



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: August 21, 2013

REPORT NO. HO 13-071

ATTENTION: Hearing Officer

SUBJECT: CII LOFTS TENTATIVE PARCEL MAP
PROJECT NUMBER: 314734

LOCATION: 3535 Crestwood Place

APPLICANT: Maggie Roland, Maggie Roland Associates
OWNER: CII LOFTS, INC. (a California Limited Liability Company)

SUMMARY

Issue: Should the Hearing Officer approve a Tentative Parcel Map to allow the creation of two residential condominium units (under construction), including a request to waive the requirement to underground existing overhead utilities?

Staff Recommendation: APPROVE Tentative Parcel Map No. 1116948.

Community Planning Group Recommendation – The North Park Planning Committee voted 9-1-0 to recommend denial of the proposed project on May 21, 2013, “*due to the lack of public review prior to start of construction.*”

Environmental Review: The City of San Diego, as Lead Agency, through the Development Services Department, determined that this project is within the scope of Negative Declaration No. 35874, certified on March 15, 2005. This Negative Declaration adequately describes the activity for the purposes of the California Environmental Quality Act (CEQA). This project would not result in new impacts or changed circumstances that would require a new environmental document.

BACKGROUND

The 0.057-acre project site is located on the east side of Crestwood Place, between Myrtle and Cypress Avenues, at 3535 Crestwood Place in the MR-1000 zone of the Mid-City Communities Planned District, Transit Area Overlay zone within the Greater North Park Community Plan (Attachment 3).

The proposed project is a request to create two residential condominium units (under construction). On September 26, 2012, the Development Services Department approved Building Permit No. 1007685 for the construction of two residential units, which have not yet received a Certificate of Occupancy.

DISCUSSION

The applicant is requesting a Tentative Parcel Map for the subdivision of the 0.057-acre site, with two residential units currently under construction, to create two residential condominium units. The proposed project will turn these residential units from apartments into condominiums and is purely a mapping action. No construction is associated with this mapping action.

An Affordable Housing Fee of \$2,430 was paid at the time of the issuance of the building permit, therefore the project is in compliance with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code) and no additional Inclusionary Housing Fees are required.

Undergrounding of Existing Utilities

San Diego Municipal Code Section 144.0232 allows the subdivider to apply for a waiver from the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public rights-of-way. City staff has determined the request to waive the requirement to underground existing offsite overhead utilities, qualifies under the guidelines of San Diego Municipal Code section 144.0242 *Waiver of the Requirements to Underground Privately Owned Utility Systems and Service Facilities* in that the conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility, and the requested waiver will not create a long term visual or functional impact to any streets, sidewalks or the public realm in conflict with adopted land use plan policies.

The applicant will be required to underground existing utilities and all new service runs to any new or proposed structures within the subdivision per Condition Nos. 5 and 6 of the draft Tentative Parcel Map conditions (Attachment 6).

There are overhead utility lines existing in the Crestwood Place frontage, serving other properties. The current City's Undergrounding Master Plan designates the site within Block 3R2, which is proposed to start the undergrounding process in Fiscal Year 2054. This situation necessitates the request to waive the requirement to underground existing offsite overhead utilities.

Community Planning Group:

The North Park Planning Committee voted 9-1-0 to recommend denial of the proposed project on May 21, 2013, "due to the lack of public review prior to start of construction." The applicant has specified their desire to proceed with the project to public hearing.

Staff Response: The ministerial permit for the construction of the two dwelling units was issued prior to the submittal of this mapping request, in accordance with applicable San Diego Municipal Code regulations. No discretionary actions were required prior to issuance of the ministerial permit; no deviations were included. The current request is purely a mapping action, and does not address construction.

CONCLUSION

The proposed project conforms with the regulations within the Land Development Code and therefore staff recommends the Hearing Officer approve the requested Tentative Parcel Map No. 1116948.

