



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: October 14, 2010 **REPORT NO.** PC-10-096

ATTENTION: Planning Commission, Agenda of October 28, 2010

SUBJECT: 4147 BACHMAN TENTATIVE MAP- PROJECT NO. 163802.
PROCESS 4

**OWNER/
APPLICANT:** Bachman Flats, LLC
Elizabeth Reiter

SUMMARY

Issue(s): Should the Planning Commission approve a Tentative Map for the creation of eight condominiums under construction and the conversion of an existing residential dwelling into a condominium, and to waive the requirement to underground existing overhead utilities at 4127-4147 Bachman Place within the Uptown Community Planning area?

Staff Recommendation:

1. Approve Tentative Map No. 789479; and
2. Approve the waiver to the requirement to underground existing overhead utilities.

Community Planning Group Recommendation: On February 3, 2009, the Uptown Community Planning Committee voted 14-0-1 to recommend approval of the project.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19 Section 15301 on November 6, 2008, and the opportunity to appeal that determination ended November 21, 2008.

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

Code Enforcement Impact: None with this action.

Housing Impact Statement: With the proposed creation of eight condominiums and the conversion of one existing single family dwelling to condominiums, there would be a loss of one rental unit and a gain of nine for-sale units. This condominium project was deemed complete on September 8, 2008, and is therefore subject to the regulations regarding inclusionary housing and tenant relocation assistance.



DISCUSSION

The project proposes to create eight residential condominiums and convert one existing residential structure into a condominium for a total of nine condominiums on a 0.34-acre site located at 4127-4147 Bachman Place in the MR-800B Zone of Mid-City Communities Planned District. The site consists of four detached three-story, two-bedroom duplex units (eight total units) currently under construction. The existing single family home is currently unoccupied and was constructed in 1915. The home is single story with two bedrooms and a detached garage. No construction or modifications are proposed for the single family dwelling. The eight new units were issued construction permits on June 26, 2008. The existing site is 15,000 square feet which will accommodate 25 dwelling units. The Uptown Community Plan designates the site as high residential allowing up to 73 dwelling units per acre. Surrounding the site are a mix of older, craftsman style single family homes and recently developed, multi-story residential developments.

Project Description:

The project proposes a Tentative Map to create eight condominiums and convert one single family home into a condominium on a single lot resulting in nine condominiums (Attachment 5). The applicant is also requesting that the requirement for the undergrounding of existing overhead utilities be waived. Condominium projects resulting in more than four units requires a Process 4 decision pursuant to San Diego Municipal Code section 125.0430. The proposed eight units were approved ministerially and complies with all applicable development regulations. The conversion of the existing residence requires conformance with the Condominium Conversion Regulations of Chapter 14, Article 4, Division 5 of the San Diego Municipal Code. These include inclusionary housing, tenant relocation benefits, a building conditions document, conformance with landscape regulations, parking requirements, and noticing requirements. The project is in compliance with these regulations.

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 applicant will be required to underground all existing service to the site per Condition No. 32 of the draft Tentative Map resolution (Attachment 6). The applicant would also be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 31 of the draft Tentative Map resolution (Attachment 6).

The neighborhood currently contains power poles and overhead utilities lines along Bachman Place and Montecito Way. The utility lines to these poles extend to other properties surrounding the site. The poles closest to this property are along Bachman Place. As indicated above, all

utilities serving this property will be required to be undergrounded. The waiver is being requested for the requirement to underground adjacent utilities serving the surrounding properties. The City's Undergrounding Master Plan for Fiscal Year 2006 designates the site within Block 3u, and the date for undergrounding has been established for the year 2022 (Attachment 10).

CONCLUSION:

Staff has reviewed the request for a Tentative Map for nine residential condominiums 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 findings can be supported and recommends the Planning Commission approve the project as proposed.

ALTERNATIVES

1. **Approve Tentative Map No. 789479, with modifications.**
2. **Deny Tentative Map No. 789479, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



**Mike Westlake
Program Manager
Development Services Department**



**William Zounes
Development Project Manager
Development Services Department**

WESTLAKE/WJZ

Attachments:

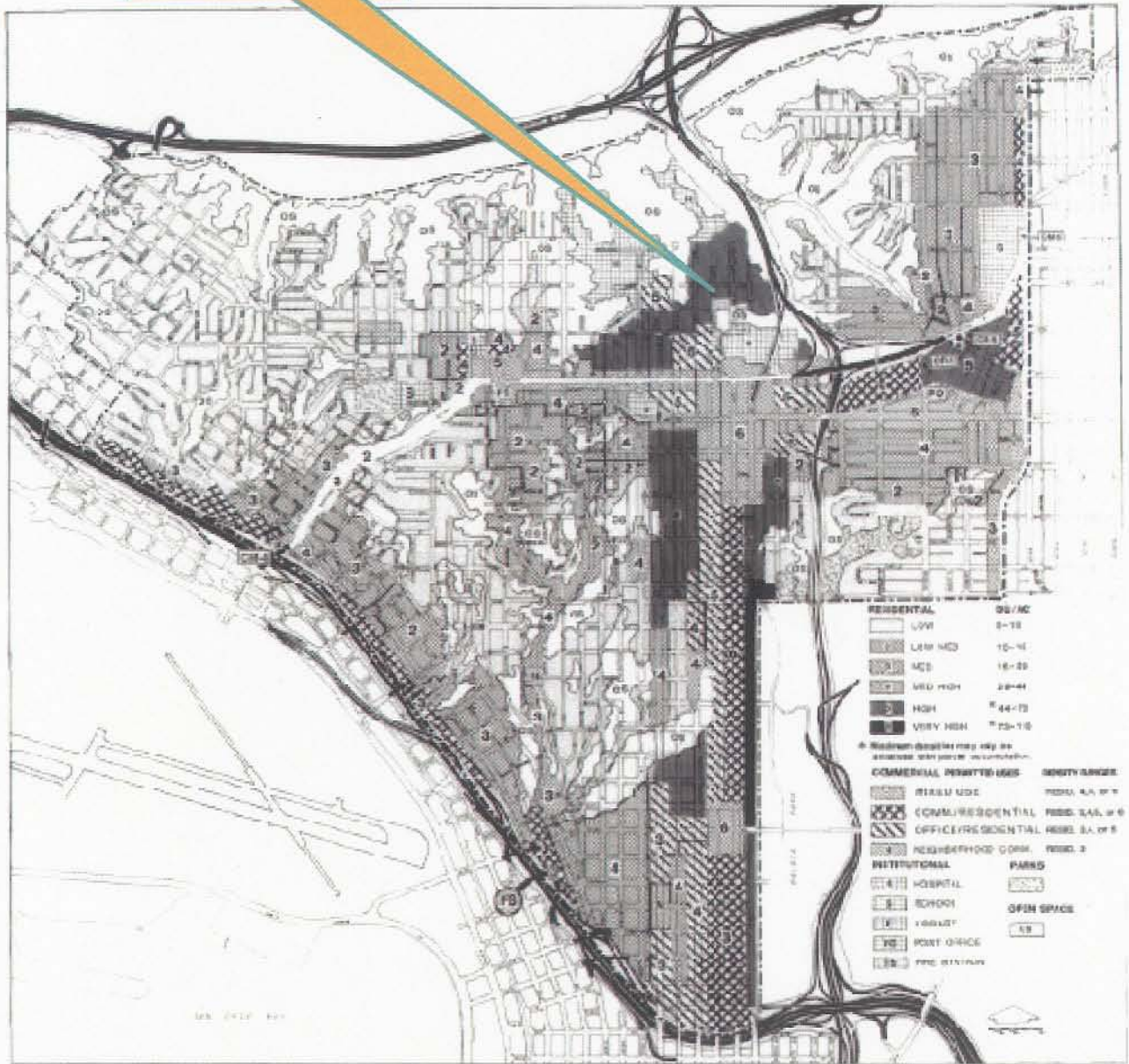
1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Tentative Map and Landscape Development Plan
6. Draft Map Conditions
7. Draft Map Resolution
8. Community Planning Group Recommendation
9. Ownership Disclosure Statement
10. Project Chronology
11. City's Undergrounding Master Plan – Map 3u
12. Sample of 60-Day Notice of Intent to Convert
13. Tenants Rights
14. Environmental Exemption

