



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: June 16, 2011 **REPORT NO.** PC-11-056

ATTENTION: Planning Commission, Agenda of June 23, 2011.

SUBJECT: 4073 KENDALL TENTATIVE MAP - PROJECT NO. 144251.
PROCESS FOUR

**OWNER/
APPLICANT:** 1520 Tyler LLC
Mr. Robert Bateman, San Diego Land Surveying

SUMMARY

Issue(s): Should the Planning Commission approve a Tentative Map to convert an existing five unit apartment building into residential condominiums with a request to waive the requirement to underground existing overhead utilities within the Pacific Beach Community Plan Area?

Staff Recommendation:

1. APPROVE Coastal Development Permit No. 504803; and
2. APPROVE Tentative Map No. 504802 including the request to waive the requirement to underground existing overhead utilities.

Community Planning Group Recommendation: On April 27, 2011, the Pacific Beach Community Planning Committee voted 18-0-0 to recommend approval of the proposed project with a condition that a trash enclosure or locked gate be provided to control alley access and prevent rummaging.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19 Section 15301 on December 3, 2007. An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on September 9, 2008, pursuant to Resolution No. R-304116. The scope of the subject hearing only includes the project, and not the

environmental determination.

Fiscal Impact Statement: All costs associated with processing of this application are paid for by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement: The proposed project includes the conversion of five existing apartment units into condominiums. There would be a loss of five rental units and a gain of five for-sale units. This Tentative Map project is required to comply with the inclusionary housing requirements and tenant relocation assistance program, which are conditions of the proposed Tentative Map (Attachment 6).

BACKGROUND

The 7,487 square foot site contains a two-story apartment building located at 4073 Kendall Street, in the RM-1-1 Zone, Coastal Overlay Zone (non-appealable), Parking Impact Overlay Zone, Residential Tandem Parking Overlay Zone and Coastal Height Limit Overlay Zone. The development is located within a well established urbanized area of Pacific Beach and is designated Multi-Family Residential by, and located within, the Pacific Beach Community Plan area (Attachment 2). The surrounding area is developed with multi-family and some intermittent single family development. The proposed subdivision constitutes, by definition, Coastal Development, which pursuant to the Land Development Code (Section 126.0702) requires a Coastal Development Permit. A Tentative Map is required, by the Land Development Code (Section 125.0410), for the proposed division of the property into five residential condominium dwelling units.

The existing development is a two-story, five dwelling unit apartment building that was constructed in 1978. At the time the property was developed the approved construction met all the current regulations. The apartment building includes five, two-bedroom units, ranging in size from approximately 874 square feet to 897 square feet each. The original development provided nine parking spaces, five garage spaces accessible from the adjacent alley and four open spaces accessible from Kendall Street.

No Building or Zoning Code violations are recorded against the property. The project has previously conforming rights to be maintained as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code. If this property was undeveloped today, under the current RM-1-1 Zone development regulations, up to two residential dwelling units could be developed.

DISCUSSION

Project Description:

The project proposes to convert the existing residential apartment building, of five residential apartments, into five residential condominium dwelling units. Utilities are located above ground in the right-of-way of the alley at the rear of the property, south of Pacific Beach Drive and north

of Chico Street. The apartment building was constructed in 1978 and consists of one U-shaped, two-story, building with earth tone colored stucco exterior walls with portions of brown painted siding and a flat roof. The project has a total of nine off-street parking spaces; four accessible from Kendall Street and five garage spaces accessible from the rear alley. During the project's review, City Staff determined that the existing structure was in conformance with the development codes in effect at the time of construction.

Undergrounding Waiver Request:

The project site is located in Block 2BB1 of the City's Undergrounding Master Plan and is not yet scheduled for undergrounding until 2062 (Attachment 10). San Diego Municipal Code Section 144.0240, allows the subdivider to apply for a waiver of 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, *Undergrounding Conversion of Utility Lines at the Developers Expense*, in that it involves a short span of under 600-feet, would not represent a logical extension to an undergrounding facility and is a condominium conversion application. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision and all onsite utilities serving the subdivision will be undergrounded as a condition of the Tentative Map (Attachment 8). If the requested waiver of undergrounding is not approved, the applicant would leave the two existing power poles, at the south east and north east corners of the property along the alley.

Building Conditions Report and Landscape Plan Requirements:

In accordance with the current regulations, the applicant provided a Building Conditions Report and Landscape Concept Plan. Both of these documents have been reviewed for conformance with the applicable regulations within the Land Development Code (Chapter 14, Article 4, Division 5) and have been accepted by staff as conforming to the regulations (Attachment 11).

