



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: August 29, 2008 REPORT NO. PC-08-107
ATTENTION: Planning Commission, Agenda of September 4, 2008
SUBJECT: SANTA MARGARITA STREET VESTING TENTATIVE MAP AND EASEMENT VACATION - PROJECT NO. 97654 PROCESS 5
OWNER: Vista Grande Apartments (Attachment 9)
APPLICANT: Scott Peters

SUMMARY

Issue(s): Should the Planning Commission recommend to the City Council approval of a Vesting Tentative Map and Easement Vacation for the conversion of 47 existing residential units into condominium, a two-lot subdivision, the vacation of a public utility easement, and, a waiver of the requirement to underground the existing overhead utilities located at 5391-91 and 5411-25 Santa Margarita Street within the Encanto Neighborhoods of the Southeastern San Diego Community Planning Area?

Staff Recommendation: Recommend the City Council APPROVE Vesting Tentative Map and Easement Vacation No. 318389.

Community Planning Group Recommendation: The Encanto Neighborhoods Community Planning Group has not made a recommendation on this project. Reference the Discussion section of this report.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19 Section 15301 on March 15, 2006. An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on July 31, 2006. The scope of the subject hearing only includes the project, and not the environmental determination.

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 47 existing residential units into condominiums, there would be a loss of 47 rental units and a gain of 47 for-sale units. This condominium conversion project is subject to the regulations regarding inclusionary housing and tenant relocation assistance.

## **BACKGROUND**

This Vesting Tentative Map (VTM) is a Process 5 action to subdivide the subject property into two legal lots identified as Parcel 1 and Parcel 2 and, create a 47-unit condominium development on Parcel 2 only. Parcel 1 is developed with a one story rental duplex building located at 5391-93 Santa Margarita Street and not proposed as condominiums with this application. The rear portion of Parcel 1 is also developed with an outdoor play area that is currently utilized by the residents of the 47-unit residential development located on Parcel 2.

Parcel 2 is developed with eight detached, two and three story buildings (identified as Buildings 1 through 8 on the VTM) containing the 47 residential apartment units located at 5411-25 Santa Margarita Street. This VTM would also adjust the lot lines between the two existing lots: On Parcel 1 (duplex site), a new rear property line would be located approximately 117 feet southerly from and parallel to the front property line. The remaining portion of this lot (currently used as the aforementioned outdoor play area) would be incorporated into Parcel 2 (47-unit site). This VTM includes a request to vacate a general utility easement located partially beneath Building 8 and, to waive the requirement to underground existing overhead utilities.

This VTM project is subject to the condominium conversion regulations in effect prior to June 13, 2006, based on the City Council's specific adoption language for the "new" condominium conversion regulations. At the June 13, 2006, hearing, the City Council specifically excluded all projects that had CEQA appeals pending on or before June 13, 2006. This project is one of those which had a pending appeal. That appeal hearing was held on July 31, 2006, and the City Council denied the appellant's appeal of the CEQA determination of exemption. Therefore, the project can proceed to its discretionary hearing.

The 3.04-acre site is zoned MF-3000 of the Southeastern San Diego Planned District Ordinance (PDO). The 47-unit apartment building consists of 45 four bedroom, two bathroom units, 1,400 square feet each, and 2 three bedroom, two bathroom units, 936 square feet each. A total of 75 surface parking spaces are dispersed throughout the site and accessed from Santa Margarita Street. The duplex building totals 2,104 square feet with one tandem parking space accessed from Santa Margarita Street. A total of 77 parking spaces are provided for both developments. The 47-unit proposed condominium development was permitted in 1987 when the property was zoned R-3000, a city-wide zone. The duplex building was constructed in 1950 when the site was zoned R-400. Under the R-3000 zone and the current MF-3000 zone, 38 units would be allowed and 106 parking spaces required for the existing 47-unit development. The additional nine units were permitted with a density bonus agreement and were required to be maintained as

affordable units for 20 years, through the year 1997. 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. Therefore, the project has previously conforming rights for density and parking as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code.

## DISCUSSION

### Project Description/Condominium Conversion:

The project scope is a VTM for the subdivision of a 3.04-acre site into two parcels (parcels 1 and 2) the conversion of 47 existing dwelling units into condominiums on Parcel 2, a general utility easement vacation, and a request to waive the requirement to underground the existing overhead utilities. Section 125.0410 of the San Diego Municipal Code (SDMC) requires that a Vesting 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 Vesting 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 Vacation

The requested Vesting Tentative Map includes the vacation of a five-foot wide general utility easement which is partially located beneath Building 8. City staff has reviewed the requested easement vacation and determined that the easement is not being utilized and is no longer required for its original intended use.

### 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. The subdivider will be required to underground all existing service to the site per Condition No.11 of the draft Vesting Tentative Map resolution and to underground any new service run to any new or proposed structures within the subdivision per Condition No. 2 of the draft Vesting Tentative Map resolution (Attachment 6).

The project site is served by power poles and overhead utilities lines located in the Santa Margarita 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 4F and the date for undergrounding has been established for the year 2022 (Attachment 8).

#### **Community Planning Group and Neighborhood Recommendations:**

The applicant attended two community meetings before the Encanto Neighborhoods Community Planning Group in May and June 2007. No action was taken on the item. The chair of the community group has stated that, at their June 2007 meeting, members of the group requested that additional information be provided regarding the building and site conditions at a future meeting. The owner has elected to not seek a recommendation from the community group.

#### **Project-Related Issues:**

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 in 2006 (Attachment 8).

All condominium conversion projects Deemed Complete on or after February 7, 2004, must conform with the regulations regarding inclusionary housing and tenant relocation benefits. 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. The applicant has elected to pay the in-lieu fee of 162,180 (64,872 square feet x \$ 2.50) to satisfy the Inclusionary Housing requirement, as allowed by the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).