Attachment 1
Aerial Photograph of Site



Attachment 2 Community Plan Land Use Map

**Project Site
4127 Bachman Place**



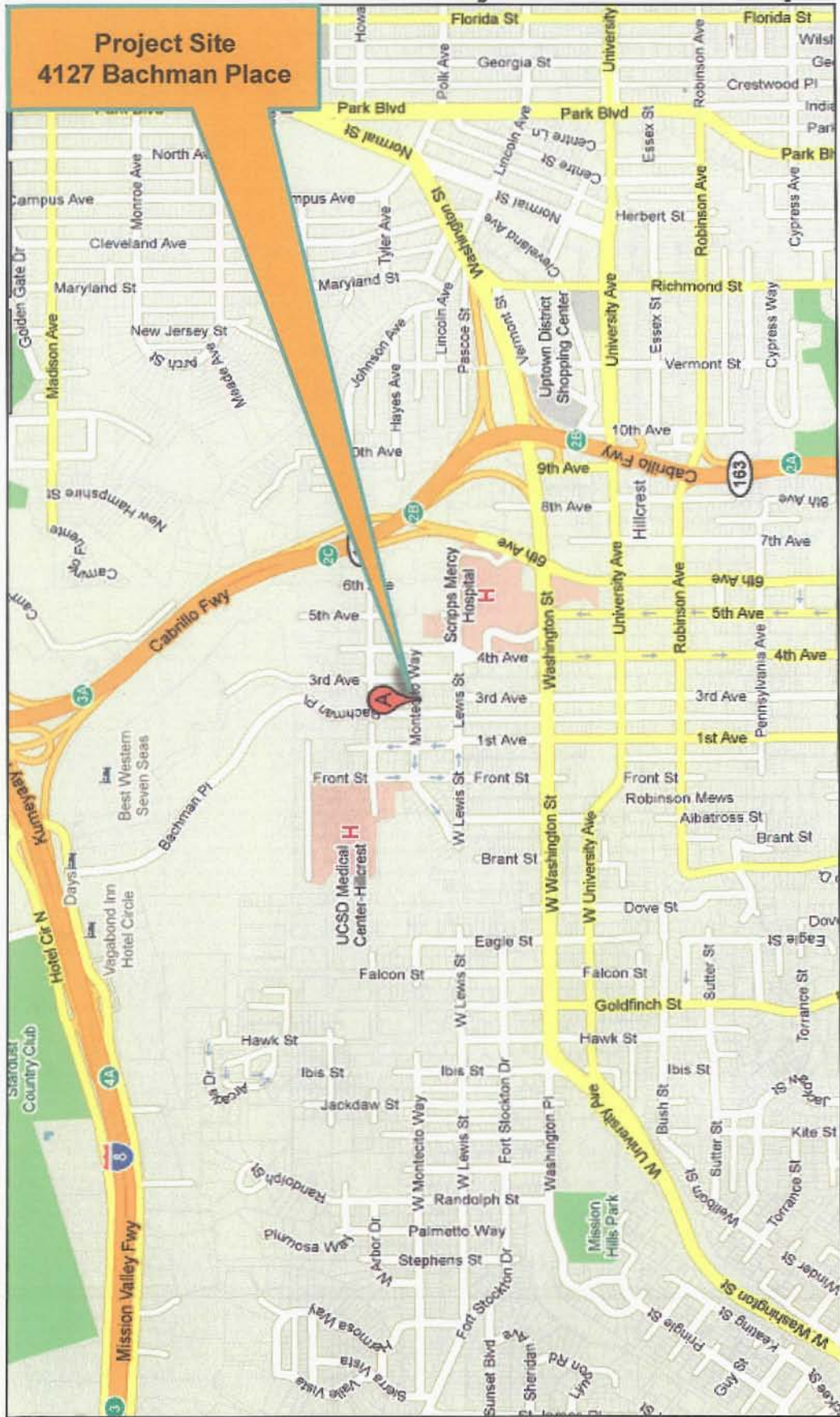
Note: (1) This community plan map is a schematic illustration of the proposals found in the accompanying plan text and the official display map, which should be consulted for more detail. (2) Should there be a conflict between this plan and any other plan located within the Uptown Community Plan document, this Plan shall prevail. (3) The following pages show this map at a larger scale.



COMMUNITY LAND USE PLAN
UPTOWN Community Plan
CITY OF SAN DIEGO PLANNING DEPARTMENT

FIGURE
33

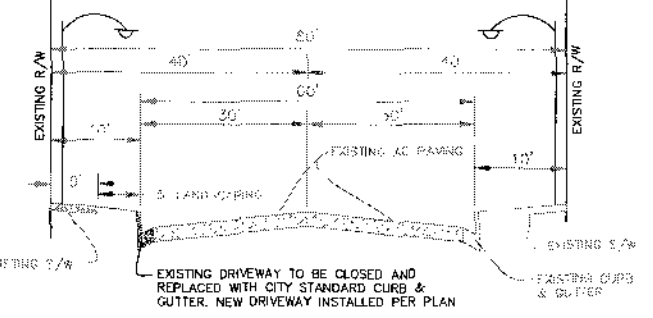
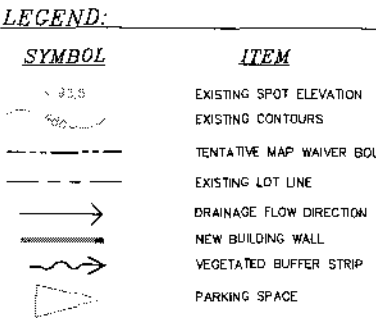
Attachment 3 Project Location Map



PROJECT DATA SHEET		
PROJECT NAME:	4147 Bachman Tentative Map	
PROJECT DESCRIPTION:	Tentative Map Waiver to construct create residential condominiums and convert one for a total of nine residential condominiums	
COMMUNITY PLAN AREA:	Uptown Community Plan	
DISCRETIONARY ACTIONS:	Tentative Map	
COMMUNITY PLAN LAND USE DESIGNATION:	Multi-Family Residential	
<u>ZONING INFORMATION:</u> ZONE: MR-800B (Residential Multiple Unit) HEIGHT LIMIT: 50-Foot max. height limit LOT SIZE: 6,000 square-foot minimum lot size. FLOOR AREA RATIO: 1.25 maximum FRONT SETBACK: 10- feet SIDE SETBACK: 6-feet STREETSIDE SETBACK: 6-feet REAR SETBACK: 15-feet. PARKING: 18 spaces		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Multi-Family Residential; MR800B/NP-1	Mixed multi and single family Residential
SOUTH:	Multi-Family Residential; MR800B	Mixed multi and single family Residential
EAST:	Multi-Family Residential MR800B	Mixed multi and single family Residential
WEST:	Multi-Family Residential MR800B	Mixed multi and single family Residential
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On February 3, 2009, the Uptown Community Plannign Committee voted 14-0-1 to recommend approval of the project with no conditions	

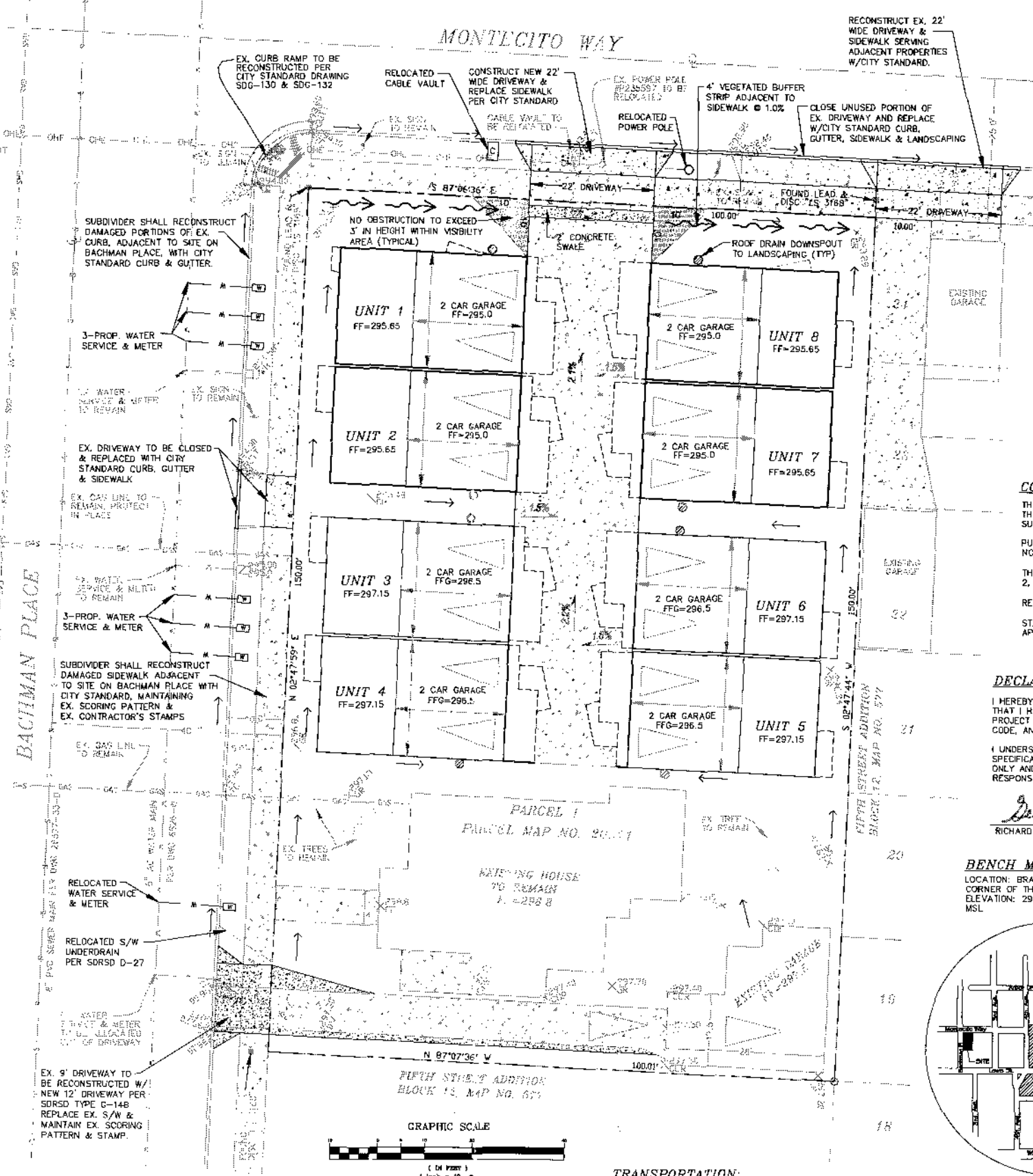
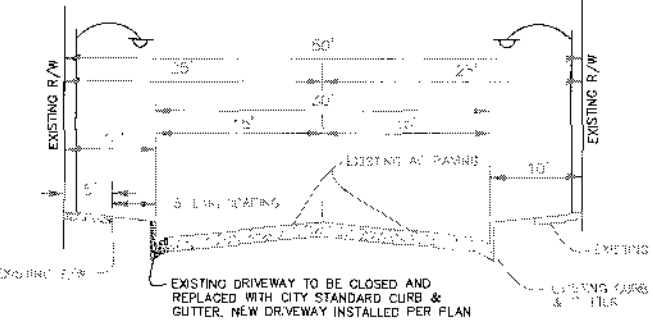
ON-SITE UTILITY TABLE