Project-Related Issues:

All condominium conversion projects deemed complete on or after February 7, 2004, must conform to the regulations regarding Inclusionary Housing and Tenant Relocation Benefits adopted by the City Council on March 15, 2004. Conditions Nos. 16 and 17 of the draft Tentative Map Resolution (Attachment 8) require compliance with this ordinance.

The Pacific Beach Planning Group made a condition as part of their recommendation to require a trash enclosure or locked gate to control alley access and prevent rummaging. The applicant has agreed to address or comply with their condition, however, City Staff did not believe it was appropriate to add it as a permit or map condition.


Conclusion:

A Coastal Development Permit, Tentative Map and Waiver of Undergrounding for a Condominium Conversion are a Process Four, Planning Commission decision pursuant to San Diego Municipal Code Sections 126.045 and 125.0430. A Tentative Map for Condominium Conversion may be approved if the decision maker finds that the proposed division of land complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed condominium conversion and found it to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and land use policies. Staff has determined that the required findings can be made as the project meets the applicable San Diego Municipal Code regulations and requirements. Staff recommends approval of the project as proposed.

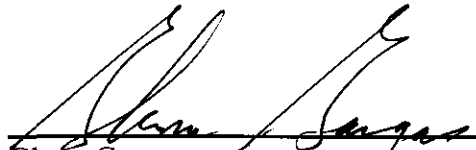
ALTERNATIVE

1. Approve Coastal Development Permit No. 504803 and Tentative Map No. 504802, with modifications.
2. Deny Coastal Development Permit No. 504803 and Tentative Map No. 504802, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



Glenn Gargas
Project Manager
Development Services Department

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Coastal Development Permit Resolution with Findings
6. Draft Coastal Development Permit with Conditions
7. Draft Map Resolution with Findings
8. Draft Map Conditions
9. Environmental Exemption
10. Project Site Plan / Tentative Map Exhibit
11. Landscape Plan

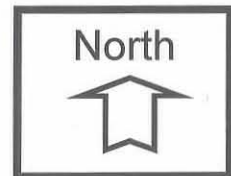
12. Community Planning Group Recommendation
13. Ownership Disclosure Statement
14. Project Chronology
15. Property Conditions Report (under separate cover)