ALTERNATIVES

1. Approve Tentative Parcel Map No. 1116948, with modifications.
2. Deny Tentative Parcel Map No. 1116948, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Michelle Sokolowski, Development Project Manager

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Map Resolution
6. Draft Map Conditions
7. Previously certified Negative Declaration Memo dated July 16, 2013
8. Tentative Parcel Map Exhibit (Hearing Officer only)
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement

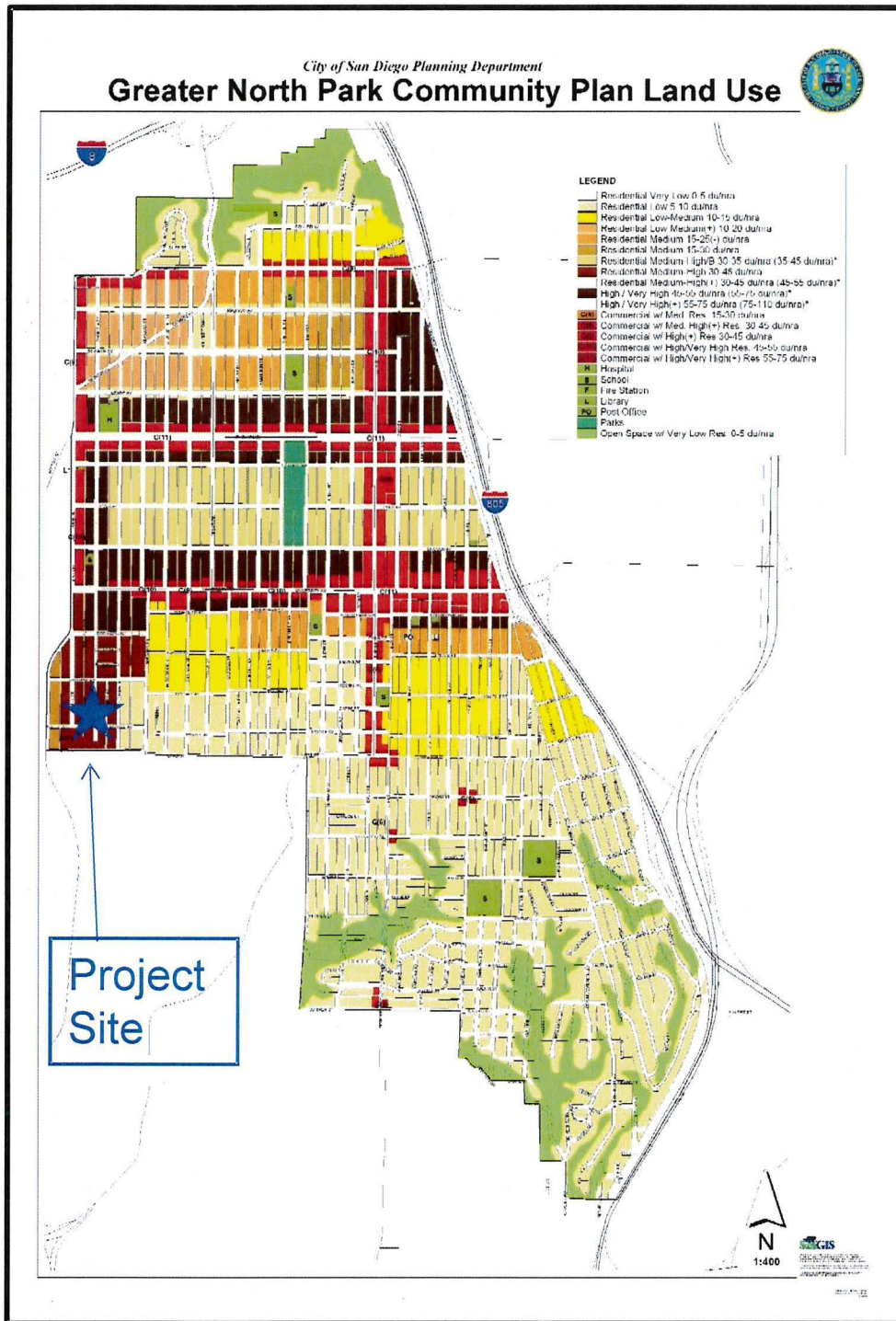


Aerial Photo

CII LOFTS TENTATIVE PARCEL MAP - PROJECT NO. 314734

3585 Crestwood Place





Community Land Use Map

CII LOFTS TENTATIVE PARCEL MAP - PROJECT NO. 314734

3585 Crestwood Place





Project Location Map

CII LOFTS TENTATIVE PARCEL MAP

PROJECT NO. 314734

3585 Crestwood Place



PROJECT DATA SHEET

FOR CONDOMINIUM CONVERSIONS

PROJECT NAME:	3585 Crestwood Place	
PROJECT DESCRIPTION:	Creation of two residential condominium units (under construction), including a request to waive the requirement to underground existing overhead utilities	
COMMUNITY PLAN AREA:	Greater North Park	
DISCRETIONARY ACTIONS:	Tentative Parcel Map	
COMMUNITY PLAN LAND USE DESIGNATION:	Medium-high residential use at a density of 30-45 dwelling units per acre.	
<u>CURRENT ZONING INFORMATION:</u>	<u>CONSTRUCTED:</u>	
ZONE: MR-1000: A multi-unit residential zone in the Mid-City Communities Planned District	MR-1000	
DENSITY: 1 dwelling unit per 1,000 sq.ft. of lot area	2 units	
HEIGHT LIMIT: 40'; 50' where a building is above enclosed parking	Under construction per code	
LOT SIZE: 6,000 square-foot minimum lot size.	2,503 square feet (existing legal lot)	
FLOOR AREA RATIO: 0.75 maximum.	Under construction per code	
FRONT SETBACK: 1 foot (named alley)	1 foot	
SIDE SETBACK: 5 feet (10% of lot width)	5 feet	
STREETSIDE SETBACK: N/A	N/A	
REAR SETBACK: 15 feet	18 feet	
PARKING: 4 spaces	4 spaces	
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Multi-Family Residential; MR-1000	Multi-Family
SOUTH:	Multi-Family Residential; MR-1000	Multi-Family
EAST:	Multi-Family Residential; MR-1000	Multi-Family
WEST:	Multi-Family Residential; MR-1000	Multi-Family/Urban Canyon
DEVIATIONS OR VARIANCES REQUESTED:	none	
COMMUNITY PLANNING GROUP RECOMMENDATION:	The North Park Planning Committee voted 9-1-0 to recommend denial of the proposed project on May 21, 2013, " <i>due to the lack of public review prior to start of construction.</i> "	

HEARING OFFICER
RESOLUTION NUMBER R-_____

TENTATIVE PARCEL MAP NO. 1116948
CII LOFTS TENTATIVE PARCEL MAP
PROJECT NO. 314734

DRAFT

WHEREAS, CII LOFTS, INC. (a California Limited Liability Company), Subdivider, and PASCO LARET SUITER & ASSOCIATES, Engineer, submitted an application to the City of San Diego for a Tentative Parcel Map application to create two residential condominium units (under construction), including a request to waive the requirement to underground existing overhead utilities. The project site is located on the east side of Crestwood Place, between Myrtle and Cypress Avenues, at 3535 Crestwood Place in the MR-1000 zone of the Mid-City Communities Planned District, Transit Area Overlay zone within the Greater North Park Community Plan. The property is legally described as the west 50 feet of Lots 35 and 36, Block 251, University Heights, according to the amended map thereof made by G.A. D'Hemecourt in book 8, page 36, et seq. of Lis Pendens; and