UTILITY	EXISTING LOCATION	PROPOSED LOCATION
ELECTRICAL	ABOVE GROUND	UNDERGROUND
GAS	UNDERGROUND	UNDERGROUND
WATER/SEWER	UNDERGROUND	UNDERGROUND
TELEPHONE	UNDERGROUND	UNDERGROUND
CABLE	UNDERGROUND	UNDERGROUND



PARKING REQUIREMENTS PER SDMC TABLE 142.05C

UNIT NUMBER	NUMBER OF BEDROOMS	REQUIRED PARKING SPACES (TRANSIT AREA)	PROVIDED PARKING SPACES
UNIT 1	3	2.0	2
UNIT 2	3	2.0	2
UNIT 3	3	2.0	2
UNIT 4	3	2.0	2
UNIT 5	3	2.0	2
UNIT 6	3	2.0	2
UNIT 7	3	2.0	2
UNIT 8	2	1.75	2
SF HOUSE	2	1.75	2
TOTAL = 17.5			TOTAL = 18



- GENERAL NOTE**
- EXISTING ZONING: NR-800B/MCCPD TRANSIT AREA, TANDEM PARKING AREA.
 - COMMUNITY PLAN: UPTOWN
 - PROPOSED ZONING: SAME AS EXISTING
 - NUMBER OF PROPOSED LOTS: 1
 - ASSESSOR'S PARCEL NUMBER: 444-514-01, 02, 03
 - TOPOGRAPHY PER VON REITER GROUP (SURVEYED JULY, 2008)
 - SEWER SERVICE: CITY OF SAN DIEGO
 - WATER SERVICE: CITY OF SAN DIEGO
 - FIRE PROTECTION: CITY OF SAN DIEGO
 - GAS AND ELECTRIC: SAN DIEGO GAS & ELECTRIC COMPANY
 - TELEPHONE SERVICE: PACIFIC BELL
 - TOTAL SITE AREA: 15,000 S.F. (0.344 AC)
 - SQUARE FEET PER DWELLING UNIT:
*ALL UNITS - 1537 SF LIVING SPACE, 505 GARAGE SPACE
 - DATE OF ORIGINAL BUILDING CONSTRUCTION: 2008, NEW CONSTRUCTION PER BUILDING PERMIT #135330.
APPROVAL #469960 BLDG A, 4135 BACHMAN PL
APPROVAL #469972 BLDG B, 4147 BACHMAN PL
APPROVAL #469773 BLDG C, 221 MONTECITO WAY
APPROVAL #469974 BLDG D, 213 MONTECITO WAY
 - NAD 27 (LAMBERT) COORDINATE INDEX: 214-1719
 - NAD 83 COORDINATE INDEX: 1855-6287
 - ON-SITE EASEMENTS:
NO EASEMENTS ON-SITE PER TITLE REPORT.
 - APPLICANT SHALL OBTAIN AN ENCROACHMENT MAINTENANCE REMOVAL AGREEMENT FOR RELOCATED SIDEWALK UNDERDRAIN IN BACHMAN PLACE.

CONDOMINIUM STATEMENT:

THIS IS A MAP OF A CONDOMINIUM PROJECT AS DEFINED IN SECTION 1350 ET. SEQ. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. THE TOTAL NUMBER OF CONDOMINIUM DWELLING UNITS IS 9.

PURSUANT TO SECTION 125.0431 OF THE SAN DIEGO MUNICIPAL CODE, THE FOLLOWING NOTICE:

A) EACH TENANT OF, AND EACH PERSON APPLYING FOR THE RENTAL OF, A UNIT OF THE PROPOSED PROJECT SHALL RECEIVE ALL NOTICES REQUIRED IN CHAPTER 11, ARTICLE 2, DIVISION 3.

B) EACH TENANT OF THE PROPOSED PROJECT SHALL BE GIVEN THE NOTICES REQUIRED IN THE SUBDIVISION MAP ACT, SECTION 66427.1.

C) THE NOTICES REQUIRED IN SECTIONS 125.0431 (A) AND (B) SHALL INCLUDE A STATEMENT ADVISING THE TENANTS THAT SHOULD THE CONDOMINIUM PROJECT BE APPROVED, TENANTS MAY BE REQUIRED TO VACATE THE PREMISES.

DECLARATION OF RESPONSIBLE CHARGE:

I HEREBY DECLARE THAT I AM THE ENGINEER OF WORK FOR THIS PROJECT. THAT I HAVE EXERCISED RESPONSIBLE CHARGE OVER THE DESIGN OF THE PROJECT AS DEFINED IN SECTION 6703 OF THE BUSINESS AND PROFESSIONS CODE, AND THAT THE DESIGN IS CONSISTENT WITH CURRENT STANDARDS.

I UNDERSTAND THAT THE CHECK OF PROJECT DRAWINGS AND SPECIFICATIONS BY THE CITY OF SAN DIEGO IS CONFINED TO A REVIEW ONLY AND DOES NOT RELIEVE ME, AS ENGINEER OF WORK, OF MY RESPONSIBILITIES FOR PROJECT DESIGN.

Richard E. Matter, Jr.
 RICHARD E. MATTER, JR. R.C.E. NO. 68261 EXP. 09-30-09 8/12/2010 DATE

BENCH MARK:
 LOCATION: BRASS PLUG @ THE NORTHWEST CORNER OF THIRD AVENUE & MONTECITO WAY.
 ELEVATION: 290.573 DATUM: CITY OF SAN DIEGO, MSL

PROPERTY OWNERS:
 BENJAMIN VLENSKI, CFO
 BACHMAN FLATS, LLC
 701 B STREET, SUITE 1200
 SAN DIEGO, CA 92101

BENJAMIN VLENSKI DATE

Revision 3: _____
 Revision 2: 05/25/2010
 Revision 1: 10/09/2008

PTS #163802 WO #43-1520

TENTATIVE MAP WAIVER
 9 UNITS

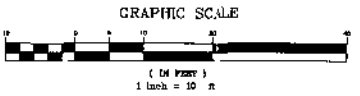
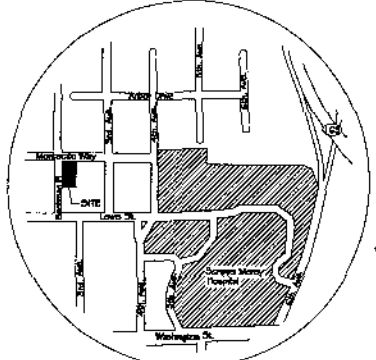
VON REITER GROUP

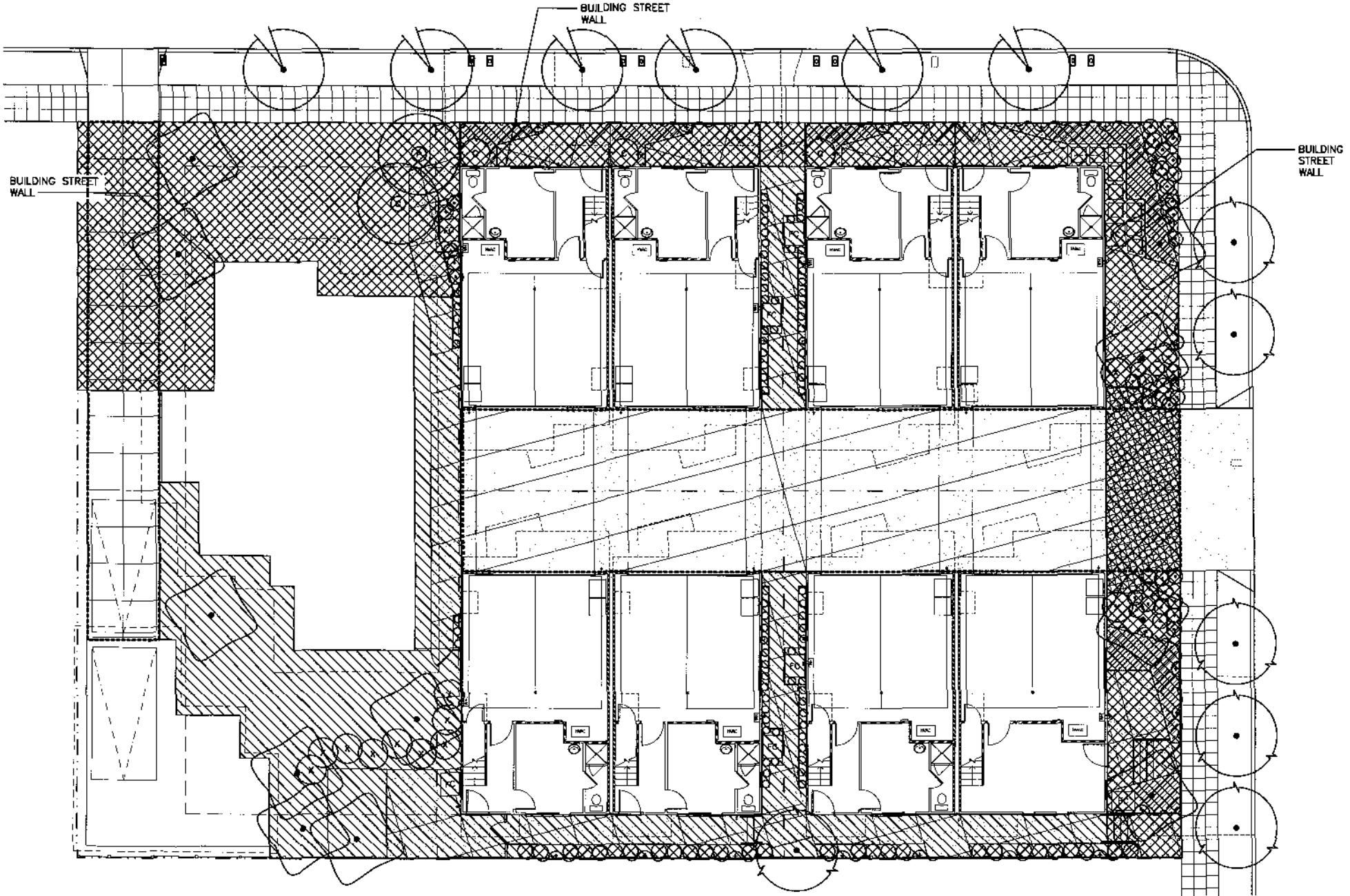
LEGAL DESCRIPTION:
 PARCEL 1 OF PARCEL MAP 20811, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 11, 2010.