#### **Building Conditions Report and Landscape Requirements**

This project is not subject to the current requirement for the Building Conditions Report and for a review of a landscape concept plan. The applicant has not submitted these documents.

#### **CONCLUSION :**

Staff has reviewed the request for a Vesting Tentative Map for the two-lot subdivision, conversion of 47 residential units into condominiums and the easement vacation and has found the project to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps. 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.

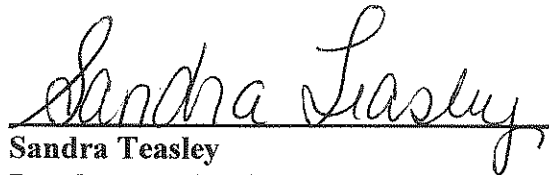
**ALTERNATIVES:**

1. **Recommend that City Council Approve Vesting Tentative Map and Easement Vacation No. 318389, with modifications.**
2. **Recommend that City Council Deny Vesting Tentative Map and Easement Vacation No.318389, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



**Mike Westlake  
Program Manager  
Development Services Department**



**Sandra Teasley  
Development Project Manager  
Development Services Department**

WESTLAKE/SMT

Attachments:

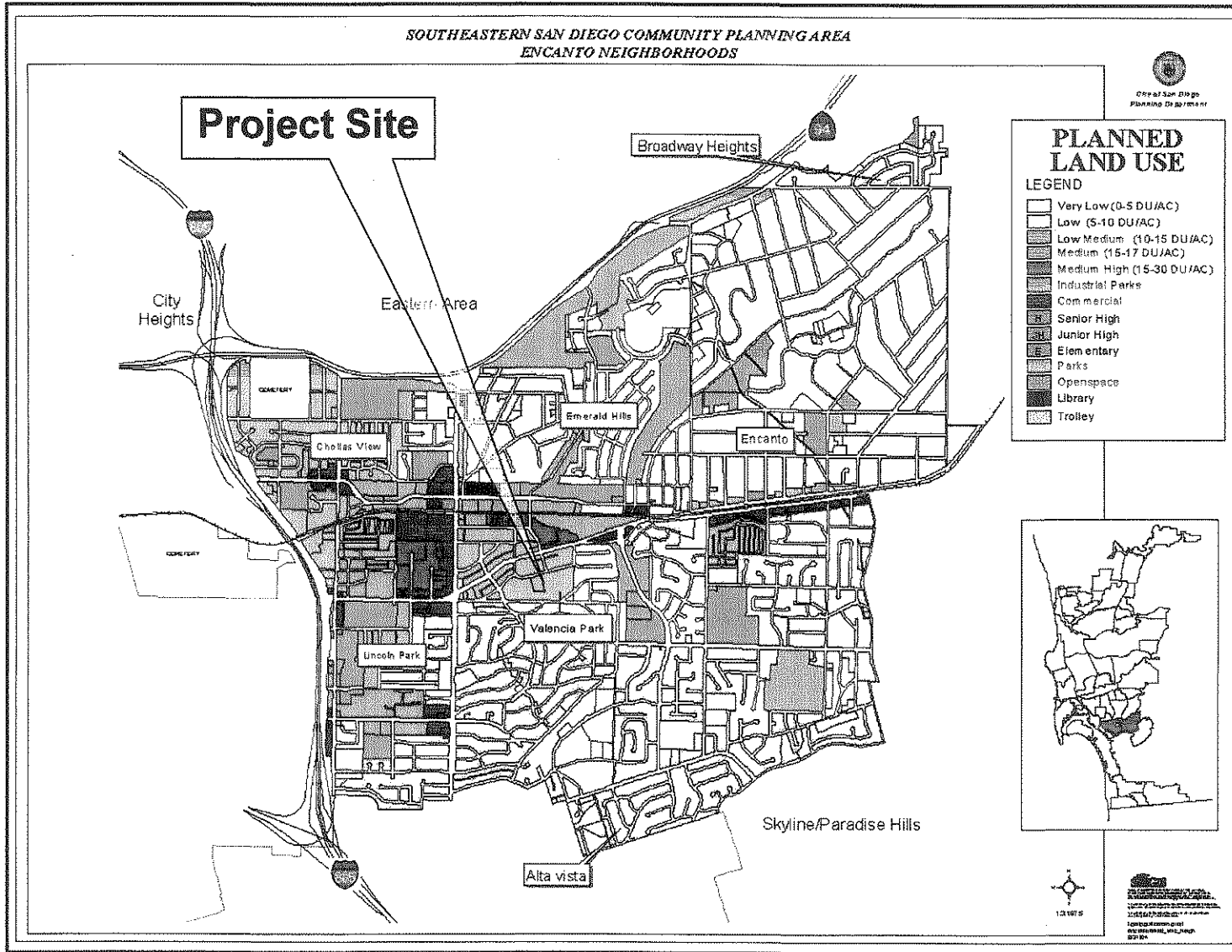
1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Vesting Tentative Map
6. Draft Map Conditions and Subdivision Resolution
7. Undergrounding Master Plan 4F
8. Sample 60-Day Notice
9. Ownership Disclosure Statement
10. Photos of Existing Elevations
11. Project Chronology