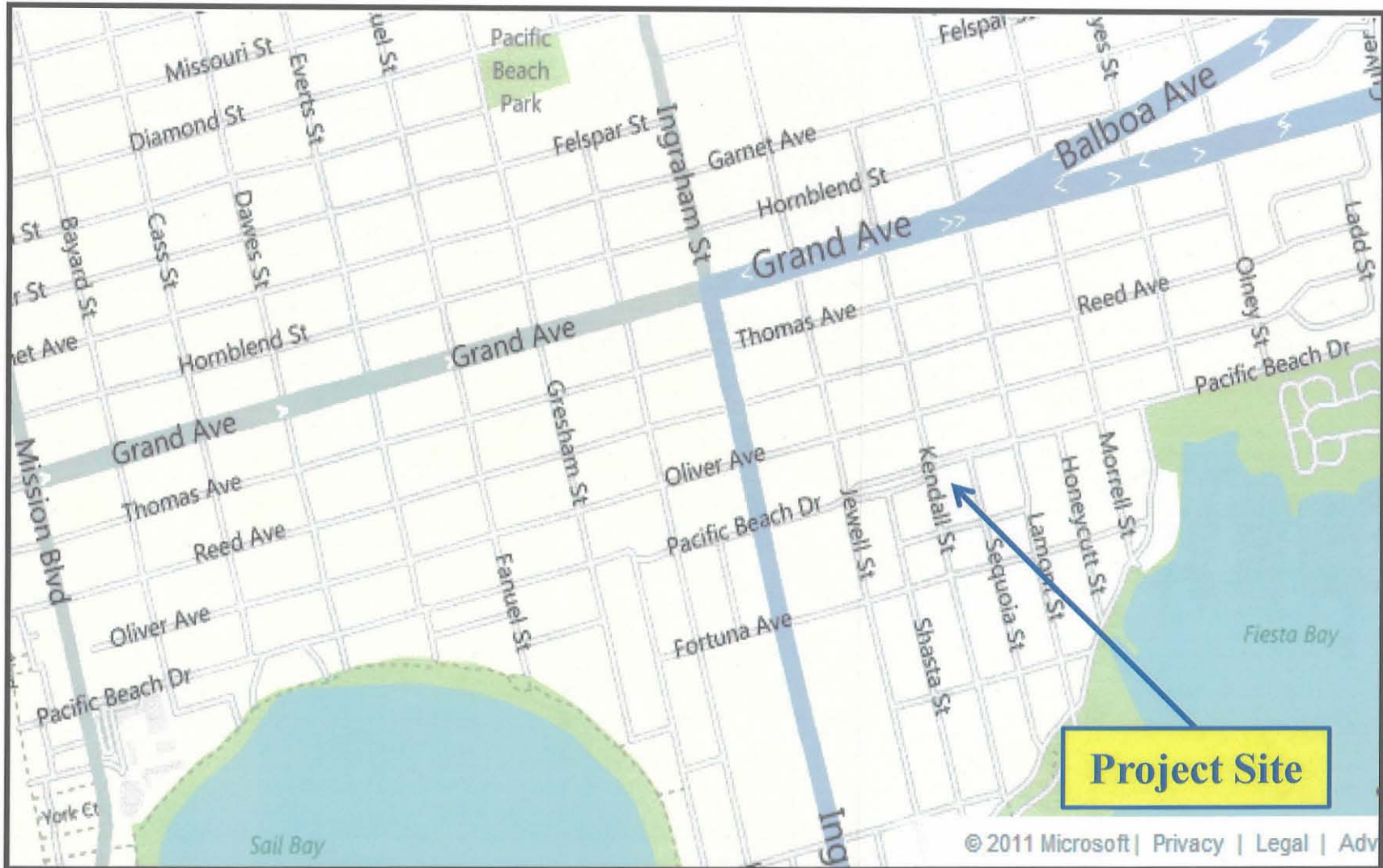
Rev 01-06/11 hmd



Aerial Photo

4073 KENDALL TENTATIVE MAP – 4073 KENDALL STREET
PROJECT NO. 144251





Project Location Map

**4073 KENDALL TENTATIVE MAP – 4073 KENDALL STREET
PROJECT NO. 144251**



PROJECT DATA SHEET

FOR CONDOMINIUM CONVERSIONS

PROJECT NAME:	4073 Kendall Tentative Map	
PROJECT DESCRIPTION:	Conversion of five residential units to condominium ownership and a waiver to underground existing utilities.	
COMMUNITY PLAN AREA:	Pacific Beach Plan Area.	
DISCRETIONARY ACTIONS:	Coastal Development Permit, Tentative Map and utility underground waiver	
COMMUNITY PLAN LAND USE DESIGNATION:	Multi-Family Residential	
<u>CURRENT ZONING INFORMATION:</u> ZONE: RM-1-1: multi-family residential zone DENSITY: one dwelling unit per 3,000 sq. ft. of lot area. HEIGHT LIMIT: 30-Foot maximum height limit. LOT SIZE: 6,000 square-foot minimum lot size. FLOOR AREA RATIO: 0.75 maximum. FRONT SETBACK: 15/20 feet. SIDE SETBACK: 5/8 feet. STREETSIDE SETBACK: 10 feet. REAR SETBACK: 15 feet. PARKING: 9 spaces required	<u>CONSTRUCTED:</u> R-2A One unit per 1,000 sq. ft. of lot area 30 feet 7,487 Square Feet 0.74 31-Feet 7-Inches 5-Feet 1 Inch / 4-Feet 7-Inches NA 7-Feet 4-Inches 9 spaces	
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Multi-Family Residential; RM-1-1.	Multi-Family Residential
SOUTH:	Multi-Family Residential; RM-1-1.	Multi-Family Residential
EAST:	Multi-Family Residential; RM-1-1.	Multi-Family Residential
WEST:	Multi-Family Residential; RM-1-1.	Multi-Family Residential
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On April 27, 2011, the Pacific Beach Community Planning Committee voted 18-0-0 to recommend approval of this project, with a condition that a trash enclosure or locked gate control alley access and prevent rummaging.	