WHEREAS, the Map proposes the Subdivision of a 0.057-acre site into one (1) lot for a 2- unit residential condominium development, currently under construction; and

WHEREAS, on July 16, 2013, the City of San Diego, as Lead Agency, through the Development Services Department, determined that this project is within the scope of Negative Declaration No. 35874, certified on March 15, 2005. This Negative Declaration adequately describes the activity for the purposes of the California Environmental Quality Act (CEQA). This project would not result in new impacts or changed circumstances that would require a new environmental document; and

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

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 1351 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is two (2); and

WHEREAS, the request to waive the requirement to underground existing offsite overhead utilities, qualifies under the guidelines of San Diego Municipal Code section 144.0242 *Waiver of the Requirements to Underground Privately Owned Utility Systems and Service Facilities* in that the conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility, and the requested waiver will not create a long term visual or functional impact to any streets, sidewalks or the public realm in conflict with adopted land use plan policies; and

WHEREAS, on August 21, 2013, the Hearing Officer of the City of San Diego considered Tentative Parcel Map No. 1116948, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to San Diego Municipal Code sections 125.0440 and 144.0240 and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Hearing Officer having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Tentative Parcel Map No. 1116948:

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

The proposed project is a request to create two residential condominium units (under construction). On September 26, 2012, the Development Services Department approved Building Permit No. 1007685 for the construction of two residential units, which have not yet received a Certificate of Occupancy. The project conforms to the development regulations of the MR-1000 Zone of the Mid-City Communities Planned District within the Greater North Park Community Plan. The Greater North Park Community Plan designates this site for medium-high residential use at a density of 30-45 dwelling units per acre. The 0.057-acre site could accommodate up to 3 units based on the underlying zone and from 2 to 3 units based on the community plan. The project does not include deviations from the regulations; therefore, the proposed subdivision and its design or improvements are consistent with the policies, goals, and objectives of the applicable land use plan.