# Aerial Photo

SANTA MARGARITA VESTING TM - PROJECT NUMBER 97654

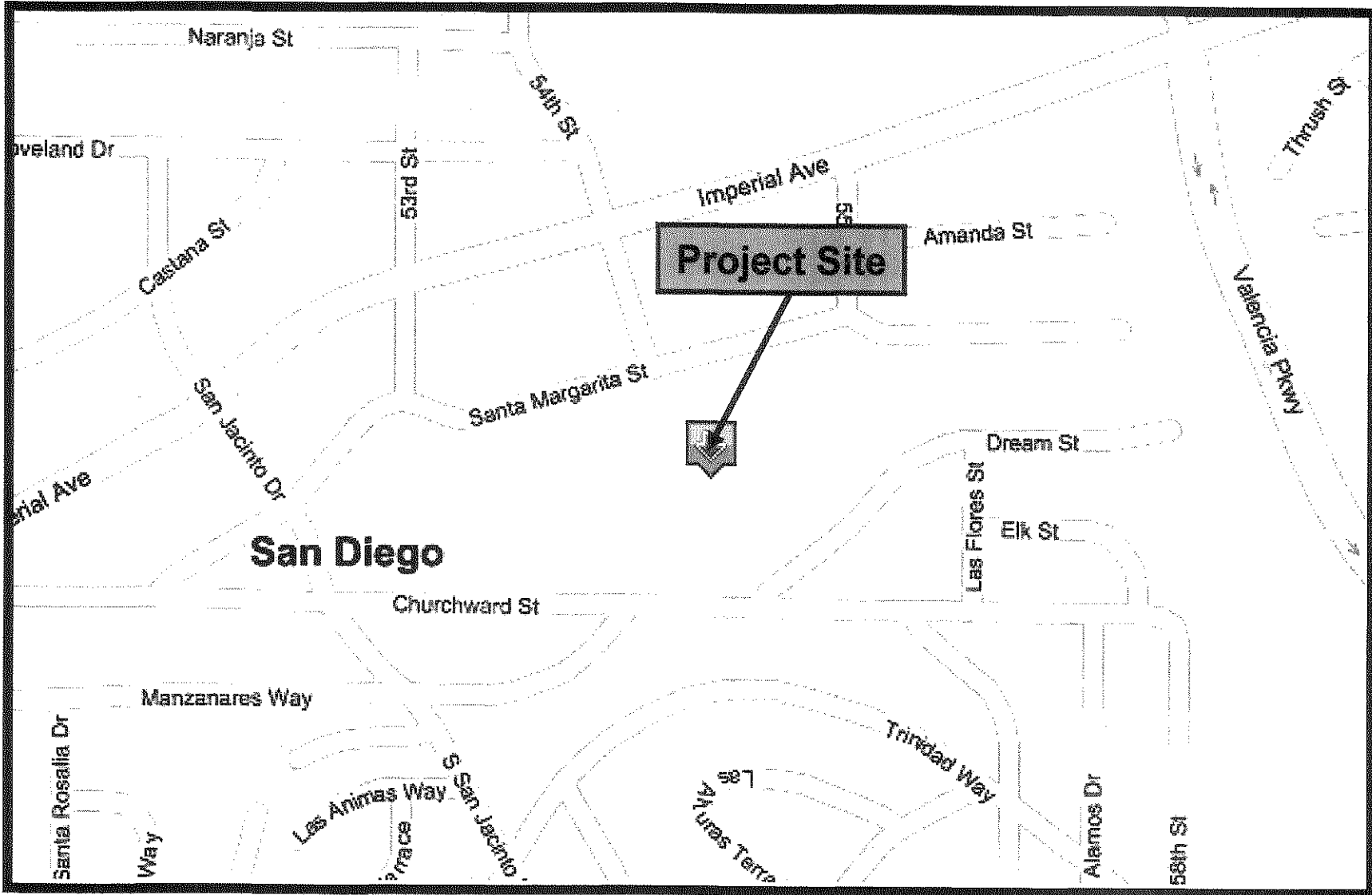




# Land Use Map

SANTA MARGARITA VESTING TM – PROJECT NUMBER 97654





## Project Location Map

**SANTA MARGARITA VESTING TM – PROJECT NUMBER 97654**  
**5411 SANTA MARGARITA STREET**





## PROJECT DATA SHEET FOR CONDOMINIUM CONVERSIONS

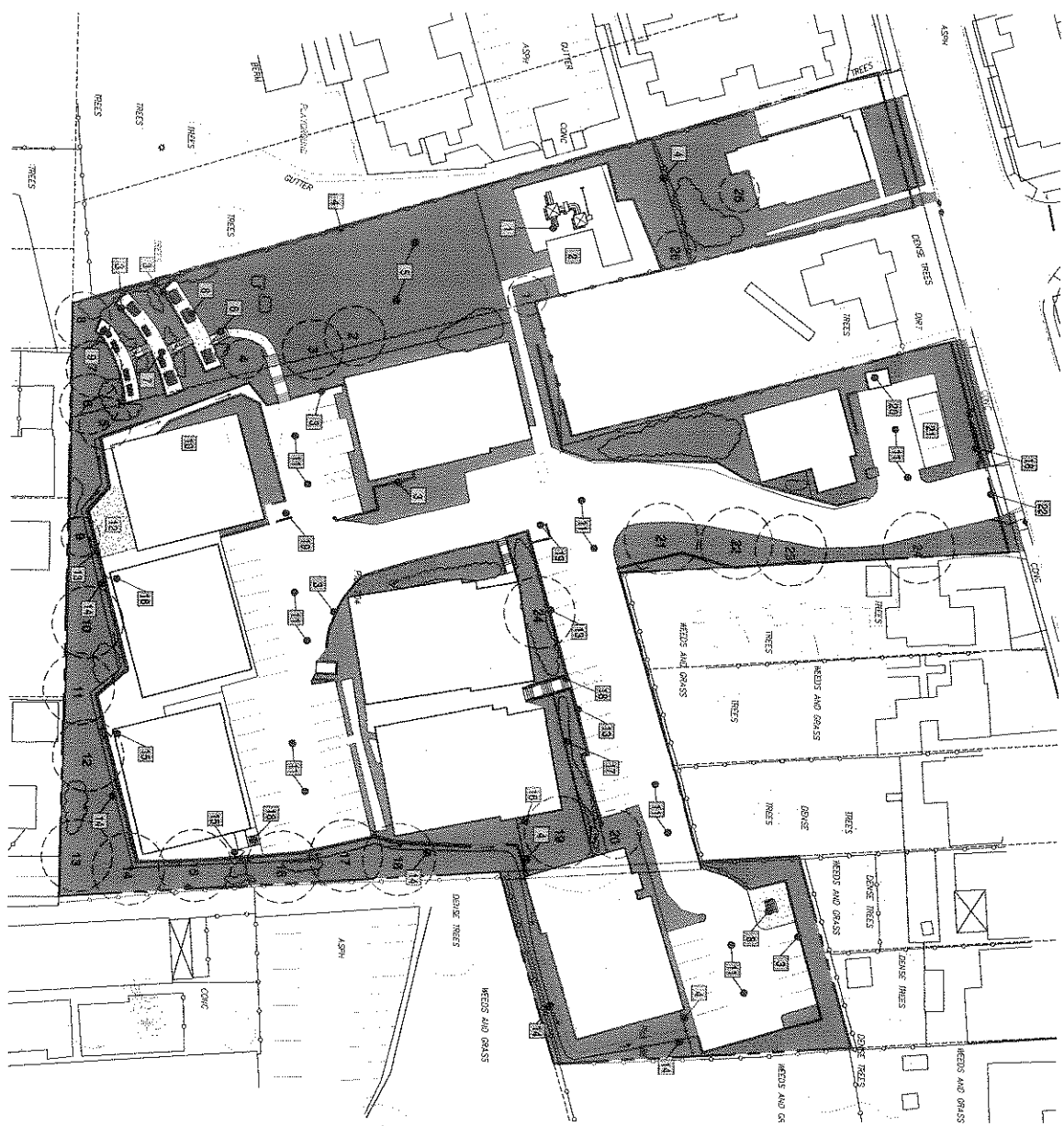
<b>PROJECT NAME:</b>	Santa Margarita VTM	
<b>PROJECT DESCRIPTION:</b>	Convert 47 dwelling units to condominiums (Parcel 2) and subdivide to create two new parcels (Parcels 1 and 2)	
<b>COMMUNITY PLAN AREA:</b>	Southeastern San Diego (Encanto Neighborhood)	
<b>DISCRETIONARY ACTIONS:</b>	Vesting Tentative Map	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Low-Medium Density Residential (10-15 du/ac)	
<b>ZONE:</b> <b>DENSITY:</b> <b>HEIGHT LIMIT:</b> <b>LOT SIZE:</b> <b>FLOOR AREA RATIO:</b> <b>FRONT SETBACK:</b> <b>SIDE SETBACK:</b>  <b>STREETSIDE SETBACK:</b> <b>REAR SETBACK:</b> <b>PARKING:</b>	<b>CURRENT ZONING INFORMATION:</b> SESDPD-MF-3000; Multi-Fam 1 du/3,000 sf (42 DUs max in Parcel 2 – three DUs max in Parcel 1) 24' (flat rf) 30' (pitched rf) /2-stories max 6,000 sf minimum 1.0 10' 5'  N/A 15' 106 req. for Parcel 2 & 4 for Parcel 1	<b>CONSTRUCTED:</b> R-3000 (1985) 47 DUs in Parcel 2 – two DUs in Parcel 1 Two and three stories  22.29' (Parcel 1) – 60' (Parcel 2) 15.77' & 16.64' (west and east Parcel 1) – 8.95' & 11.73' (west & east Parcel 2) NA 32.93' (Parcel 1) – 11.64' (Parcel 2) 2 spaces (Parcel 1) - 75 (Parcel 2)
<b>ADJACENT PROPERTIES:</b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Low-Med Dens Residential (10-15 du/ac)MF-3000	Residential