REFERENCE DRAWINGS:
 MAP NO. 577

TRANSPORTATION:
 PER TABLE 142-05C OF THE SAN DIEGO MUNICIPAL CODE, THE RECOMMENDED PARKING REQUIREMENT FOR THIS PROJECT IS 2.0 PARKING SPACES PER 3 BEDROOM UNIT AND 1.75 PARKING SPACES PER 2 BEDROOM UNIT. FOR A TOTAL PARKING REQUIREMENT OF 17.5 SPACES. THE PROJECT PROPOSES 17 COVERED GARAGE PARKING SPACES AND 1 DRIVEWAY TANDEM PARKING SPACE FOR A TOTAL OF 18 PARKING SPACES PROVIDED.

VICINITY MAP
 NO SCALE





GENERAL NOTES

a. Per SDMC Section 142.0405(a)(2), points for the Vehicular Use Area are achieved with excess points from the street yard since the VUA is used only as a driveway and not as a parking area.

LEGEND

- Street Yard
- Remaining Yard
- Vehicular Use Area Boundary

LANDSCAPE CALCULATIONS

SIZE	PLANT POINTS	TOTAL POINTS
01 Existing broad leaf tree	125 points/tree	125
01 25' Brown Turf tree	200 points/tree	200
02 24" box tree	20 points/tree	40
365 Total Street Yard Points		
129 Street Yard Points Required		
365 Plant Points from Trees		

SIZE	PLANT POINTS	TOTAL POINTS
04 30" Box tree	30 points/tree	120
05 15 gallon shrub	10 points/shrub	90
02 5 gallon shrub	2 points/shrub	4
184 Total Vehicular Use Points		
142 Vehicular Use Pts Required		
120 Plant Points from Trees		

LANDSCAPE PLAN
1/8" = 1'-0"

City of San Diego
Development Services
1220 First Ave., MS-001
San Diego, CA 92101-4154
(619) 448-3000

Landscape Calculations Worksheet
Single Dwelling Unit Development in
Multiple Dwelling Unit Development in

Provide the following information on the Landscape Plan. The Landscape Calculations determine the planting area required by the Landscape Regulations, Chapter 14, Article 2, Division 4 of the Land Development Code.

Planting Area

- A minimum 48 sq. ft. planting area shall be provided for all trees with no dimension less than 5" R.
- At least one-half of the required planting points shall be achieved with trees.

Planting Area Required (142.0404)	Planting Area Provided	Excess Area Provided
Total Area 2562 sq. ft. x 0.016 = 41.0 sq. ft.	1262 sq. ft.	81 sq. ft.

Planting Points Required (142.0404)	Plant Points Provided	Excess Points Provided
Total Area 2562 sq. ft. x 0.05 = 128 points	305 points	238 points

Points achieved with trees: 305 points

Planting Area available as landscape or landscape and paving (142.0405(a)(1)(B))	Provided
Total Area 2562 sq. ft. x 10% = 256 sq. ft.	78 sq. ft.

Planting Points - Single Dwelling Unit

Plant Points Required	Plant Points Provided	Points Achieved with trees (at least 50%)
60 points	points	Points

Points achieved with trees: points

Planting Points - Multiple Dwelling Unit

Number of Buildings	Number of trees	Number of Trees Provided
5 buildings x 3 = 15 trees	15 trees	6

Trees must be located on each side and to the rear of each structure.

Planting Points - Single Dwelling Unit

Planting Points - Multiple Dwelling Unit

If any of the requirements of Landscape Regulations, Section 142.0404 (a) 1, 2, or 3 apply to your project, provide a written survey explaining how requirements are being met.

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City of San Diego
Development Services
1220 First Ave., MS-001
San Diego, CA 92101-4154
(619) 448-3000

Landscape Calculations Worksheet
Vehicular Use Areas (VUA)

Provide the following information on the Landscape Plan. The Landscape Calculations determine the planting area and points required by the Landscape Regulations, Chapter 14, Article 2, Division 4 of the Land Development Code.

One tree (minimum 24-inch box size) is required within 30' R of each parking space. If plant trees are used, one point (minimum 8" R, down trunk height) is required within 15' R of each parking space.

Planting Area

- Planting Area Required: provide 60 sq. ft. per tree (with no dimension less than 5")

Plant Points Required	Plant Points Provided	Excess Points Provided
Total VUA: 2940 sq. ft. x 0.05 = 147 points	147 points	0 points

Points achieved through trees (at least half): 147 points

Planting Area - Street Yard

Required Planting Area	Planting Area Provided	Excess Area Provided
VUA inside Street Yard: sq. ft. x 0.05 = sq. ft.	sq. ft.	sq. ft.
VUA outside Street Yard: sq. ft. x 0.05 = sq. ft.	sq. ft.	sq. ft.

Required Plant Points	Plant Points Provided	Points Provided with Trees (at least half)
VUA inside Street Yard: sq. ft. x 0.05 = points	points	points
VUA outside Street Yard: sq. ft. x 0.05 = points	points	points

Planting Area - Public Right-of-Way

Required Planting Area	Planting Area Provided
Length of Public Right-of-Way adjacent to VUA: ft. x 5 ft. = sq. ft.	sq. ft.

Provide planting area between Public Right-of-Way and VUA.

Plant with low-growth shrubs.

Shrubs must achieve a minimum height of 30" within 2 years of installation over at least 50% of the required planting area.

If any of the requirements of Landscape Regulations, Section 142.0404 (a) 1, 2, or 3 apply to your project, provide a written survey explaining how requirements are being met.

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DA
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619.298.4210 • 619.298.4250 FAX • DONATO@DAI.COM

BACHMAN ROW
4125-27-35-47 BACHMAN PLACE SAN DIEGO, CA 92103

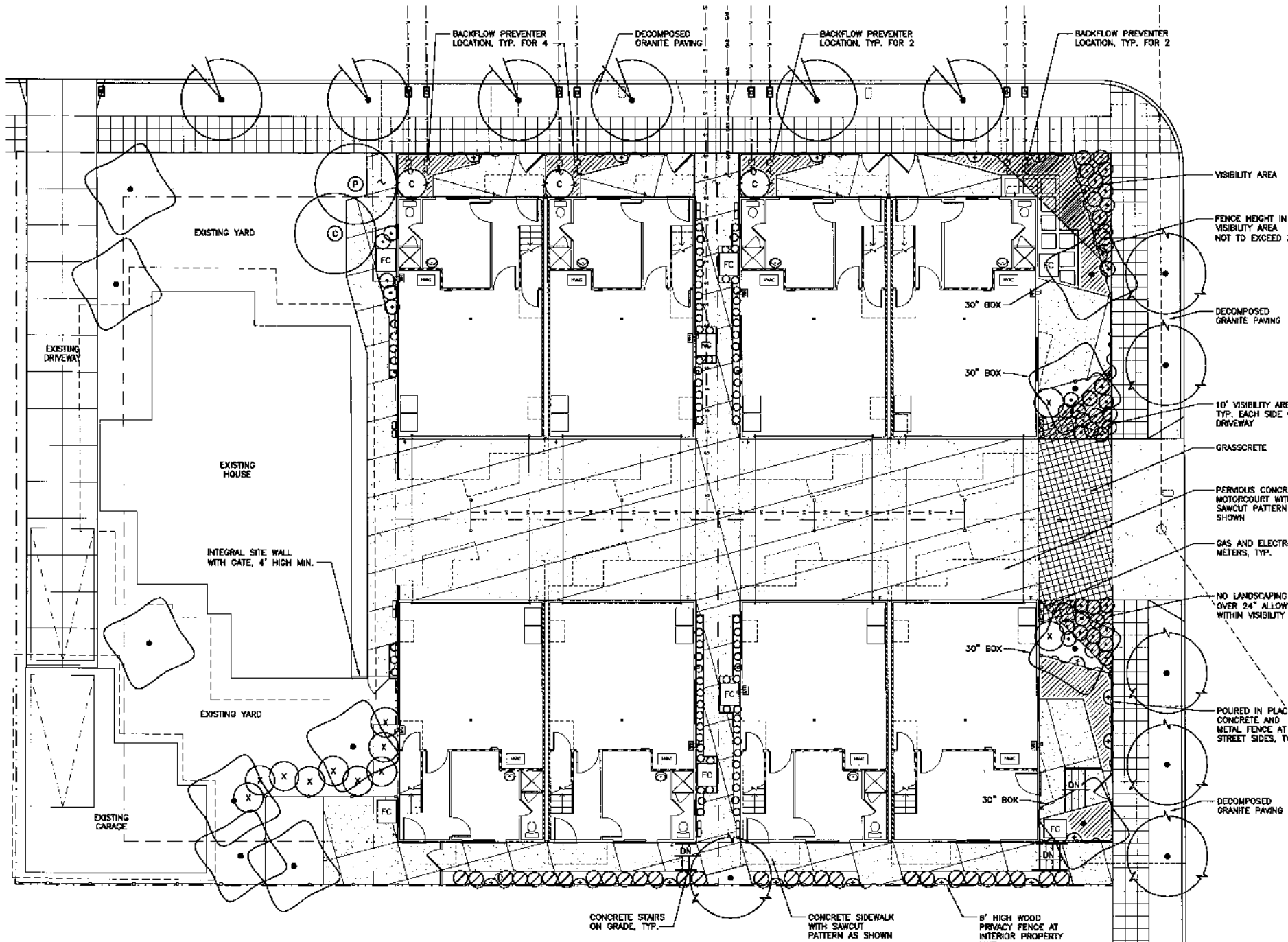
DATE	BY	DESCRIPTION
07/27/07	KAC	ISSUE FOR SUBMIT
12/04/07	KAC	REVISED PER CITY COMMENTS
03/27/08	KAC	ISSUE FOR PERMIT