PLANNING COMMISSION RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT NO. 504803
4073 KENDALL PROJECT NO. 144251

WHEREAS, 1520 Tyler LLC, a California Limited Liability Company, Owner/Permittee, filed an application with the City of San Diego for a permit to subdivide an existing apartment building into five residential condominium units (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 504803), on portions of a 0.172 acre property;

WHEREAS, the project site is located at 4073 Kendall Street, in the RM-1-1 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone and Residential Tandem Parking Overlay Zone of the Pacific Beach Community Plan area;

WHEREAS, the project site is legally described as Lots 5, 6 and 7, Block 1, Sterling Park Addition, Map No. 1260;

WHEREAS, on May 23, 2011, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 504803, pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on December 3, 2007, 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 the Environmental Determination was appealed to City Council, which heard and denied the appeal on September 9, 2008, pursuant to Resolution No. R-304116;

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated May 23, 2011.

FINDINGS:

Coastal Development Permit - Section 126.0708

- 1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan; and**

The 0.172-acre project site is currently developed with an existing, two-story, apartment building which includes five residential apartment units. The development proposes to divide the existing five dwelling units into residential condominiums and is located approximately one mile from the coastline. The proposed development is a change in the form of ownership only the building physically exists and is contained within the existing legal lot area, which will not encroach upon

any existing or proposed physical access to the coast. The project site is not located on or adjacent to an identified visual access corridor as identified within the Pacific Beach Local Coastal Program. The project site is situated along Kendall Street, within a developed multifamily residential neighborhood. The proposed division into condominiums met the development setbacks and height limit required at the time it was built and the proposed structure will not block any identified visual corridor.

2. The proposed coastal development will not adversely affect environmentally sensitive lands; and

The 0.172-acre project site is currently developed with a, two-story, five dwelling unit apartment building and does not contain environmentally sensitive lands. The environmental review, determined that the project would not have a significant environmental effect on any form of environmentally sensitive lands and was found to be exempt from environmental review under CEQA Guidelines. The project does not propose any grading on any portion of the property and the condo conversion will not create any form of encroachment into Environmentally Sensitive Lands.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program; and

The proposed division of the existing apartment building with five dwelling units into condominium units is located on a site which has a Multi-Family Residential land use designation. During environmental review, it was determined that the project was exempt under the CEQA Guidelines. The project design was also determined to be in compliance with all of the applicable development regulations at the time it was constructed. The project has previously conforming rights to be maintained as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code. Due to these factors the proposed condominium conversion was found to be in compliance with the City of San Diego adopted Pacific Beach Community Plan and the certified Local Coastal Program Land Use Plan.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The 0.172-acre site, currently developed with an existing apartment building that includes five dwelling units, is located within a well developed multifamily residential neighborhood. The project site is not located between the first public road and the sea or coastline. Development of the project will be fully within the private property. The project site is approximately one mile away from the Pacific Ocean. There is no identified public access and public recreation area on or adjacent to the project site and these stated resources will not be impaired by the development of this site into condominiums. The proposed condominium conversion project is designed to take access off the existing public street and public alley, with four existing off street parking spaces off the street and five garage parking spaces off the alley. The existing character and pedestrian design of the street will remain unaltered.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit No. 504803 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 504803, a copy of which is attached hereto and made a part hereof.

Glenn R. Gargas, AICP
Development Project Manager
Development Services

Adopted on: May 23, 2011

Job Order No. 23428839

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 23428839

COASTAL DEVELOPMENT PERMIT
4073 KENDALL TENTATIVE MAP - PROJECT NO. 144251
PLANNING COMMISSION

This Coastal Development Permit No. 504803 is granted by the Planning Commission of the City of San Diego to 1520 Tyler LLC, a California Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0702. The 0.172 - acre site is located at 4073 Kendall Street, in the RM-1-1 Zone Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone and Residential Tandem Parking Overlay Zone of the Pacific Beach Community Plan area. The project site is legally described as: Lots 5, 6 and 7, Block 1, Sterling Park Addition, Map No. 1260;

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to convert a five dwelling unit apartment building into residential condominiums described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 23, 2011, on file in the Development Services Department.

The project shall include:

- a. Division of an existing two-story, 5 unit apartment building, into 5 residential condominium units on a 0.172-acre property;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;

- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. This permit expires on July 8, 2014. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

AFFORDABLE HOUSING REQUIREMENTS:

11. Prior to the issuance of any building permits, the Owner/Permittee shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.) by paying an in-lieu fee.

12. Prior to the issuance of any building permits, the Owner/Permittee shall enter into an affordable housing agreement with the San Diego Housing Commission to provide affordable housing units in compliance with the City's Inclusionary Affordable Housing Regulations (SDMC § 143.0301 et seq.).