<b>SOUTH:</b>	Low-Med Dens Residential (10-15 du/ac)MF-3000	Residential
<b>EAST:</b>	Low-Med Dens Residential (10-15 du/ac)MF-3000	Residential
<b>WEST:</b>	Low-Med Dens Residential (10-15 du/ac)MF-3000	Residential
<b>DEVIATIONS OR VARIANCES REQUESTED:</b>	None	
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	No recommendation received from the community group.	



ALL DESIGN, CONSTRUCTION AND PLANNING WORK IS TO BE PROVIDED BY THE DESIGNER AND SHALL BE THE PROPERTY OF THE DESIGNER. NO PART OF THIS PROJECT, NOR THE CONTENTS THEREOF, SHALL BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER. THE DESIGNER ASSUMES NO LIABILITY FOR ANY DAMAGE TO PERSONS OR PROPERTY, OR FOR ANY CONSTRUCTION DEFECTS, WHICH MAY BE CAUSED BY THE WORK OF ANY OTHER PROFESSIONAL ENGINEER, ARCHITECT, CONTRACTOR, OR SUPPLIER. THE DESIGNER'S LIABILITY IS LIMITED TO THE SCOPE OF THE DESIGN WORK.

# EXISTING SITE CONDITIONS PLAN

SCALE: 1" = 30'



## EXISTING TREE LEGEND

#	BOTANICAL NAME	COMMON NAME	HEIGHT
1	WASHINGTONIA RUBROSTRA	AMERICAN HORNBEAM	15'-18'
2	BACCHARIS SP.	BACCHARIS	5'-7'
3	BACCHARIS SP.	BACCHARIS	5'-7'
4	ACACIA GULONIFLORA	WILLOW ACACIA	12'-15'
5	BACCHARIS SP.	BACCHARIS	4'-6'
6	BACCHARIS SP.	BACCHARIS	4'-6'
7	BACCHARIS SP.	BACCHARIS	4'-6'
8	SPERDIUM BICOLOR	SPERDIUM	3'-4'
9	SCORPIS SP.	SCORPIS	3'-4'
10	BACCHARIS SP.	BACCHARIS	3'-4'
11	BACCHARIS SP.	BACCHARIS	3'-4'
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25	BACCHARIS SP.	BACCHARIS	3'-4'
26	BACCHARIS SP.	BACCHARIS	3'-4'
27	BACCHARIS SP.	BACCHARIS	3'-4'
28	WASHINGTONIA RUBROSTRA	AMERICAN HORNBEAM	15'-18'