SHEET INFORMATION

DONATO ASSOCIATES
ARCHITECTURE + GRAPHICS

L1.2
LANDSCAPE GRAPHIC
ANALYSIS

0609
PLOT SCALE 1/8" = 1'-0" (24x36" SIZE)



PLANT LEGEND

TREES SYMBOL	BOTANICAL NAME / COMMON NAME	QTY	SIZE
(P)	Existing Phoenix canariensis / Canary Island Palm	01	25"trnk
(C)	Existing Cinnamomum camphora / Camphor Tree	01	8"caliper
(M)	Medium scale, flowering, canopy street tree (15'-20' height) such as: Cassia leptophylla / Gold Medallion Tree	100%	24"box
(S)	Syngonium romanzoffianum / Queen Palm Street Tree	100%	10"trnk
(V)	Medium scale, vertical, evergreen tree (25' - 30' height) such as: Acacia pendula / Weeping Acacia Melaleuca quinqueveneria / Calypso Tree Tristaria conferta / Bishop's Box	6	24" box
(W)	Small scale multi-trunk tree/shrub (10' height) such as: Cordyline australis / Aropania / NCN Dracaena marginalis / Dracena	4	30"box
(X)	Small scale multi-trunk tree/shrub (10' height) such as: Cordyline australis / Aropania / NCN Dracaena marginalis / Dracena	100%	15 gallon
(E)	Evergreen, flowering, screening shrub (5' - 6' height) such as: Felicea selowiana / Pinetopple Guava Ceanothus 'Sierra Blue' / Wild Lilac Aloysia hirsuta / Blue Hibiscus	100%	15 gallon
(F)	Evergreen, flowering, accent plant (3' - 4' height) such as: Agave attenuata / Agave Ardisia coccinea / Kangaroo Paw	100%	6 gallon
(G)	Evergreen, flowering, accent planting (2' - 4' height) such as: Aeonium arboreum 'Zwartkop' / NCN Ginnia 'Red King Humbert' / NCN	100%	1 gallon
(H)	Evergreen, flowering, accent planting (2' height) such as: Agapanthus africanus / Lily of the Nile Hemerocallis varieties / Daylily Aeonium arboreum 'Zwartkop' / NCN	100%	1 gallon
(I)	Evergreen, flowering, accent planting (2' height) such as: Equisetum hyemale / Horsetail	100%	1 gallon
(J)	Evergreen, flowering vine such as: Discolia varieties / Trumpet Vine Hibbertia scandens / Guinea Gold Vine Thunbergia gregorii / Orange Clock Vine	100%	5 gallon
(K)	Evergreen, flowering, perennial plantings (5' - 15' height) such as: Cuphea varieties / Cuphea Hemerocallis varieties / Daylily Coreopsis varieties / Coreopsis Lavandula varieties / Lavender	50%	1 gallon
(L)		50%	4"pots
(M)			6"-12"o.c.

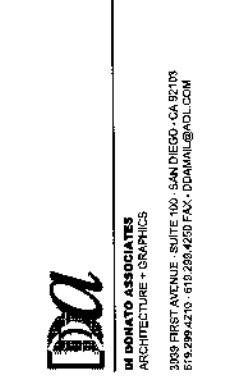
NOTE: Install 2" wood bark mulch groundcover throughout planting areas.

NOTES:

- All Landscape and Irrigation shall conform to the City of San Diego's Land Development Code, Landscape Regulations, the Land Development Manual, Landscape Standards, and all other city and Regional Standards.
- All required planting areas shall be covered with mulch groundcover to a minimum depth of 2", excluding slopes requiring re-vegetation and areas planted with groundcover. All exposed soil areas without vegetation shall also be mulched to this minimum depth. SDMC 142.0403(b).
- Tree root barriers shall be installed where trees are placed within 5 feet of public improvements including walks, curbs or street pavements or where new public improvements are placed adjacent to existing trees. The root barrier will not be wrapped around the root ball. SDMC 142.0103(b)(12).
- Irrigation: An irrigation system shall be provided as required for proper irrigation, development and maintenance of vegetation. The design of the system shall provide adequate support for the vegetation selected and shall be an automatic irrigation system with low precipitation heads to establish and sustain good, healthy plantings. All proposed irrigation systems will use an approved rain sensor shutoff device. SDMC 142.0403
- Maintenance: All required landscape areas shall be maintained by the owner. The landscape areas shall be maintained free of debris and litter and all plant material shall be maintained in a healthy growing condition. Diseased or dead plant material shall be satisfactorily treated or replaced with like kind.

MINIMUM TREE SEPARATION DISTANCES:

Traffic Signals (Stop sign)	20 feet
Underground utility lines (except sewer)	5 feet
Sewer lines	10 feet
Above ground utility structures	10 feet
Driveways	10 feet
Intersections (intersecting curb lines of two streets)	25 feet



DONATO ASSOCIATES
ARCHITECTURE + GRAPHICS
3800 FIRST AVENUE, SUITE 100, SAN DIEGO, CA 92109
619.299.4210 • 619.299.4200 FAX • DDMAIL@DAD.COM

PROJECT NAME

BACHMAN ROW
4125-27-35-47 BACHMAN PLACE SAN DIEGO, CA 92103

ISSUES REVISIONS

DATE	BY	ISSUE DESCRIPTION
07/27/07	KAC	ISSUE FOR SUBMIT
12/04/07	KAC	REVISED PER CITY COMMENTS
03/27/08	KAC	ISSUE FOR PERMIT

SHEET INFORMATION

DONATO ASSOCIATES
ARCHITECTURE + GRAPHICS

L1.1
LANDSCAPE PLAN

0469
PLOT SCALE 1/8" = 1'-0"

LANDSCAPE PLAN

1/8" = 1'-0"

PLANNING COMMISSION
CONDITIONS FOR TENTATIVE MP NO. 789479
4147 BACHMAN TENTATIVE MAP - PROJECT NO. 163802

GENERAL

1. This Tentative Map will expire on October 28, 2013.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Certificate of Compliance unless otherwise noted.
3. A Certificate of Compliance shall be recorded in the Office of the San Diego County Recorder, prior to the Tentative Map expiration date.
4. Prior to the recordation of the Certificate of Compliance, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. 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.
5. The subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify the Subdivider of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not be required to pay or perform any settlement unless such settlement is approved by the Subdivider.

CONDOMINIUM CONVERSION

6. The subdivider shall provide a Notice of Tenants Rights and Notices for Condominium Conversion, consistent with the Land Development Manual to be provided as follows:
 - a. For existing tenants, within 10 days of the project application for the condominium conversion being deemed complete; or

Attachment 6
Draft Tentative Map Conditions

- b. For prospective tenants, upon application for the rental of a unit in the proposed condominium conversion.
7. The subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the Subdivision Map Act.
8. The subdivider shall provide 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 Subdivision Map Act section 66427.1(a)(2)(E). The provisions of this condition shall neither 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 Civil Code sections 1941, 1941.1 and 1941.2.
9. The subdivider shall provide the tenant of the proposed condominium with written notification within 10 days after approval of a Certificate of Compliance for the proposed conversion, in conformance with Subdivision Map Act section 66427.1(a)(2)(D).
10. The subdivider shall give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (San Diego Municipal Code § 125.0431(a)(4)).
11. 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 Subdivision Map Act section 66427.1(a)(2)(F) and San Diego Municipal Code section 125.0431(a)(5). The right shall commence on the date the subdivision public report is issued, as provided in section 11018.2 of the Business and Professions Code, and shall run for a period of not less than 90 days, unless the tenant gives prior written notice of his or her intention not to exercise the right. (San Diego Municipal Code § 125.0431(a)(5)).
12. The subdivider shall provide a copy of the Building Conditions Report to a prospective purchaser prior to the opening of an escrow account. (San Diego Municipal Code § 144.0504(c)).
13. Prior to the recordation of the Certificate of Compliance, the subdivider shall demonstrate conformance with the San Diego Municipal Code provisions for building and landscape improvements (San Diego Municipal Code § 144.0507), to the satisfaction of the City Engineer.

AFFORDABLE HOUSING

14. Prior to recordation of the Certificate of Compliance, the subdivider shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (San Diego Municipal Code § 142.1301 *et seq.*) by paying an in-lieu fee of \$3,012.
15. Prior to the recordation of the Certificate of Compliance, the Subdivider shall demonstrate conformance with the San Diego Municipal Code provisions for Tenant Relocation Benefits (San Diego Municipal Code § 144.0505), for the tenants at 4121 Bauchman Place to the satisfaction of the Development Services Department and the Housing Commission.