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

The proposed project is a request to create two residential condominium units (under construction). On September 26, 2012, the Development Services Department approved Building Permit No. 1007685 for the construction of two residential units, which have not yet received a Certificate of Occupancy. The project conforms to the development regulations of the MR-1000 Zone of the Mid-City Communities Planned District within the Greater North Park Community Plan. The project does not include deviations from the regulations; therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code.

3. The site is physically suitable for the type and density of development (San Diego Municipal Code § 125.0440(c) and Subdivision Map Act §§ 66474(c) and 66474(d)).

The proposed project is a request to create two residential condominium units (under construction). The project site is located in the MR-1000 Zone of the Mid-City Communities Planned District, within the Greater North Park Community Plan. The Greater North Park Community Plan designates this site for medium-high residential use at a density of 30-45 dwelling units per acre. The 0.057-acre site could accommodate up to 3 units based on the underlying zone and from 2 to 3 units based on the community plan. Therefore the site is physically suitable for the type and density of development.

4. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (San Diego Municipal Code § 125.0440(d) and Subdivision Map Act § 66474(e)).

The proposed project is a request to create two residential condominium units (under construction). The City of San Diego, as Lead Agency, through the Development Services Department, conducted an environmental review of this site in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. This project is within the scope of Negative Declaration No. 35874, certified on March 15, 2005. This Negative Declaration adequately describes the activity for the purposes of CEQA. This project would not result in new significant impacts or substantial changed circumstances that would require a new environmental document. As such, the Tentative Parcel Map to create two residential condominium units (under-construction) on a 0.057-acre site is consistent with the existing land use designation (multi-family residential), and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and is substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species. The site does not contain and is not adjacent to the MHPA, environmentally sensitive lands or other areas that would support fish or wildlife, since there is no habitat present. Therefore the proposed subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat.

5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (San Diego Municipal Code § 125.0440(e) and Subdivision Map Act § 66474(f)).

The proposed project is a request to create two residential condominium units (under construction). On September 26, 2012, the Development Services Department approved Building Permit No. 1007685 for the construction of two residential units, which have not yet received a Certificate of Occupancy. The approval for this project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the San Diego Municipal Code in effect for this subdivision and improvements. Such conditions have been determined by the decisionmaker as necessary to avoid adverse impacts upon the public health, safety and welfare. Further, the applicant is required to abide by all relevant Federal, State and Local regulations, including building regulations. Therefore, the design of the subdivision and the type of improvements will not be detrimental to the public health, safety, and welfare.

6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (San Diego Municipal Code § 125.0440(f) and Subdivision Map Act § 66474(g)).

The proposed project is a request to create two residential condominium units (under construction). The project is located on the east side of Crestwood Place, between Myrtle and Cypress Avenues, at 3535 Crestwood Place. The site is an interior lot and does not contain any easements acquired by the public at large for access through or use of property within the proposed subdivision.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (San Diego Municipal Code § 125.0440(g) and Subdivision Map Act § 66473.1).

The proposed project is a request to create two residential condominium units (under construction). The proposed subdivision of a 0.057-acre parcel into one lot for a two-unit residential condominium development will not impede or inhibit any future passive or natural heating and cooling opportunities. The design of the subdivision has taken into account the best use of the land to minimize grading and no environmental lands are onsite. The independent design of the proposed subdivision gives the opportunity through building materials, site orientation, architectural treatments, placement and selection of plant materials to provide to the extent feasible, for future passive or natural heating and cooling opportunities. The project is not requesting any deviations from the regulations, and therefore conforms with regulations regarding future passive or natural heating and cooling opportunities. The project has been designed and conditioned to conform with all underlying San Diego Municipal Code and applicable building code regulations.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (San Diego Municipal Code § 125.0440(h) and Subdivision Map Act § 66412.3).