## EXISTING CONDITIONS/ GENERAL LEGEND

- 1 (1" DIA) EXISTING TREE
- 2 (2" DIA) EXISTING TREE
- 3 (3" DIA) EXISTING TREE
- 4 (4" DIA) EXISTING TREE
- 5 (5" DIA) EXISTING TREE
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ATTACHMENT S

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**VISTA GRANDE**  
**CONDOMINIUM CONVERSION**  
 5391-93, 5411-25 SANTA MARGARITA ST.

mLa S (S)  
 mLa S (S)  
 200 West 5th Street, Suite 202  
 San Diego, California 92101  
 Tel: (619) 594-9200  
 Fax: (619) 594-9200



**SPRINGLAND**  
**LANDSCAPE**  
**PLAN**



CITY COUNCIL  
RESOLUTION NO. -----  
VESTING TENTATIVE MAP/EASEMENT VACATION NO. 318389  
SANTA MARGARITA STREET VESTING TENTATIVE MAP  
PROJECT NO. 97654  
DRAFT

WHEREAS, VISTA GRANDE APARTMENTS, A CALIFORNIA GENERAL PARTNERSHIP, Applicant/Subdivider, and STERLING LAND SERVICES, INC. submitted an application with the City of San Diego for a Vesting Tentative Map and Easement Vacation No. 318389, for the condominium conversion of 47 existing residential units, a two-lot subdivision, a general utility easement vacation and a request to waive the requirement to underground existing overhead utilities. The project site is located at 5391-93 and 5411- 25 Santa Margarita Street, south of 54<sup>th</sup> Street, and legally described as portion of Lot F of Record of Survey Map No. 3907 and Parcel 1 of Parcel Map 14131 in the MF-3000 zone of the Southeastern San Diego Planned District within the Encanto Neighborhoods of the Southeastern San Diego Community Plan area; and

WHEREAS, the Map proposes the subdivision of a 3.04-acre site into two (2) lots for a 47 unit residential condominium conversion and for a two lot subdivision; and

WHEREAS, Parcel 2 of this subdivision is a condominium projects as defined in Section 1350 et. seq. of the Civil Code of the State of California and are filed pursuant to the Subdivision Map Act. Parcel 2 has 47 condominium units and Parcel 1 has 2 rental units; 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 Section 144.0220 of the Municipal Code of the City of San Diego; and

WHEREAS, 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 a full block in length) and it has been determined that such conversion is not a part of a continuing effort to accomplish a total undergrounding within a specific street or area;
- b. The conversion would represent an isolated undergrounding with a minimum probability of extension in the future.

- c. 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.

WHEREAS, on September 4, 1008, the Planning Commission of the City of San Diego considered Vesting Tentative Map/Easement Vacation No. 318319, 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) 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, recommended that the City Council of the City of San Diego approve the Vesting Tentative Map/Easement Vacation and the waiver of the requirement to underground existing overhead utilites;

WHEREAS, on -----, the City Council of the City of San Diego considered Vesting Tentative Map/Easement Vacation No. 318319, 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) 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, recommended that the City Council of the City of San Diego approve the Vesting Tentative Map/Easement Vacation and the waiver of the requirement to underground existing overhead utilites; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 318389:

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 conversion 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)).

## ATTACHMENT 6

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)).
8. The project has been conditioned that all tenants whose income is less than 100% of the area median income are eligible for relocation benefits, so based upon the outcome of a survey conducted by the Housing Commission the applicant may be responsible for relocation benefits to eligible tenants.
9. 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.
10. 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)).
11. 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).

## ATTACHMENT 6

12. 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).
13. That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that, based on the Findings hereinbefore adopted by the City Council, Vesting Tentative Map/Easement Vacation No. 318389, is hereby granted to VISTA GRANDE APARTMENTS, A CALIFORNIA GENERAL PARTNERSHIP, Applicant/ Subdivider, subject to the following conditions:

### GENERAL

1. This Vesting Tentative Map will expire on \_\_\_\_\_.
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. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
4. 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.
5. 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.
6. 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.
7. 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



## ATTACHMENT 6

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.

8. 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.

### AFFORDABLE HOUSING

9. Prior to the recordation of the Final Map, the Subdivider shall pay an Inclusionary Affordable Housing In-Lie Fee of \$162,180 (64872' square feet x \$2.50) pursuant to the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).
10. Prior to filing a Final Map, the applicant shall either show evidence that relocation assistance has been paid to eligible tenants or enter into an agreement with the San Diego Housing Commission to demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5, 144.0503). In addition, applicant must pay the appropriate fees incurred by the Housing Commission for compliance monitoring (Chapter 14, Article 4, Division 5, 144.0502).

### ENGINEERING

11. 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.
12. A Final Map shall be recorded in the Office of the County Recorder, prior to the Tentative Map expiration date.
13. Compliance with all conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
14. The subdivider shall dedicate an additional five foot wide right-of-way, along the entire project frontage on Santa Margarita Street, to provide a minimum of 30 feet centerline to property line distance.
15. The subdivider shall removal all walls, fences and gate, adjacent to the project site, from the future Santa Margarita Street right-of-way.

## ATTACHMENT 6

16. The subdivider shall replace the existing driveways with City standard driveways, serving both Parcel 1 and 2 on Santa Margarita Street, per Standard Drawing G-14A, G-16.
17. The subdivider shall replace all damaged curb, gutter and sidewalk, along the project frontage on Santa Margarita Street.
18. The subdivider shall install new City standard sidewalk, adjacent to the existing power pole located east of the existing driveway, per Standard Drawing G-7 and G-9.
19. The subdivider shall obtain an Encroachment Maintenance and Removal Agreement for the existing curb-outlet located in Santa Margarita Street right-of-way.
20. Pursuant to City Council Policy 600-20, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.
21. The subdivider shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.

### WATER AND SEWER

22. 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.
23. 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.