ENGINEERING

16. The subdivider shall reconstruct the damaged portions of the curb with current City Standard curb and gutter, adjacent to the site on Bachman Place.
17. The subdivider shall reconstruct the curb ramp at the southeast corner of Bachman Place and Montecito Way, with current City Standard curb ramp Standard Drawing SDG-130 and SDG-132 with truncated domes.
18. The subdivider shall reconstruct the damaged sidewalk with current City Standard sidewalk, maintaining the existing sidewalk scoring pattern and preserving all of the contractor's stamps, adjacent to the site on Bachman Place.
19. The subdivider shall close the non-utilized driveway with current City Standard curb and gutter, adjacent to the site on Bachman Place.
20. The subdivider shall close the non-utilized driveway with current City Standard curb, gutter, adjacent to the site on Montecito Way.
21. The subdivider shall construct a current City Standard 22 feet wide driveway, adjacent to the site on Montecito Way.
22. The subdivider shall reconstruct the existing damaged and non-standard driveway serving the two adjacent properties east of the project with a current City Standard 22 feet wide driveway, adjacent to the site on Montecito Way.
23. The subdivider shall reconstruct the existing damaged and non-standard driveway with a current City Standard 12-foot wide driveway, adjacent to the site on Bachman Place.

Attachment 6
Draft Tentative Map Conditions

24. Prior to the issuance of any construction permits, the subdivider shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the sidewalk underdrains in the Bachman Place Right-of-Way.
25. Prior to the issuance of any construction permit, the subdivider shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
26. Prior to the issuance of any construction permit, the subdivider shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
27. Prior to the issuance of any construction permit, the subdivider shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.
28. Prior to the issuance of any construction permit, the subdivider shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, consistent with the approved Water Quality Technical Report.
29. 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.
30. 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.
31. The subdivider shall underground any new service run to any new or proposed structures within the subdivision.
32. 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.
33. The subdivider shall comply with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions

will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

LANDSCAPING

34. Prior to the recordation of the final map, the subdivider shall install all required landscape and irrigation and obtain all required landscape inspections and approvals in conformance with the approved landscape construction documents for project number 135330. All planting and irrigation shall conform with the Landscape Standards and the Land Development Code, Landscape Regulations

MAPPING

35. "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).
36. "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."
37. Every 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.

INFORMATION:

- The approval of this Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. § 1531 *et seq.*).
- If the subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within 90 days of the approval of this Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code Sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 23431520

PLANNING COMMISSION RESOLUTION NUMBER R-_____

TENTATIVE MAP NO. 789479
4147 BACHMAN TENTATIVE MAP - PROJECT NO. 163802

WHEREAS, BACHMAN FLATS, LLC, Subdivider, and RICHARD E. MATTER, engineer, submitted an application to the City of San Diego for a tentative map for the creation of eight residential condominiums and the conversion of one existing residential unit, and to waive the requirement to underground existing offsite overhead utilities. The project site is located at 4127– 4147 Bachman Place. The property is legally described as Parcel 1 of Parcel Map No. 20811, in the City of San Diego, County of San Diego, State of California, filed in the office of the County Recorder of San Diego County, August 11, 2010; and

WHEREAS, the Map proposes the Subdivision of a 0.34-acre-site into nine residential condominiums; and

WHEREAS, on November 8, 2008, the City of San Diego as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act [CEQA] (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15301; and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; and

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

WHEREAS, the 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 nine; and

WHEREAS, the request to waive the requirement to underground existing offsite overhead utilities, qualifies under the guidelines of Council Policy No. 600-25 *Underground Conversion of Utility Lines at Developers Expense* in that; and

WHEREAS, on October 28, 2010, the Planning Commission of the City of San Diego considered Tentative Map No. 789479, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to San Diego Municipal Code section(s) 125.0440, 125.0444, 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 Planning Commission having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 789479:

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 project proposes to create eight residential condominiums under construction and convert one existing residential structure into a condominium for a total of nine condominiums on a 0.34 acre site located at 4127-4147 Bachman Place in the MR-800B Zone of Mid-City Communities Planned District.

The proposed project is consistent with the land use residential designation of the Uptown Community Plan by continuing to maintain a density range between 44-73 dwelling units per acre. The plan recommends that new multi-family residential developments retain the character

of the existing neighborhoods, and that the design of new multi-family developments should provide offsetting building walls, screened or underground parking, minimal curb cuts, private open space and improved landscaping. Additionally the plan recommends preserving structures with potential historic significance. Currently the neighborhood consists of a mix of older, craftsman style single family homes and recently developed, multi-story residential developments. The proposed condominium project will consist of eight, two story, two and three bedroom condominiums and the conversion of an existing two bedroom, craftsman style single family home into a condominium. The project will incorporate design elements to include offsetting plans, wood siding, pitched roofs, and recessed clerestory windows. The existing home was reviewed by the City's historic staff and is not considered a potential historically significant resource. The project will preserve a portion of the exiting mature landscape and proposes additional landscaping which exceeds the City's Landscape requirements. Therefore, 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)).

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

The project proposes to create eight residential condominiums under construction and convert one existing residential structure into a condominium for a total of nine condominiums on a 0.34 acre site located at 4127-4147 Bachman Place in the MR-800B Zone of Mid-City Communities Planned District.

The new development is consistent with the development regulations of the MR-800B zone which includes height, grading, landscaping and architectural design. The existing single family dwelling located at 4721 Bachman Place does not conform to the current rear and side yard setback requirement of the MR-800B zone. However, the project maintains previously-conforming rights as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (San Diego Municipal Code § 125.0440(b)).

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 project proposes to create eight residential condominiums under construction and convert one existing residential structure into a condominium for a total of nine condominiums on a 0.34 acre site located at 4127-4147 Bachman Place in the MR-800B Zone of Mid-City Communities Planned District.

The site is flat and has been previously graded. The eight condominiums are currently under construction and have obtained construction permits. The existing home was constructed in 1915. The site fronts Bauchman Place and Montecito Way . The MR-800B zone allows one dwelling unit for every 600 square feet of site area. The existing site is 15,000 square feet which

will accommodate 25 dwelling units. The Uptown Community Plan designates the site as high residential allowing up to 73 dwelling units per acre. The addition of eight units for a total of nine condominiums for the site is within the community plan's density range and municipal code density range. Therefore, the site is physically suitable for the type and density of the 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 project proposes to create eight residential condominiums under construction and convert one existing residential structure into a condominium for a total of nine condominiums on a 0.34 acre site located at 4127-4147 Bachman Place in the MR-800B Zone of Mid-City Communities Planned District.

The Tentative Map was reviewed by the City of San Diego for conformance to the Land Development Regulations, California Building Code, and Land Use Policies. The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (existing facility) of the State CEQA Guidelines. The project is located within an urbanized and built out environment where there are no watercourses on or adjacent to the site. Therefore, the subdivision will not cause substantial environmental damage or substantially injure fish or wildlife or their habitat (Land Development Code Section 125.0440.d and State Map Act Section 66474(e)).

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 project proposes to create eight residential condominiums under construction and convert one existing residential structure into a condominium for a total of nine condominiums on a 0.34 acre site located at 4127-4147 Bachman Place in the MR-800B Zone of Mid-City Communities Planned District.

Minor land modifications are proposed with this Tentative Map to include the replacement of outdated and damaged curbs and sidewalks, the reconstruction of curb ramps, closure and replacement of un-utilized driveways, the reconstruction of damaged driveways located adjacent to the site, maintain a water pollution control plan during construction, and ensure all landscape is planted in accordance with landscape plan.

The project has been reviewed and determined to be in compliance with the Municipal Code and Subdivision Map Act. The Tentative Map includes conditions and corresponding exhibits of approvals relevant to undergrounding new utilities, storm water and construction water runoff, adequate parking, public improvements, and paying applicable taxes in order to achieve compliance with the regulations of the San Diego Municipal Code. The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301

(existing facility) of the State CEQA Guidelines. Therefore, 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)).

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 project proposes to create eight residential condominiums under construction and convert one existing residential structure into a condominium for a total of nine condominiums on a 0.34 acre site located at 4127-4147 Bachman Place in the MR-800B Zone of Mid-City Communities Planned District.

The proposed subdivision does not contain or propose any new easements for the development. The site has frontage on Bachman Place and Montecito Way. The subdivision proposes public improvements to include the replacement of damaged sidewalks and outdated or damaged curbs along both Bachman Place and Montecito Way thereby improving the public right-of-way. Therefore, the design of the subdivision and proposed improvements would not conflict with 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 project proposes to create eight residential condominiums under construction and convert one existing residential structure into a condominium for a total of nine condominiums on a 0.34 acre site located at 4127-4147 Bachman Place in the MR-800B Zone of Mid-City Communities Planned District.

The potential and opportunity exists to implement sustainable building techniques during building permit review that utilize photovoltaic systems (solar panels) to generate a certain percentage of the project's energy needs. The new eight unit complex incorporates tilted roofs which may facilitate for solar panels in the future. The project site is located on an east-west Street which allows for maximum solar orientation for future solar hearing. The project does preserve large trees planted along Bachman Place which provides shade. In addition, the project proposes to plant deciduous flowing trees along Bachman Place which also has the potential of providing shade to the development and along the street. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

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

The project proposes to create eight residential condominiums under construction and convert one existing residential structure into a condominium for a total of nine condominiums on a 0.34 acre site located at 4127-4147 Bachman Place in the MR-800B Zone of Mid-City Communities Planned District.

The decision maker has reviewed the administrative record including the project plans, environmental documentation and public testimony to determine the effects of the proposed subdivision on the housing needs of the region. The decision maker has determined that the provision of nine residential units and the associated increase in the need for public services and the available fiscal and environmental resources are balanced by adequate public transit in the immediate area, the proximity of shopping, and essential services and recreation in the nearby developed urban area. The project is within a quarter mile from public transit, medical facilities and retail services and sales. In addition, Mission Hills Park is located within one mile from the site. Therefore, the housing needs of the region are balanced against the needs for public services and the available fiscal and environmental resources.

