longer required for their original intended use and staff is supportive of the requested vacations

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 undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, *Underground Conversion of Utility Lines at the Developer's Expense* and recommends approval of the requested waiver

The project as proposed is in conformance with all applicable regulations. The Planning Commission voted unanimously to recommend approval of the project and City Staff also recommends approval of the project.

FISCAL CONSIDERATIONS:

All processing costs associated with this project are collected from a deposit account funded by the project applicant, Mr. Charles Warner.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

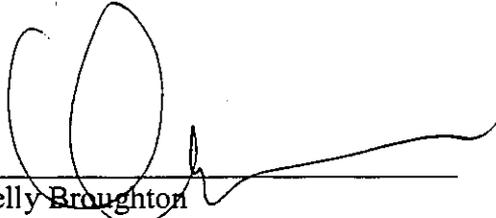
On November 15, 2007, the Planning Commission voted 7-0, on consent, to recommend approval of the project as proposed to the City Council.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

On November 17, 2005, the Peninsula Community Planning Committee voted 7-1-2 to recommend denial of the project. Concerns raised by Planning Group included the amount of parking provided, the age of the building and possible need for physical upgrades and that no affordable units were being provided onsite. No recommended project conditions were provided. The Peninsula Planning Group provided a letter to the Planning Commission reiterating their recommendation that the project not be approved (Attachment 5). As discussed in the staff report, the project complies with the applicable parking regulations. Also, because this project is subject to the new condominium conversion regulations, affordable housing must be provided onsite and the required repaired identified in the Building Conditions Report must be completed prior to Final Map approval.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Mr. Charles Worden, Property Owner; Lintvedt, McColl & Associates, Engineer


 Kelly Broughton
 Director, Development Services Department


 William Anderson
 Deputy Chief of Land Use and
 Economic Development

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ATTACHMENTS:

1. Recommendation Sheet
2. Report to the Planning Commission, dated November 8, 2007
3. Planning Commission hearing minutes from November 15, 2007
4. Planning Commission Resolution No. 4342-PC recommending approval
5. Email from Peninsula Community Planning Group, dated November 15, 2007
6. City Council Tentative Map and Easement Vacation Resolution

001301

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

WHEREAS, Charles Warner, Applicant/Subdivider, and Lintvedt, McColl & Associates, Engineer, submitted an application to the City of San Diego for a tentative map and easement vacation (Tentative Map No. 265665/Easement Vacation No. 499428) for the subdivision of a 1.10-acre site into one lot for the conversion of twenty-nine existing residential units into condominiums, the vacation of two public service easements and the vacation of one street as shown on the tentative map for the 2551 Worden Street project [Project], located on the east side of Worden Street at 2551 Worden Street, and legally described as Lot 2 of West Point Loma, according to Map No. 5879, filed May 8, 1967, in the Peninsula Community Plan area, in the RM-3-7 zone, and the Airport Environs, Airport Approach and Coastal Height Limit Zones; and

WHEREAS, the applicant seeks to waive the requirement to underground existing overhead utilities, pursuant to Council Policy 600-25; and

WHEREAS, on November 15, 2007, the Planning Commission of the City of San Diego considered Tentative Map No. 265665/Easement Vacation No. 499428, and pursuant to Resolution No. 4342-PC voted to recommend City Council approval of the map; and

WHEREAS, the Project is exempt from environmental review pursuant to Article 19, Section 15301(k) of the California Environmental Quality Act [CEQA] on the basis that the facilities are existing; and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineer pursuant to the Subdivision Map Act and San Diego Municipal Code section 144.0220; and

001302

WHEREAS, the subdivision is a condominium project as defined in Section 1350 et seq. of the Civil Code of the State of California and filed pursuant to the Subdivision Map Act. The total number of condominium units is twenty-nine; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on _____, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 265665:

1. The proposed subdivision complies with the applicable zoning and development regulations of the San Diego Municipal Code/Land Development Code [SDMC/LDC] (SDMC/LDC section 125.0440(b)).
2. 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 (SDMC/LDC section 125.0440(h) and Subdivision Map Act Section 66412.3).
3. Each of the tenants of the proposed condominium project has received, pursuant to Subdivision Map Act Section 66452.9, written notification of intention to convert at least sixty days prior to the filing of a tentative map (SDMC/LDC section 125.0444 and Subdivision Map Act Section 66427.1(a)).
4. The project has been conditioned that the Subdivider will give each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the Subdivision Map Act (SDMC/LDC section 125.0444 and Subdivision Map Act Section 66427.1(a)).

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5. The project has been conditioned that the Subdivider will give each tenant ten days' written notification that an application for a public report will be, or has been, submitted to the Department of Real Estate, and that such report will be available on request (SDMC/LDC section 125.0444 and Subdivision Map Act Section 66427.1(a)).