The proposed project is a request to create two residential condominium units (under construction). The project site is located in the MR-1000 Zone of the Mid-City Communities Planned District, within the Greater North Park Community Plan. The Greater North Park Community Plan designates this site for medium-high residential use at a density of 30-45 dwelling units per acre. The 0.057-acre site could accommodate up to 3 units based on the underlying zone and from 2 to 3 units based on the community plan. The City of San Diego, as Lead Agency, through the Development Services Department, conducted an environmental review of this site in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. This project is within the scope of Negative Declaration No. 35874, certified on March 15, 2005. This Negative Declaration adequately describes the activity for the purposes of CEQA. On September 26, 2012, the Development Services Department approved Building Permit No. 1007685 for the construction of two residential units, which have not yet received a Certificate of Occupancy. An Affordable Housing Fee of \$2,430 was paid at the time of the issuance of the building permit, therefore the project is in compliance with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code) and no additional Inclusionary Housing Fees are required. The project is currently under construction and would not be subject to the tenant relocation assistance regulations. Therefore, the decisionmaker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Tentative Parcel Map No. 1116948, is hereby granted to CII LOFTS, INC., subject to the attached conditions which are made a part of this resolution by this reference.

By _____
Michelle Sokolowski
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24003598

DRAFT

HEARING OFFICER
CONDITIONS FOR
TENTATIVE PARCEL MAP NO. 1116948
CII LOFTS TENTATIVE PARCEL MAP
PROJECT NO. 314734

ADOPTED BY RESOLUTION NO. _____ ON AUGUST 21, 2013

DRAFT

GENERAL

1. This Tentative Parcel Map will expire September 5, 2016.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
3. Prior to the recordation of the Parcel Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
4. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

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TPM No. 1116948

ENGINEERING

5. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
6. 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.
7. 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 Parcel 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

8. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
9. "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."
10. The Parcel 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.

WATER AND SEWER REQUIREMENTS

11. 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 Public Utilities Department Director.
12. 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.

INFORMATION:

- The approval of this Tentative Parcel Map by the Hearing Officer of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Parcel 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 Parcel Map, may protest the imposition within ninety days of the approval of this Tentative Parcel Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.

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TPM No. 1116948

- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607.
- This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
- This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by Education Code Section 17620, in accordance with procedures established by the Director of Building Inspection.

Internal Order No. 24003598

Project No. 314734
TPM No. 1116948



THE CITY OF SAN DIEGO

MEMORANDUM

DATE: July 16, 2013

TO: Michelle Sokolowski, Development Project Manager III, Project Management Division,
Development Services Department

FROM: Natalie de Freitas, Associate Planner, Advanced Planning and Engineering Division,
Development Services Department

SUBJECT: CII Lofts Tentative Parcel Map (PTS# 314734) – Previous certified Negative Declaration
(ND)

The Development Services Department has completed a California Environmental Quality Act (CEQA) Guidelines review for CII Lofts Tentative Parcel Map (PTS# 314734). This project would not result in new impacts or changed circumstances that would require a new environmental document. Section 15162 of the California Environmental Quality Act Guidelines states that when an Environmental Impact Report has been certified or a Negative Declaration adopted for a project, no subsequent or supplemental Environmental Impact Report or Negative Declaration shall be prepared for that project unless one or more of the following events occur:

1. Substantial changes are proposed to the project
2. Substantial changes occur with respect to circumstances under which the project is being undertaken
3. New information, which was not known or could not have been known at the time the Environmental Impact Report or Negative Declaration was certified as complete, becomes available.

Therefore, because none of the three above criteria have occurred, Development Services Department did not find the need to prepare a subsequent or supplemental environmental document for this proposed Tentative Parcel Map and that the certified Negative Declaration (No. 35874) for the original project, adequately covers the activity being proposed.