### MAPPING

24. "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).
25. "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."

26. 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.

27. 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.

31. The applicant shall conform to Municipal Code provisions for "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the public right-of-way, satisfactory to the City Engineer.

**INFORMATION:**

- The approval of this Vesting Tentative Map and Easement Vacation 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 (24 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.

**ATTACHMENT 6**

- This development may be subject to the payment of a park fee in accordance with the San Diego Municipal Code, which specifies park fees applicable in the Mid City Community Plan area.
- Subsequent applications related to this Vesting Tentative Map and Easement Vacation 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 Vesting Tentative Map and Easement Vacation, may protest the imposition within 90 days of the approval of this Vesting Tentative Map and Easement Vacation by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAN DIEGO,  
CALIFORNIA, ON -----.

By

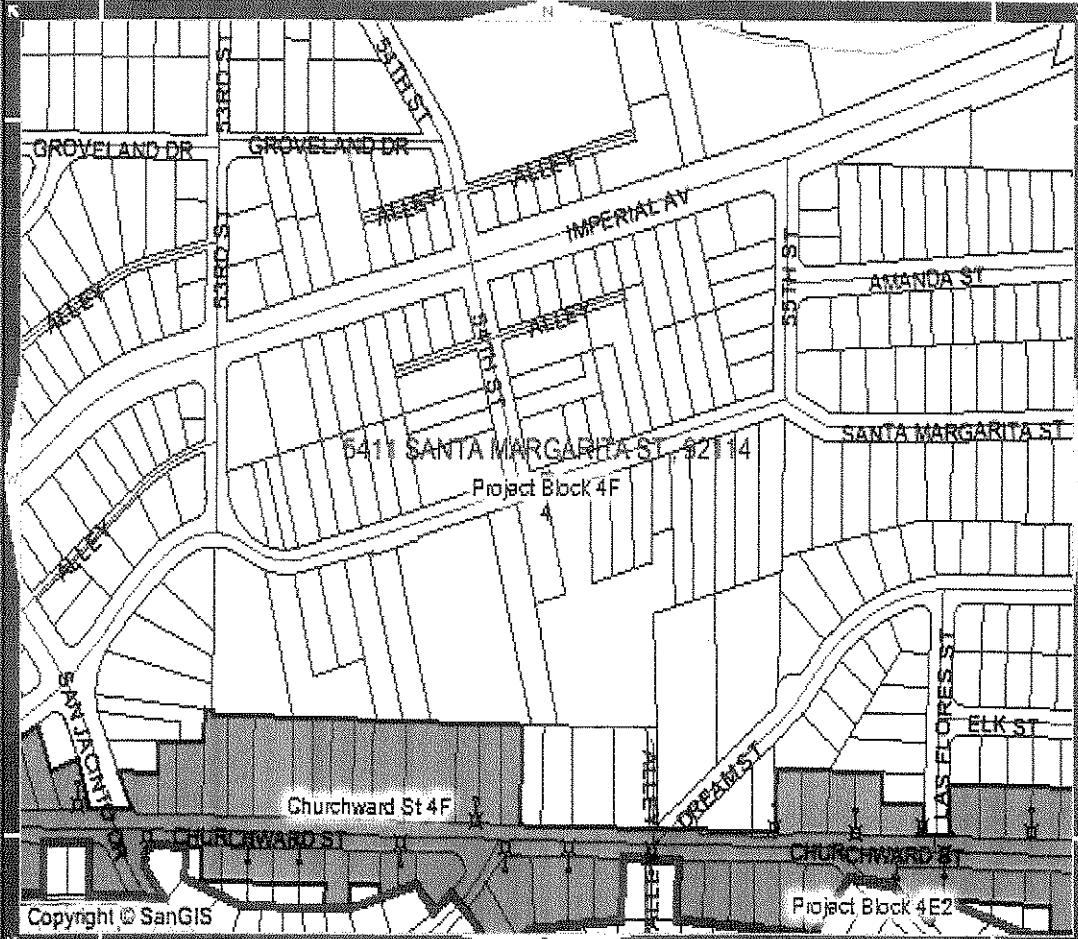
\_\_\_\_\_  
SANDRA TEASLEY  
Development Project Manager  
Development Services Department

Job Order No. 42-6155

# Development Services Department Project Management Division

## Utilities Undergrounding Mapping Application

Layers Legend Council Priorities Find Location Refresh Map Help



### Identify Results

#### Council Districts

Council District: 4  
Member Name: Tony Young  
Office Phone: (619) 236-6644

#### Utilities Undergrounding Projects

Project Name: Project Block 4F  
Year Allocated: 2022  
Project Start: May 30, 2024  
Project End: May 30, 2026  
Contact Person: Carol Drummond  
Phone #: 6195333841  
Email: [undergrounding@sandiego.gov](mailto:undergrounding@sandiego.gov)  
Website: [www.sandiego.gov](http://www.sandiego.gov)  
Council District: 4  
Phase: unallocated

**Tenant  
60-Day Notice of Intent to Convert to  
Condominiums**

"To the occupant(s) of

5411-25 Santa Margarita Street, San Diego, CA 92114

---

The owner(s) of this building at 5411-25 Santa Margarita Street, San Diego, CA 92101 plans to file a Tentative Map or Map Wavier 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.