6. The project has been conditioned that the Subdivider will give each tenant of the proposed condominium project written notification within ten days of approval of a final map for the proposed conversion (SDMC/LDC section 125.0444 and Subdivision Map Act Section 66427.1(b)). If the subdivider chooses to provide affordable housing units, the subdivider shall enter into an affordable housing agreement with the Housing Commission, prior to recordation of the Final Map.

7. The project has been conditioned that the Subdivider will give each of the tenants of the proposed condominium project 180 days' written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion (SDMC/LDC section 125.0444 and Subdivision Map Act Section 66427.1(c)).

8. The project has been conditioned that the Subdivider will give each of the tenants of the proposed condominium project notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, which notice shall be provided within five working days of the issuance of the Subdivision Public Report.. The right shall run for a period of not less than ninety days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right (SDMC/LDC section 125.0444 and Subdivision Map Act Section 66427.1(d)).

9. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing (SDMC/LDC section 125.0444(b)).

10. For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed (SDMC/LDC section 125.0444(c)).

11. Each of the tenants of the proposed condominium project has received written notification of the project application for the condominium conversion within ten days after the application was deemed complete (SDMC/LDC section 125.0431(a)(3)).

12. The project has been conditioned that the Subdivider will give each person applying for the rental of a unit in such residential real property written notification that the project application for the condominium conversion was deemed complete (SDMC/LDC section 125.0431(a)(3)).

13. The project has been conditioned that the Subdivider will give each tenant a notice of termination of tenancy sixty days prior to being required to vacate the property. (SDMC/LDC section 125.0431(a)(4)).

14. A Building Conditions Report has been prepared in accordance with the Land Development Manual by a registered architect or engineer licensed by the State of California (SDMC/LDC section 144.0504(b)).
15. The project has been conditioned that the Subdivider will provide to a prospective purchaser a copy of the Building Conditions Report prior to the opening of an escrow account. (SDMC/LDC section 144.0504(c)).
16. The project has been conditioned that the Subdivider will provide a relocation assistance payment to all tenants of the project whose tenancy has terminated due to the condominium conversion. (SDMC/LDC section 144.0505).
17. The project has been conditioned for the Subdivider to complete the physical improvements as outlined in SDMC/LDC section 144.0507, to the satisfaction of the City Engineer prior to final map approval.
18. The project has been conditioned for the Subdivider to satisfy the inclusionary housing requirements on-site in accordance with SDMC/LDC section 142.1306. (SDMC/LDC section 144.0508).
19. The property contains easements and a street reservation which must be vacated to implement the Final Map in accordance with San Diego Municipal Code 125.0430.
20. The requested underground waiver of the existing overhead facilities, qualifies under the guidelines of Council Policy No. 600-25 Underground Conversion of Utility Lines at Developers Expense in that:
 - a. The conversion involves a short span of overhead facility (less than 600 feet in length).
 - b. The conversion is a requirement of a condominium conversion of an existing development and the conversion would not represent a logical extension to an underground facility.

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

BE IT FURTHER RESOLVED, that pursuant to California Government Code section 66434(g), the following public service easements and street reservation, located within the project boundaries as shown in Tentative Map No. 265665, shall be vacated, contingent upon the recordation of the approved final map for the project:

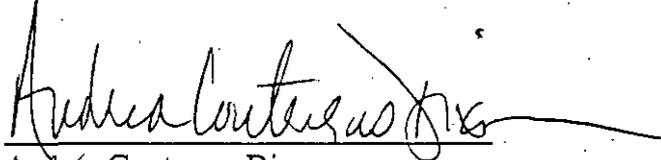
- a. The 10 feet wide public utility easement dedicated on Map No. 3851.

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- b. The drain easement granted per deed recorded May 7, 1963, File/Page 79089, Series 4, Bk. 1963.
- c. A 35 feet wide portion of the street reservation in Map 5879 reserved per Map 3603.

BE IT FURTHER RESOLVED, that Tentative Map No. 265665/Easement Vacation No 499428 is granted to Charles Warner, Applicant/Subdivider and Lintvedt, McColl & Associates Engineer, subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Andrea Contreras Dixon
Deputy City Attorney

ACD:pev
01/10/07
Or.Dept:DSD
R-2008-573
MMS #5786

CONDITIONS FOR TENTATIVE MAP NO. 265665/

EASEMENT VACATION NO. 499428

2551 WORDEN STREET TM PROJECT (PROJECT NO. 84000)

ADOPTED BY RESOLUTION NO. R- _____ ON _____

GENERAL

1. This Tentative Map will expire _____.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the Tentative Map expiration date, a Final Map to consolidate the existing lots into one lot shall be recorded in the Office of the County Recorder.
4. Prior to the issuance of the Final Map, taxes must be paid on this property pursuant to section 66492 of the Subdivision Map Act. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition
5. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, including, but not limited to, any to any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant
6. The Subdivider shall provide a Notice of Tenants Rights and Notices for Condominium Conversion, consistent with the Land Development Manual to be provided as follows:

- a. For existing tenants, within ten days of the project application for the condominium conversion being deemed complete; or
 - b. For prospective tenants, upon application for the rental of a unit in the proposed condominium conversion.
7. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the Subdivision Map Act.
 8. The Subdivider shall provide the tenants a Notice of Application for a Public Report at least ten days prior to the submittal to the Department of Real Estate [DRB], pursuant to Section 66427.1(a) of the Subdivision Map Act.
 9. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion in conformance with Section 66427.1(c) of the Subdivision Map Act. The provisions of this subdivision shall not alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Sections 1941, 1941.1 and 1941.2 of the Civil Code.
 10. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Section 66427.1(d) of the Subdivision Map Act. The right shall run for a period of not less than ninety days from the date of issuance of the subdivision public report, pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.
 11. The Subdivider shall provide the tenants of the proposed condominiums with written notification within ten days or approval of a Final Map for the proposed conversion, in conformance with Section 66427.1(b) of the Subdivision Map Act.
 12. Prior to recordation of the Final Map, the Subdivider shall provide a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration [FAA].

AFFORDABLE HOUSING

13. Prior to the recordation of the Final Map, the Subdivider shall enter into an affordable housing agreement with the Housing Commission to provide affordable housing units 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).

14. Prior to the recordation of the Final Map, the Subdivider shall demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5), to the satisfaction of the Development Services Department and the Housing Commission.
15. The Subdivider will give each tenant a notice of termination of tenancy sixty days prior to being required to vacate the property. (SDMC/LDC section 125.0431(a)(4)).
16. The Subdivider will provide to a prospective purchaser a copy of the Building Conditions Report prior to the opening of an escrow account. (SDMC/LDC section 144.0504(c)).

ENGINEERING

17. Pursuant to City Council Policy 600-20, the Subdivider shall provide evidence to ensure that an affirmative marketing program is established.
18. The Subdivider shall replace the damaged curb, gutter and sidewalk, preserving any contractor's stamp, adjacent to the site on Worden Street. The Subdivider shall ensure that the water vault is flush with the sidewalk and that there is a 4-foot clear path around the southerly power pole.
19. The Subdivider shall construct a new curb ramp and reconstruct the curb ramp and driveway, at the northerly end of the project. The Subdivider shall also construct a curb ramp adjacent to the site, across from the northerly curb return of Valeta Street, all to current City Standards.
20. The Subdivider shall repair the onsite drive aisles and parking areas.
21. The Subdivider shall discharge the southerly on site drain pipes at the curb, via sidewalk underdrains and repair the existing sidewalk underdrain.
22. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement for the existing and proposed sidewalk underdrains, retaining wall, landscape and appurtenances within the Worden Street right-of-way.
23. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement for the existing retaining wall and brow ditch within the drain easements.
24. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement for the connection of the private 18" CMP to the public drain system.
25. The Subdivider shall clean all brow ditches within the TM boundary.
26. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.

27. 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.
28. Taxes must be paid on this property pursuant to section 66492 of the Subdivision Map Act. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition.
29. The design of the subdivision shall include private easements, if any, serving parcels of land outside the subdivision boundary or such easements must be removed from the title of the subdivided lands prior to filing any parcel or final map encumbered by these easements.
30. Prior to the recordation of the Final Map, the Subdivider shall demonstrate conformance with the Municipal Code provisions for building and landscape improvements (SDMC/LDC section 144.0507), to the satisfaction of the City Engineer. The parking requirements in SDMC/LDC sections 144.0507 and 142.0525(a) do not apply, since this project was deemed complete prior to the effective date of this ordinance (July 27, 2006).
31. 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

32. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
33. "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."
34. The Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (θ 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 Third Order accuracy or better. 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.

SEWER AND WATER

- 35. 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.
- 36. 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.

LANDSCAPE

- 37. Prior to recordation of the Final Map, complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with the Exhibit "A," Landscape Development Plan.
- 38. Prior to recordation of the Final Map, and after Landscape and Irrigation Construction Documents have been approved by Development Services, the Subdivider shall install all required landscaping consistent with the approved plans and the Land Development Manual, Landscape Standards.
- 39. Prior to recordation of the Final Map, it shall be the responsibility of the Permittee/Owner to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.
- 40. The Landscape Construction Plan shall take into account a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under SDMC/LDC section 142.0403(b)5.
- 41. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

42. The Permittee or subsequent owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.
43. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager within thirty days of damage or prior to a Certificate of Occupancy or a Final Landscape Inspection.

INFORMATION:

- The approval of this Tentative Map by the City Council 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 Section 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then 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 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, may protest the imposition within ninety days of the approval of this Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.
- Where in the course of development of private property, public facilities are damaged or removed the property owner 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 section 142.0607.