Natalie de Freitas
Associate Planner



NDF/ndf

TENTATIVE PARCEL MAP
EXHIBIT

As attachment to Hearing Officer
Package Only



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

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

- I. **Call to order:** 6:31pm
 II. **Attendance Report :**

Member	NPPC
Robert Barry	X
Howard Blackson	
Dionne Carlson	
Cheryl Dye	X
Vicki Granowitz	X
Peter Hill	X
Brandon Hilpert	X
Roger Lewis	X
Carl Moczydlowsky	
Lucky Morrison	X
Dang Nguyen	X
Omar Passons	X
Rick Pyles	X
Phil Rath	X
Rene' Vidales	X

III. **Modifications to and Adoption of the 05/21/13 Agenda. Pyles/Vidales 12/0/0**

- a. **Motion to adopt May 21, 2013 NPPC Agenda: Cheryl**

IV. **Consent Agenda:** Items on the Consent Agenda were heard & voted on at an NPPC subcommittee; are not considered controversial. *Items on the Consent Agenda can be moved to Action for full discussion by any member of the Board or Public.*
 Motion passes 12/0/0

- a. **UDPR 5/6/13 In Attendance: Barry, Dye, Morrison, Hill, Blackson, Nguyen, Pyles, Bonn, Callen, Steppke Non-Voting Members: Carlson, Granowitz**

- i. **T-Mobile - 4220 Arizona St (Project No. 290170):** CUP renewal for an existing Wireless Communications Facility in a residential zone.

1. **MOTION: To Approve the CUP Renewal. Hall/Dye 10/0/0**

- ii. **C-II Lofts Parcel Map Waiver - 3535 Crestwood Place (Project No.314734);** Ministerially permitted as apartments, currently under construction, needs Map Waiver to convert to Condos.

1. **MOTION: to Deny the Map Waiver due to lack of public review prior to start of construction. Barry/Steppke 9/1/0 (Dye voting no)**

- iii. **Iowa Senior Housing – 3937-3939 Iowa St (Project No. 294439):** Proposed SDP and CUP to allow demo of existing structures & construction of affordable for-rent senior housing with street-level commercial space. Site is 1.11-acre located within the CN-1 & MR-800B zones. Project is a Process 3 & can be appealed to the Planning Commission.

1. **MOTION: Approve SDP and CUP with agreement to add head-on or diagonal parking. Blackson/Nguyen 10-0-0;**

2. MOTION: To encourage additional amenities including but not limited to roof top recreation space and exterior seating along the Iowa St side of the project. Steppke/Callen 10/0/0