\_\_\_\_\_  
(Signature of owner or owner's agent)

2/14/06

\_\_\_\_\_  
(Date)



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

THE CITY OF SAN DIEGO

# 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**

5411-25 Santa Margarita Street

*Project No. For City Use Only*

97654

**Project Address:**

5411-25 Santa Margarita Street, San Diego, CA 92114

**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: \_\_\_\_\_

<b>Project Title:</b> 5411-25 Santa Margarita Street	<b>Project No. (For City Use Only)</b>
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**Part II - To be completed when property is held by a corporation or partnership**

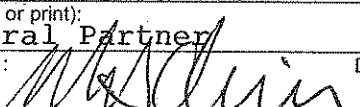
**Legal Status (please check):**

Corporation (  Limited Liability -or-  General) What State? CA Corporate Identification No. 9833600024  
 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):  
Vista Grande Apartments, L.P.  
 Owner  Tenant/Lessee

Street Address:  
5125 Convoy Street, Ste. 311  
 City/State/Zip:  
San Diego, CA 92111  
 Phone No: 858-650-3036 Fax No: 858-650-3034

Name of Corporate Officer/Partner (type or print):  
Michael J. Davies  
 Title (type or print):  
General Partner  
 Signature :  Date: 2/14/06

Corporate/Partnership Name (type or print):  
 \_\_\_\_\_  
 Owner  Tenant/Lessee

Street Address:  
5125 Convoy Street, Ste. 311  
 City/State/Zip:  
San Diego, CA 92111  
 Phone No: 858-650-3036 Fax No: 858-650-3034

Name of Corporate Officer/Partner (type or print):  
John G. Davies  
 Title (type or print):  
Limited Partner  
 Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Corporate/Partnership Name (type or print):  
Vista Grande Apartments, L.P.  
 Owner  Tenant/Lessee

Street Address:  
5125 Convoy Street, Ste. 311  
 City/State/Zip:  
San Diego, CA 92111  
 Phone No: 858-650-3036 Fax No: 858-650-3034

Name of Corporate Officer/Partner (type or print):  
Steve Billings  
 Title (type or print):  
Limited Partner  
 Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Corporate/Partnership Name (type or print):  
Vista Grande Apartments, L.P.  
 Owner  Tenant/Lessee

Street Address:  
5125 Convoy Street, Ste. 311  
 City/State/Zip:  
San Diego, CA 92111  
 Phone No: 858-650-3036 Fax No: 858-650-3034

Name of Corporate Officer/Partner (type or print):  
Christopher D. Sickels  
 Title (type or print):  
Limited Partner  
 Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Corporate/Partnership Name (type or print):  
Vista Grande Apartments, L.P.  
 Owner  Tenant/Lessee

Street Address:  
5125 Convoy Street, Ste. 311  
 City/State/Zip:  
San Diego, CA 92111  
 Phone No: 858-650-3036 Fax No: 858-650-3034

Name of Corporate Officer/Partner (type or print):  
Donald T. Dinsmore  
 Title (type or print):  
Limited Partner  
 Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Corporate/Partnership Name (type or print):  
Vista Grande Apartments, L.P.  
 Owner  Tenant/Lessee

Street Address:  
5125 Convoy Street, Ste. 311  
 City/State/Zip:  
San Diego, CA 92111  
 Phone No: 858-650-3036 Fax No: 858-650-3034

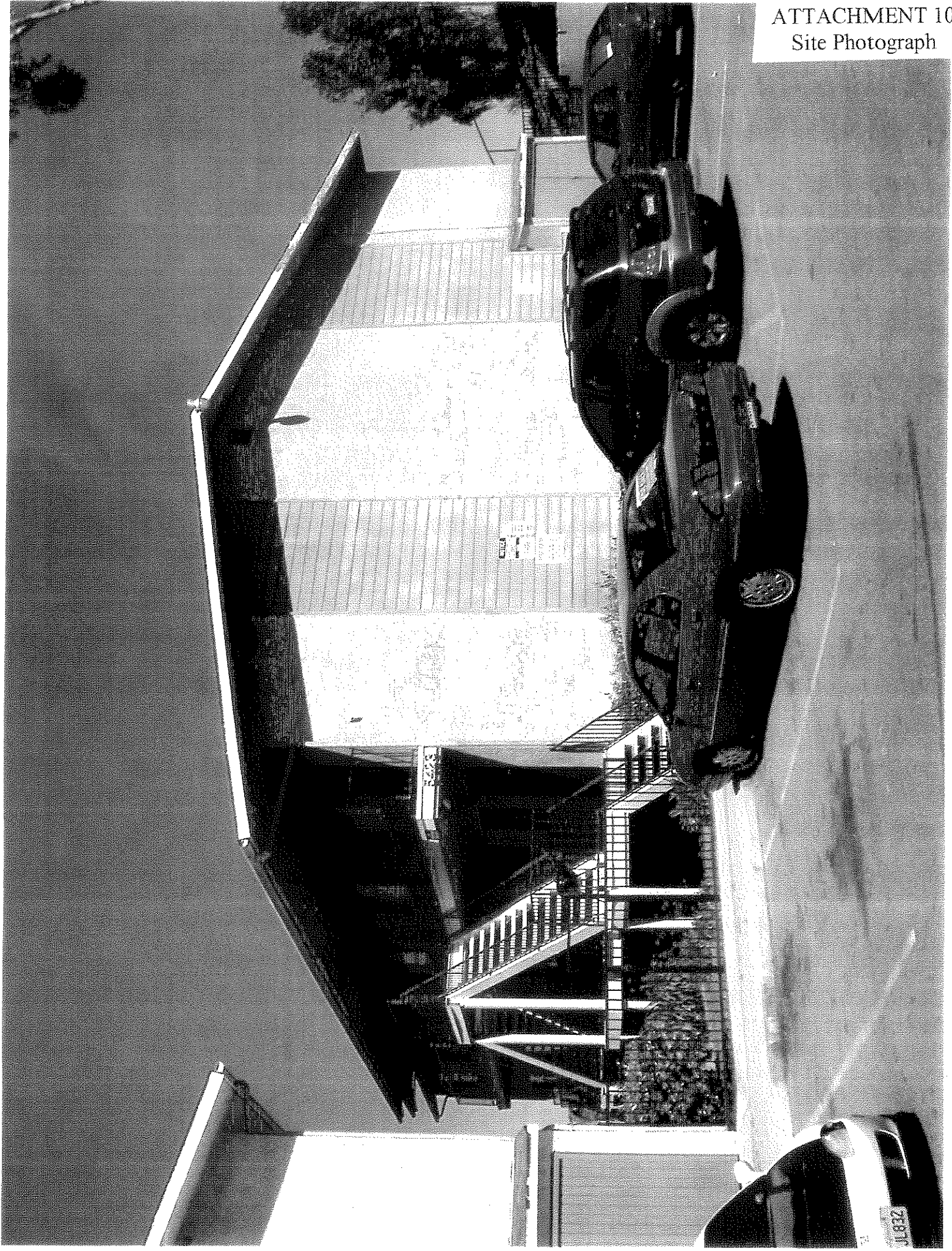
Name of Corporate Officer/Partner (type or print):  
Clarence J. Ferrari, Jr  
 Title (type or print):  
Limited Partner  
 Signature : \_\_\_\_\_ Date: \_\_\_\_\_