001313

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF REGULAR SCHEDULED MEETING OF
NOVEMBER 15, 2007
IN CITY COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING**

Item no: 17

CHRONOLOGY OF THE MEETING:

Chairperson Schultz called the meeting to order at 9:10 a.m. Chairperson Schultz adjourned the meeting at 6:18 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Barry Schultz - present
Vice-Chairperson Kathleen Garcia - present
Commissioner Robert Griswold - present
Commissioner Gil Ontai -present
Commissioner Dennis Otsuji - present
Commissioner Eric Naslund - present
Commissioner Mike Smiley – present

Staff

Andrea Dixon, City Attorney - present
Cecilia Gallardo Planning Department – present
Mike Westlake, Development Services Department - present
Sabrina Curtin, Recorder - present

001314

COMMISSION ACTION:

MOTION BY COMMISSIONER NASLUND TO RECOMMEND TO CITY COUNCIL TO APPROVE AMENDMENTS TO THE PROGRESS GUIDE AND GENERAL PLAN AND THE LINDA VISTA AND CLAIREMONT MESA COMMUNITY PLANS, REZONE NO. 445143 AND THE DEDICATION OF PARK LAND AS PRESENTED IN REPORT NO. PC-07-145 TO THE PLANNING COMMISSION. Second by Commissioner Smiley. Passed by a 5-0-2 vote with commissioners Otsuji and Ontai not present. Resolution No. 4340-PC

ITEM-16: **4133 KANSAS STREET TENTATIVE MAP - PROJECT NO. 83998**
City Council District: 3; Plan Area: Greater North Park

Staff: Michelle Sokolowski

Speaker slip in favor by Patricia Mc Coll

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER OTSUJI TO APPROVE TENTATIVE MAP NO. 264794 AND APPROVE WAIVER TO THE REQUIREMENTS TO UNDERGROUND EXISTING OVERHEAD UTILITIES AS PRESENTED IN REPORT NO. PC-07-149.

Second By Commissioner Griswold. Passed by a 7-0 vote.
Resolution No. PC-4341.

ITEM-17: **2551 WORDEN TENTATIVE MAP - PROJECT NO. 84000**
City Council District: 2; Plan Area: Peninsula

Staff: Paul Godwin

Speaker slip in favor by Patricia Mc Coll

DEPARTMENT RECOMMENDATION:

CONSENT MOTION BY COMMISSION OTSUJI TO RECOMMEND TO CITY COUNCIL TO APPROVAL OF TENTATIVE MAP NO. 265665; RECOMMEND APPROVAL OF EASEMENT VACATION NO. 499428 AND RECOMMEND APPROVAL OF A WAIVER OF THE REQUIREMENT TO UNDERGROUND THE EXISTING OVERHEAD UTILITIES AS PRESENTED IN REPORT NO. PC-

001315

07-151. Second by Commissioner Griswold. Passed by a 7-0 vote. Resolution No. 4342-PC

ITEM-18: **NATIONAL UNIVERSITY BUILDING D - PROJECT NO. 92959**
City Council District: 6; Plan Area: Kearny Mesa

Staff: Patrica Grabski

COMMISSIONER ACTION:

MOTION BY COMMISSIONER OTSUJI TO CONTINUE TO DECEMBER 6, 2007. Second by Commissioner Griswold. Passed by a 7-0 vote.

Godwin, Paul

336
07/29

From: PlanningCommission
Sent: Thursday, November 15, 2007 7:33 AM
To: Godwin, Paul
Subject: 001317 Fwd: Agenda Item - 17 - November 15, 2007

Attachments: Outlook.bmp



Outlook.bmp (27 KB)

fyi -sc

>>> Geoff Page 11/15/2007 6:48:AM >>>
Planning Commission

City of San Diego

1222 First Ave, 4th floor

San Diego, CA 92101

Subject: November 15, 2007 Agenda

Re: Item 17 - 2551 Worden
Project No. 84000

Dear Sir or Madam,

The purpose of this letter is to reiterate the Peninsula Community Planning Board's (PCPB) opposition to this project. The PCPB voted to deny this project on the grounds that there was inadequate parking. This conversion of apartments to condominiums, without sufficient parking for the 29 units, 17 two-bedroom and 12 one-bedroom, will cause additional parking difficulties for an already over-burdened community. The PCPB proposed that the applicant reduce the number of units in order to mitigate the parking situation and the applicant has apparently chosen to ignore that suggestion and move forward. To our dismay, the City Staff is recommending approval of the project. We urge the Planning Commission to deny this project and require the applicant to address the parking issue for the good of the community.

Sincerely yours,

001318

Geoff Page

Chair - Peninsula Community Planning Board

619-694-7993 (cell)