- V. **Approval of Previous NPPC April 16, 2012 Minutes**
- a. **MOTION TO APPROVE April 16, 2013 NPPC Minutes:** Remove sustainable NPMS, update attendance. **Roger/Rene 11-0-2 (Carlson arrives late, Dang and Phil abstain.)**
- VI. **Approval of May 9th Minutes:**
- a. Wanted to note that economic prosperity and art elements should be noted in minutes.
 - b. Item 4a 3 and 4 – notice of CPOZ for the grocery store blocks. (Marlon addressed in his notes. We will incorporate Marlon’s notes into the minutes.)
 - c. Motion to approve May 9, 2013 Minutes: Cheryl/Dang 11/0/2 (Phil and Omar abstain)
- VII. **Treasurer’s Report**
- a. Brandon Hilpert – current balance \$761.87. Vicki recommended adding a future discussion item of making a donation to the church for allowing us to utilize the space.
- VIII. **Social Media Report, Brandon Hilpert**
- a. Social media report with current numbers to be included.
- IX. **Planner’s Report - Marlon Pangilinan, 619.235.5293; mpangilinan@sandiego.gov**
- a. Report to be added during presentation.
- X. **Non Agenda Public Comment**
- a. Paulina Lis – works with NPMS as a sustainability manager, NP was accepted to represent San Diego in Portland’s Sustainability project to help craft a plan of sustainability for the neighborhood will share with the community once it’s been created. Those interested in helping should contact North Park Main Street.
 - b. Lucky Morrison – Information item on four breweries, in the last 90 days we’ve had 90 days apply. There’s a streamlined process for manufacturers by ABC which allows breweries to add a tasting room with little extra paperwork.
- XI. **Announcements & Event Notices**
- a. Cheryl – undergrounding meeting proposed by land use committee. Support within
 - b. Omar – mayor released budget and revise which included funding for infrastructure and park assessments. Downtown Partnership is hosting a town council this Thursday at 5pm at North Park Recreation Center. Happy Days (on Wabash), the unattractive building is exploring fixing up the exterior of the building. Community clean up was very successful with lots of support from Bluefoot.
 - c. Vicki – North Park Historical Society is doing a walking tour of the commercial district 6/29, 9am, \$10 charge. SANDAG hosting 6/21, Land Use and transportation, 6.19, economic prosperity workshops 11:30-1:30. Mayor solicited input, ideas and feedback bankers hill residence committee, 75 people took advantage of the open bar, changes to PdP and valet to start Memorial Day weekend.
 - d. Peter – Kalos opening of the affordable housing project, completely full, tours of units. Will be certified as LEED platinum. Promoted the Community Housing Works service offerings.
 - e. Rick – festival of arts went very well, wants to thank and congratulate North Park Main Street
 - f. Dionne – Rock and Roll marathon is on Saturday.
- XII. **Elected Official’s Report**
- a. **Gavin Deeb, Hon. Susan Davis, US Congressional District 53**, 619.208.5353 Gavin.Deeb@mail.house.gov, – Neighborhood day is noted on the website. CISBA act sharing of information between private business and government, she voted no but it did pass. Thank Cheryl for touring them around the weekend festival. For the Mayors presentation, the slides are available on the park website.
 - b. **Jason Wiesz, Hon. Toni Atkins, State Assembly District 76** – 619.645.3090 jason.weisz@asm.ca.gov -
 - c. **Christopher Ward, Hon. Marti Block, State Senate District 39** – 619.645.3133 christopher.ward@sen.ca.gov -
 - d. **Anthony Bernal, Hon. Todd Gloria, City Councilmember District 3**, ABernal@sandiego.gov - <http://sandiego.gov/cd3> for newsletter sign up.
- XIII. **Discussion/Action Items**
- a. **Bluefoot Bar & Lounge Neighborhood Use Permit (NUP) (Project No. 315586): McAlear/Pyles** - Proposed Neighborhood Use Permit (NUP) to amend existing NUP to extend the previously-conforming bar/lounge use and maintain a sidewalk café. Existing NUP allows service to the sidewalk café until 10pm from Sunday–Thursday; new NUP proposes sidewalk café service until 11pm from Sunday-Thursday. The NUP is a Process 2 decision that is made by City staff and can be appealed to the Planning Commission.
 - i. History, this is the 3rd time the NUP is coming before us for review. Adam and Sarah have been working to restore relations with the community. Alcoholic beverages are not allowed on the patio 2 hours before closing. Requesting one adjustment to allow the extra hour of consumption on the patio (to 11pm). Omar asked if the immediate neighbors share the view that the enhancements have improved, Rick replied that either yes or it’s not important enough for them to show up tonight.

Jay Tuner – comment comparing to La Boheme about concerns about residences being across from The Office (bar). We ended up having no complains.

Cheryl – sound barrier is currently a temporary plywood wall. But they will be creating a more permanent solution. Very pleased with what Bluefoot has done.

Peter – Question regarding the Smoking Goat and their extension to 11, how did it get approved?

Answer: for the current zoning, it's a pretty standard time for any restaurant for 11pm.

Dionne – question about the transferability of NUP; but Adam said he has no intention of selling (just had a 10 year lease) and noted the agreement is non-transferrable. Question about if it's enforceable.

Robert – as a group, been supportive of the 5 year agreement term.

Lucky – Has an issue going from a 2 year to a 10 year permit, would be more comfortable with 5 years; but supports the extension of the additional patio hour.

Roger – Pleased to see the bar and the community working together.

- ii. MOTION: to support the renewal of the Bluefoot Bar & Lounge Neighborhood use permit as presented including the community covenant allowing for one additional hour of beverage consumption on he patio Sunday through Thursday (until 11pm), and allowing for a 10-year permit with the restriction requiring a review by NPPC in 5- years. If this is not enforceable as a NUP condition, the NUP shall expire in 5 years. Motion by Roger/Rick. 13/0/0

b. North Park Community Plan Update

i. Approval of Land Use Map

Motion to approve all recommendations (with the correction to #4, changing “support land use” with “no”). Barry/Rath 13/0/0