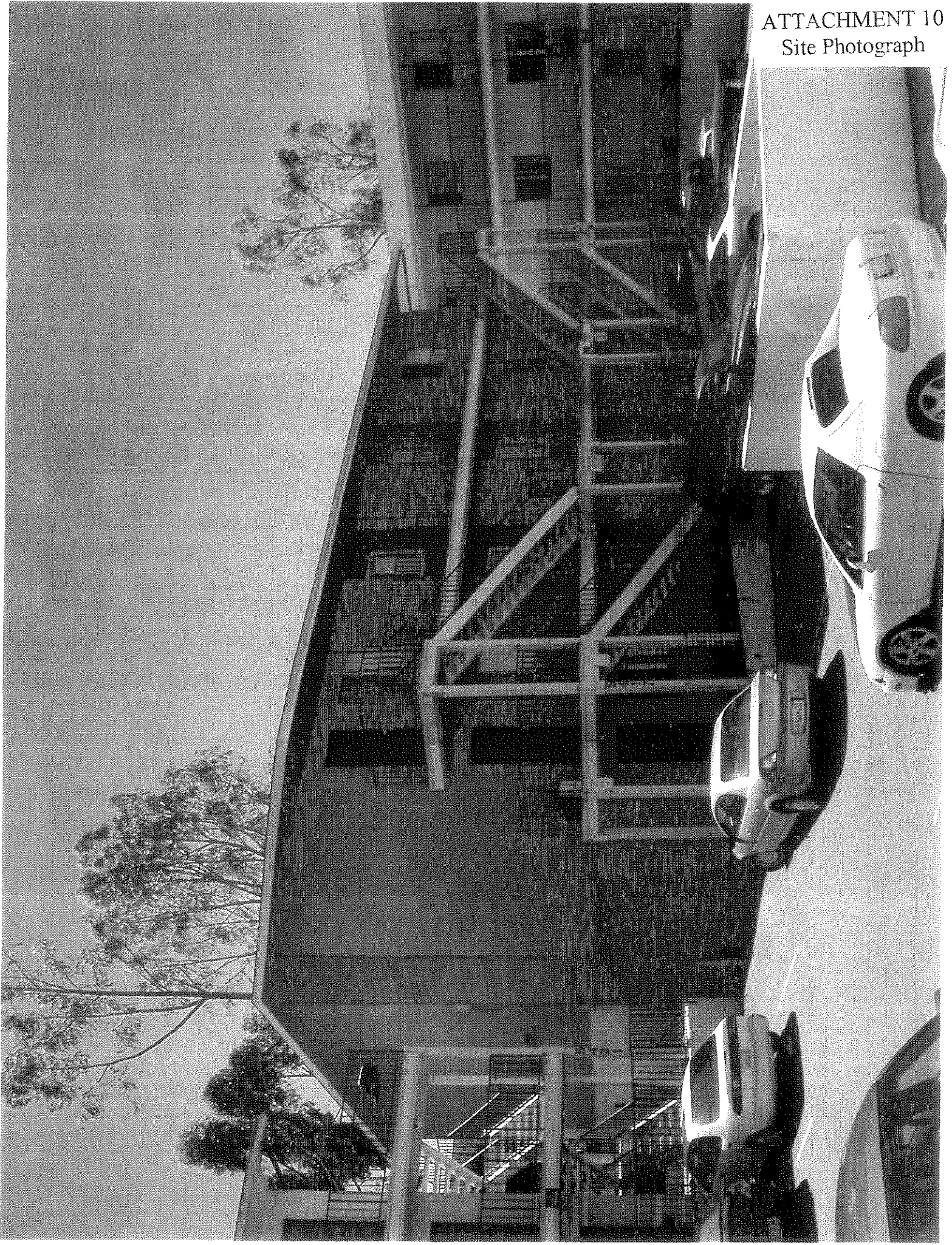




ATTACHMENT 10  
Site Photograph









DEVELOPMENT SERVICES  
**Project Chronology**  
 1560 CORONADO AVENUE TENTATIVE MAP- PROJECT NO. 82897

<b>Date</b>	<b>Action</b>	<b>Description</b>	<b>City Review Time</b>	<b>Applicant Response</b>
3/06	First Submittal	Project Deemed Complete		
4/06	First Assessment Letter		1 month	
6/06	Second Submittal			2 month
7/06	Second Assessment Letter		1 month	
8/06	Third Submittal			1 month
9/06	Third Assessment Letter		1 month	
8/07	Inactivity Letter	Project inactive - letter sent requesting status		11 months
9/07 – 6/08	Applicant Letter Requesting Extension	Conflict Resolution Meetings/Community Group Recommendation Issue/Project on Hold		9 months
6/08	Issues Resolved		3 months	
9/4/08	Public Hearing-Planning Commission			
<b>TOTAL STAFF TIME**</b>			<b>6 months</b>	
<b>TOTAL APPLICANT TIME**</b>				<b>1 year, 11 months</b>
<b>TOTAL PROJECT RUNNING TIME</b>		From Deemed Complete to PC Hearing	<b>2 years, 5 months</b>	

\*\*All dates approximate