9. The notices required by San Diego Municipal Code section 125.0431 have been given in the manner required (San Diego Municipal Code § 125.0444(a) and Subdivision Map Act §§ 66452.17; 66427.1).

The project proposes to create eight residential condominiums under construction and convert one existing residential structure into a condominium for a total of nine condominiums on a 0.34 acre site located at 4127-4147 Bachman Place in the MR-800B Zone of Mid-City Communities Planned District.

The resident of the existing single family home located at 4127 Bachman Place has been noticed in accordance to San Diego Municipal Code section 125.0431. Notices distributed and received 4127 Bachman Place include a Notice of Application to convert the existing single family home into a condominium, notice of Tenants Rights, and a 60-day notice of intent to convert to a condominium. The Notice of 90-day Period of First Right of Refusal Purchase will be provided subsequent to the approval of the Tentative Map. Therefore, the notices required by San Diego Municipal Code section 125.0431 have been given in the manner required (San Diego Municipal Code § 125.0444(a) and Subdivision Map Act §§ 66452.17; 66427.1).

10. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing (San Diego Municipal Code § 125.0444(b)).

The project proposes to create eight residential condominiums under construction and convert one existing residential structure into a condominium for a total of nine condominiums on a 0.34 acre site located at 4127-4147 Bachman Place in the MR-800B Zone of Mid-City Communities

Attachment 7
Draft Tentative Map Resolution
(R-[Reso Code])

Planned District. The project is being funded entirely by private investors for business purposes and is not being financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing.

11. 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 (San Diego Municipal Code § 125.0444(c)).

The project proposes to create eight residential condominiums under construction and convert one existing residential structure into a condominium for a total of nine condominiums on a 0.34 acre site located at 4127-4147 Bachman Place in the MR-800B Zone of Mid-City Communities Planned District. The condominiums are being created and converted to be sold at fair market values and are not being developed to provide housing for the elderly, disabled or to provide low income housing. However the project is conditioned to adhere to the City's Inclusionary Affordable Housing Regulations (San Diego Municipal Code § 142.1301 *et seq.*) which will pay an in-lieu fee prior to the recordation of the Tentative Map.

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 Planning Commission, Tentative Map No. 789479, hereby granted to BACHMAN FLATS, LLC subject to the attached conditions which are made a part of this resolution by this reference.

By

William Zounes
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 23431520

UPTOWN PLANNERS

Uptown Community Planning Committee

MEETING MINUTES

February 3, 2009

Meeting held at the Joyce Beers Community Center

IV. Consent Agenda:

Seidel moved (with Hyde seconding) to approve consent agenda. Motion passed 14,0,1, chair abstaining.

2. 4147 BACHMAN PLACE MAP WAIVER – Process Three – North Hillcrest -- Map Waver application to waive the requirements of a Tentative Map and under grounding of overhead utilities to create four residential condominiums (under construction) on a 0.11 acre site at 4147 Bachman Place in the MR – 800B Zone; Residential Tandem Parking; Transit Area; FAA Part 77

Bachman Flats I

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):
Bachman Flats, LLC

Owner Tenant/Lessee


Street Address: 701 B Street #1200

City/State/Zip: San Diego, CA 92101

Phone No: (619) 338-9545 Fax No: (619) 338-0704

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

Title (type or print):
CFO

Signature:  Date: 08/11/08

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:

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:

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:

4147 Bachman Tentative Map Project No. 163802
Bachman Flats, LLC
Ownership Names

Owners:

Carlos Michan,
Zion Memun

**DEVELOPMENT SERVICES
4147 Bachman Tentative Map
PROJECT NO. 163802**

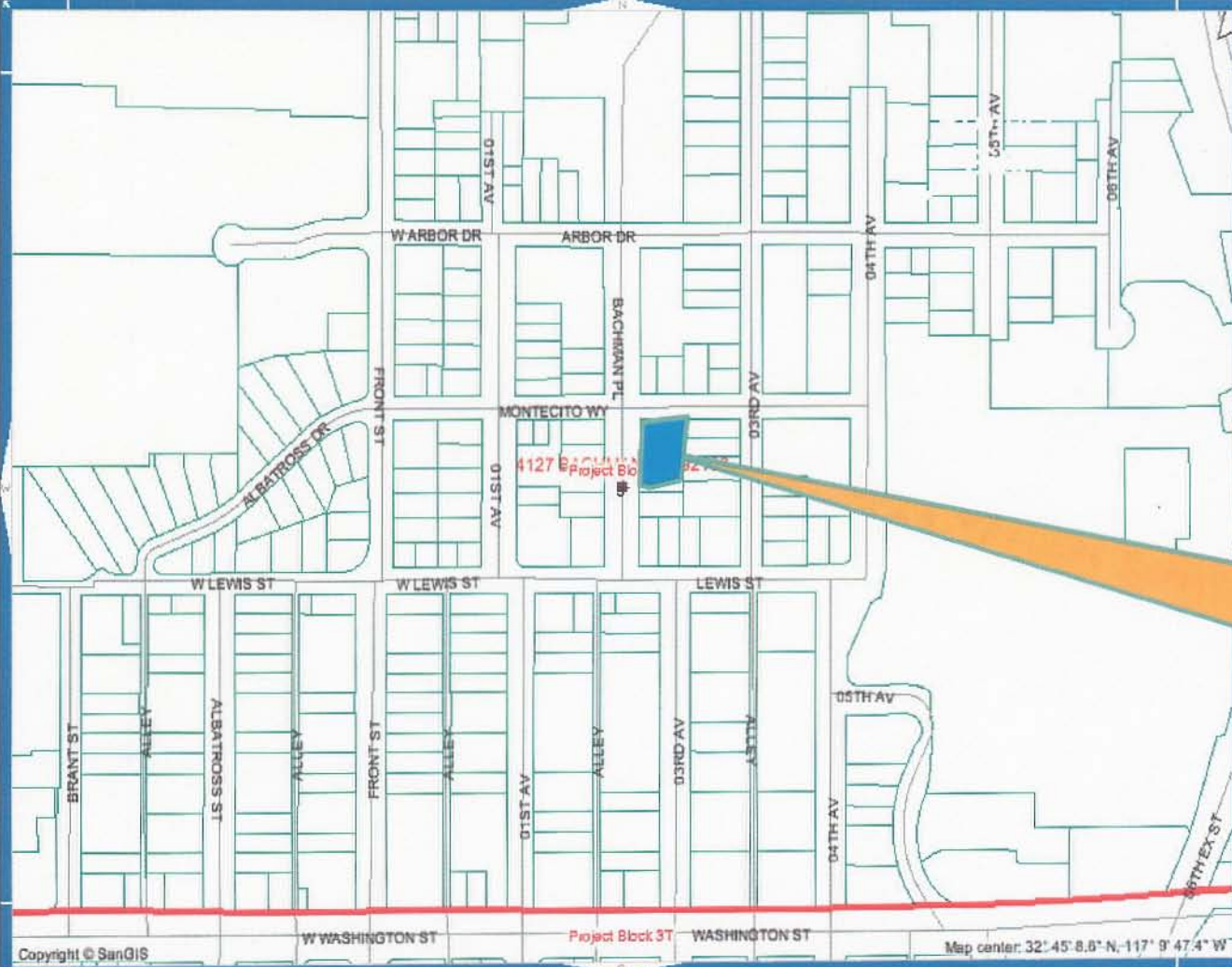
Date	Action	Description	City Review Time	Applicant Response
9/8/08	First Full Submittal	Project Deemed Complete & distributed		
9/25/08	First Submittal Assessment Letter out		17 days	
5/27/10	Second Full submittal In	Normal Submittal		609 days from First Assessment Letter
6/14/10	Second Full Submittal Assessment Letter out		18 days	
8/17/10	Third Full submittal in	Normal Submittal		64 days from Second Assessment Letter
8/31/10	Third Full Submittal Assessment Letter out		14 days	
10/28/10	Planning Commission Public Hearing		58 days	
TOTAL STAFF TIME**			3 months 17 days	
TOTAL APPLICANT TIME**				22 month 13 days
TOTAL PROJECT RUNNING TIME**		From Deemed Complete to PC Hearing	27 months, 0 days	

**Based on 30 days equals to one month.



Utilities Undergrounding Mapping Application

Layers Legend Council Priorities Find Location Refresh Map Help



Identify Results

Council Districts

Council District: 3
Member Name: Todd Gloria
Office Phone: (619) 236-6633
AREA: 404849579.294911
LEN: 95600.4672306509

Utilities Undergrounding Projects

Project Name: Project Block 3U
Year Allocated: 2019
Project Start: May 31, 2022
Project End: May 31, 2024
Contact Person: Public Information C
Phone #: 6195333841
Email: undergrounding@sa
Website: www.sandiego.gov
Council District: 3
Phase: unallocated

Project Site
4127 Bachman Place

Attachment 11
City's Undergrounding Master Plan



City of San Diego
Development Services
1222 First Ave., MS-301
San Diego, CA 92101
(619) 446-5000

Certification of Intent to Convert to Condominium Conversion Map

THE CITY OF SAN DIEGO

Project Address: <i>4125-27 Bachman Pl</i>	Project No.: <i>For City Staff Use</i>
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I hereby certify that the "NOTICE" required under California Government Code Section 66427.1(a) and Municipal Code Section 125.0431 has been given to each tenant and person applying for the rental of a unit of the proposed condominium conversion project located at the project address listed above. The "NOTICE" was mailed or delivered on _____ (date).