1. Report on University Heights May 16 Meeting Recommendations

Elements trailed

ii. Noise Element

iii. Public Facilities Element

iv. Urban Design

v. Park & Rec Element

XIV. Chair's Report/CPC

- a. **Additional CPU Board Meetings for the Summer will be the 2nd Thursday of the Month 6:30 pm North Park Christian Fellowship**

b. CPC

- i. Councilmember Zaph attended CPC – tandem parking issue, changing from 4 to 2.
 ii. CPC will vote on the Draft CIP Policy developed by the Ad Hoc Committee and City Staff/
 iii. Ad Hoc Committee created to work with CIP on Small Lot Subdivision (Think Bungalow Courts)
 iv. Election Wrap-Up: Couple of issues came up that will be remedied including not having someone running for office working registration & discuss whether to allowing people to register until the candidate's speeches are concluded (how we use to do it)
 v. Agenda Format

XV. Subcommittee Reports:

- a. **Urban Design/Project Review**, Cheryl Dye - NP Adult Community Center, 6:00pm 1st Monday. Next meeting, June 6, 2013
 i. Discussion on the infill development going from rentals to condos.
 b. **Public Facilities/Public Art**, Dionne Carlson, Rene Vidales – NP Adult Community Center, 6:00 pm, 2nd Wednesday. Next meeting, Wednesday June 15, 2013.
 i. Large water pipeline replacement project along Upas, following up with project manager with some questions (why digging and replacing road twice). University Heights sign, replacing what they have, should be coming up, proposing sign but excluding the part that goes up to 805.

XVI. Liaisons Report

- a. **Balboa Park Committee** – Rob Steppke: Request for a waiver of summer moratorium of events which was granted. Change order to resurface sidewalks of bridge (from fire), water wise program from friends of Balboa Park. Conservancy is doing public outreach, Vicki has delegated to Dionne to attend.
 b. **Maintenance Assessment District** – Rob: Trash can decal that has been considered; rebalotting with assignments of ideas for a logo or slogan for trash cans. Elected a homeowner seat to the board. Vacated seat representing NPCA. Approved draft letter endorsing the planning award. Next meeting, rebalotting discussion.
 c. **North Park Main Street** – Cheryl Dye: Art festival last Saturday, 11-6; well attended with largest attendance ever. Vendors that participated indicated record sales.
 d. **Regional Bike Plan Proposed Initial Implementation** - Carlson/Vidales: SANDAG regional bike corridors. Next Uptown meeting 6/12. NP 6/25 6pm at teen challenge center in city heights.

- e. **Adams Ave BIA** – Dionne Carlson: Busily working on improvement projects with bridge updates across 805 with pedestrian improvements.
- f. **NPBID Collaborative** – Vicki Granowitz: Mainly dealing with land use map, Steven Zollezzi with food and beverage industry lobby presented, starting on zoning.

XVII. Unfinished & Future Agenda Items

- a. Bylaws
- b. CPU
- c. University Heights Identification Signs Projects
- d. CicloSDías, Ed Clancy Aid to Mayor Filner
- e. Donation to the church

XVIII. Next Meeting Date: interim meeting June 13, June 18, 2013

XIX. Motion to Adjourn: Cheryl/Robert 13-0-0

Minutes submitted by Brandon Hilpert



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

C2 Lofts

Project Address:

3535 Crestwood Place, San Diego, CA. 92104

Part I - To be completed when property is held by Individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached Yes No

Name of Individual (type or print):

Owner Tenant/Lessee Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

Owner Tenant/Lessee Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

Owner Tenant/Lessee Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

Owner Tenant/Lessee Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Project Title:	Project No. (For City Use Only)
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Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

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

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property.. Please list below the names, titles and addresses of **all** persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. **Note:** The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. **Additional pages attached** Yes No

Corporate/Partnership Name (type or print):
CII Lofts, LLC

Owner Tenant/Lessee


Street Address:
624 Broadway, Suite 401

City/State/Zip:
San Diego, CA. 92101

Phone No: _____ Fax No: _____
(619-654-0714)

Name of Corporate Officer/Partner (type or print):
Matt Mellos

Title (type or print):
Member

Signature:  Date: 2-28-13

Corporate/Partnership Name (type or print):
CII Lofts, LLC

Owner Tenant/Lessee

Street Address:
624 Broadway, Suite 401

City/State/Zip:
San Diego, CA. 92101

Phone No: _____ Fax No: _____
619-654-0714

Name of Corporate Officer/Partner (type or print):
Zac Stover

Title (type or print):
Member

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

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Title (type or print):

Signature : _____ Date: _____