I understand that City staff may not file a tentative map or map waiver for condominium conversion with the decision-making body less than 60 calendar days from the date this "NOTICE" was mailed or delivered. Further, I understand that if it is found that any of this information is incorrect, the project application may be denied by the decision-making body or voided by the courts, and the project may have to be reheard after the required notices have been given.

Mark Scialone

Owner/Owner Agent Name (Please Print)

Signature: *[Handwritten Signature]*

Date: *10/6/09*

Attachments:

1. List of Names/Addresses of persons receiving notice
2. Copy of 60-day Notice of Intent to Convert to Condominiums

*Peter Schmentz
4127 BACHMAN Pl.
San Diego, CA
92103*

Peter M. Schmentz


Tenant 60 Day Notice of Intent to Convert to Condominiums

To the occupant(s) of 4125 Bachman Place.

The owner(s) of this unit has filed a Tentative Map or Map Wavier with the City of San Diego to convert this unit to a condominium.

You shall be given notice of each hearing for which notice is required pursuant to Sections 66451.3 and 66452.5 of the California 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) (printed name)

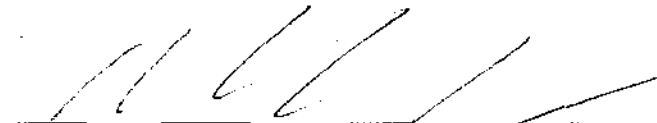
10/6/09

(date)

**180 DAY NOTICE
PRIOR TO TERMINATION OF TENANCY**

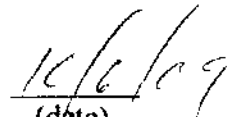
To the occupant(s) of 4125 Bachman Place,

You are hereby notified pursuant to the California Government Code section 66427.1 (c) and the San Diego Municipal Code section 125.0431 of our intent to convert your unit into a condominium, and you may be asked to relocate. This notice shall serve as the required 180-Day Notification Prior to Termination of Tenancy. *This is only a forewarning of a potential conversion and is NOT a notice to vacate.*



(signature of owner or owner's agent)

(printed name)



(date)

Tenants Rights and Notices for Condominium Conversion Within the City of San Diego

You are being notified because you are a tenant in a rental unit located at 4125 Bachman Place. An application has been submitted to the City of San Diego requesting that your unit be converted into a condominium (for sale residential unit) together with 8 additional units not yet built. This notice provides a summary of your rights, the property owner's obligations, the notices and documents you must receive, and the earliest time frame that you may be required to vacate your unit if the conversion is approved. A public hearing will be held where the request to convert the units to condominiums may be approved or denied. You will receive another notice giving you the time, date, and location of that hearing. For additional information please call Will Zounes, the City of San Diego Development Project Manager at (619) 687-5942. Please contact the San Diego Housing Commission for questions regarding relocation and affordable housing at (619) 544-9193.

Your Rights as a Tenant Include:

- o **Notification** - You have a right to receive required notices/documents throughout the process of converting to condominiums, including notification of public hearings.
- o **Public Hearing** - You have a right to attend and speak at the public hearing that will be held to approve or deny the request to convert to condominium.
- o **Right to Appeal** - You have the right to appeal a decision to approve or deny a conversion to condominium.
- o **First Right of Refusal** - You have the first right to buy your unit or other available unit within the project at the same terms and conditions, or better, that will be offered to the general public.
- o **Relocation Assistance** - You are entitled to payment equal to three months rent if you move because of the conversion. You will **forfeit your relocation payment** if you move before you receive the Notice of Termination of Tenancy.

Property Owner Obligations Include:

- o **Maintenance** - The property and the building shall continue to be maintained in good condition throughout the process.
- o **Notices** - The property owner shall provide notices to all tenants as identified in the notices section of this Summary of Tenant Benefits.
- o **Offer to Purchase** - See First Right of Refusal above. You must be provided a 90 day period in which you may contract to purchase a unit in the project.

Notices/Documents:

A number of notices/documents will be provided to you throughout the process. A summary of each is provided on the reverse side of this notice.

Time Frame:

As a tenant of a unit proposed to be converted to a condominium you can anticipate a *minimum* of 180 days before being asked to relocate if the condominium conversion is approved.

Este aviso esta disponible en español en la biblioteca y en la pagina de internet de la ciudad de San Diego www.sandiego.gov/development-services bajo Avisos en español.

Summary of
 Written Notices and Documents that Must be Provided to Each Tenant

Notice or Document	Explanation*	Responsible to Provide
60 Day Notice of Intent to Convert to Condominium	Provided at least 60 days before the City makes a decision on the property owner's request to convert to condominium.	Property Owner**
Notice of Application	Mailed no later than 10 business days after the city has determined that the application submitted to convert to condominiums includes all of the required information.	City
Notice of Tenants Rights and Notices	Provided within 10 days of receipt of Notice of Application for existing tenants or prior to signing a rental agreement with a new tenant.	Property Owner
180 Notice Prior to Termination of Tenancy	Provided at least 180 days before you could be asked to vacate. <i>This is only a forewarning of a potential conversion to a condominium and not a notice to vacate.</i>	Property Owner
Notice of Public Hearing	Mailed 10 business days before the date of the public hearing for a decision on the proposed condominium conversion.	City
Copy of Staff Report	Provided no later than 3 days before the public hearing. The report will describe the project and include the staff recommendation to the decision maker.	Applicant
10 Day Notice of Approval of Final Map	Provided no later than 10 days after approval of the final map, parcel map or certificate of compliance for the proposed conversion.	Property Owner
10 Day Notice of Application for Public Report	For project proposing to convert five or more apartments. Provided at least 10 days before or after an application for a public report is or has been submitted to the California Department of Real Estate. The report is available to tenants that request it from the property owner.	Property Owner
Notice of 90 Day Period of First Right of Refusal to Purchase	Provided within 5 working days of either issuance of Subdivision Public Report or 5 within 5 working days of final City approval if no report is required. Tenants have exclusive right to contract to purchase their unit prior to offering purchase to general public.	Property Owner
90 Day Notice of Intent to Sell	Provided no later than 90 days before the units are offered for sale to the general public. Begins the 90 day right to purchase period.	Property Owner
Building Conditions Report	Provided to those tenants that purchase a condominium unit prior to the opening of an escrow account.	Property Owner
Notice of Termination of Tenancy	Provided to tenants 60 days prior to being required to vacate the property.	Property Owner

* More detailed information is provided in each notice and document. ** Property owner or agent of the property owner.

DETERMINATION OF
ENVIRONMENTAL EXEMPTION

Pursuant to the California Environmental Quality Act (CEQA) and State CEQA Guidelines

Agency: CITY OF SAN DIEGO

Project No.: 163802

Date: November 6, 2008

Action/Permit(s): Map Waiver (Process 3)

Description of Activity: A Map Waiver application to waive the requirements of a Tentative Map and under grounding overhead utilities to consolidate six lots into one and to create 8 residential condominiums and to convert 1 existing unit into a residential condominium. The project is on a 0.11 acre site at 4147 Bachman Place in the MR-800B Zone of Mid City Communities Planned District within the Uptown Community Plan, Residential Tandem Parking, Transit Area, FAA Part 77 Notification Area.

Location of Activity: 4147 Bachman Pl, San Diego, CA 92103; Lots 1 through 6, in block 10 of Fifth Street addition per Map thereof No. 577 (APN's 444-514-0100, 444-514-0200, and 444-514-0300)

(CHECK BOXES BELOW)

1. This activity is **EXEMPT FROM CEQA** pursuant to:
 - Section 15060 (c)(3) of the State CEQA Guidelines (the activity is not a project as defined in Section 15378)
 - Section 15061 (b)(3) of the State CEQA Guidelines (General Rule)

2. This project is **EXEMPT FROM CEQA** pursuant to State CEQA Guidelines Section checked below:

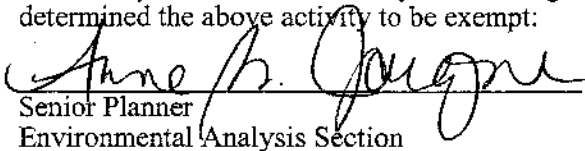
ARTICLE 19 of GUIDELINES
CATEGORICAL EXEMPTIONS
(Incomplete list)

Section	Short Name
<input checked="" type="checkbox"/> 15301	Existing Facilities
<input type="checkbox"/> 15302	Replacement or Reconstruction
<input type="checkbox"/> 15303	New Construction or Conversion of Small Structures
<input type="checkbox"/> 15304	Minor Alterations to Land
<input type="checkbox"/> 15305	Minor Alteration in Land Use
<input type="checkbox"/> 15306	Information Collection
<input type="checkbox"/> 15311	Accessory Structures
<input type="checkbox"/> 15312	Surplus Government Property Sales
<input type="checkbox"/> 15315	Minor Land Divisions
<input type="checkbox"/> 15317	Open Space Contracts or Easements
<input type="checkbox"/> 15319	Annexation of Existing Facilities and Lots for Exempt Facilities
<input type="checkbox"/> 15325	Transfer of Ownership of Interest in Land to Preserve Open Space
<input type="checkbox"/> 15332	In-Fill Development

ARTICLE 18 of GUIDELINES
STATUTORY EXEMPTIONS
(Incomplete list)

Section	Short Name
<input type="checkbox"/> 15261	Ongoing Project
<input type="checkbox"/> 15262	Feasibility and Planning Studies
<input type="checkbox"/> 15265	Adoption of Coastal Plans and Programs
<input type="checkbox"/> 15268	Ministerial Projects
<input type="checkbox"/> 15269	Emergency Projects
<input type="checkbox"/> Other	_____

It is hereby certified that the City of San Diego has determined the above activity to be exempt:


Senior Planner
Environmental Analysis Section

Distribution:

Exemption or Project file
Will Zounes