ENGINEERING REQUIREMENTS:

13. This Coastal Development Permit shall comply with all conditions of the associated Tentative Map No. 504802 to the satisfaction of the City Engineer.

LANDSCAPE REQUIREMENTS:

14. This Coastal Development Permit shall comply with all Landscape Conditions of the associated Tentative Map No. 504802 to the satisfaction of the Development Services Department.

PLANNING/DESIGN REQUIREMENTS:

15. Owner/Permittee shall maintain a minimum of nine (9) off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

16. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

17. Prior to recording of the final map, the project must comply with the Inclusionary Housing Regulations outlined in Chapter 14, Article 2, Division 13 of the Municipal Code.

18. Prior to the recordation of the Final Map, the Owner/Permittee shall obtain construction permits, and pass final inspections, to remove architectural projections along the west elevation that encroach into parking spaces #1 and 2 as shown on the tentative map.

19. Prior to the recordation of the Final Map, the Subdivider shall demonstrate conformance with the San Diego Municipal Code provisions for Coastal Overlay Zone Affordable Housing Replacement Regulations (San Diego Municipal Code §§ 143.0810 et seq.), to the satisfaction of the Development Services Department and the San Diego Housing Commission.

20. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

21. The Owner/Permittee shall post a copy of each approved discretionary Permit or Tentative Map in its sales office for consideration by each prospective buyer.

22. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on June 23, 2011 and by Resolution No. _____.

PLANNING COMMISSION RESOLUTION NUMBER R-_____

TENTATIVE MAP NO. 504802,
4073 KENDALL TENTATIVE MAP- PROJECT NO. 144251

WHEREAS, 1520 Tyler LLC, a California Limited Liability Company, Subdivider, and Robert Bateman of San Diego Land Surveying, submitted an application to the City of San Diego for a tentative map (Tentative Map No. 504802) for the conversion of five existing residential dwelling units into condominiums, and to waive the requirement to underground existing offsite overhead utilities. The project site is located at 4073 Kendall Street, in the RM-1-1 Zone, Coastal Overlay (non-appealable), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone, Residential Tandem Parking Overlay Zone and within the Pacific Beach Community Plan area. The property is legally described as Lots 5, 6 and 7, Block 1, Sterling Park Addition, Map No. 1260; and

WHEREAS, the Map proposes the Subdivision of a 0.17 acre-site into one (1) lot for a five (5) unit residential condominium conversion; and

WHEREAS, on December 3, 2007, 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 (Existing Facilities); and the Environmental Determination was appealed to City Council, which heard and denied the appeal on September 9, 2008, pursuant to Resolution No. R-304116; and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineer pursuant to Subdivision Map Act section 66491(a) and San Diego Municipal Code sections 144.0220(a) and 144.0220(b); 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 five; 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:

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. 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; and

WHEREAS, on May 23, 2011, the Planning Commission of the City of San Diego considered Tentative Map No. 504802, 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. 504802:

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)).

Project is located within the Pacific Beach Community Plan area. The community plan designates the site as Multi-Family Residential with a maximum allowed density of up to 14 dwelling units per acre. This project proposes to convert five existing residential units in to condominiums on the 0.172 acre site. However, this project has previously conforming rights to be maintained as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code. There no further proposed physical changes to the existing structure, other than those improvements recommended by the Property Conditions Report. Due to these factors this project was found to be consistent with the applicable policies, goals, and objectives of the Pacific Beach Community Plan.

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

The proposed development to convert five existing residential dwelling units into five condominium units is located on a 0.172 acre site, which is zoned RM-1-1. The RM-1-1 zone is a Residential Multi-Family Zone and this proposed condominium conversion was found to generally conform to the development regulations of the RM-1-1 Zone, such as building height, off-street parking and building setbacks. If this property was undeveloped today, under the current RM-1-1 Zone development regulations, up to only two residential dwelling units could be developed. However, this project has previously conforming rights to be maintained as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code.

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

The project proposes to convert five existing residential dwelling units to condominiums. The project is located within the Pacific Beach Community Plan area. The community plan designates the site as Multi-Family Residential with a maximum allowed density of up to 14 dwelling units per acre. If this property was undeveloped today, under the current RM-1-1 Zone development regulations, up to only two residential dwelling units could be developed. However, this project has previously conforming rights to be maintained as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code. There will be no further physical changes to the site, other than proposed landscape improvements and improvements to the existing structure recommended by the Property Conditions Report, so this project is physically suitable for the type and density of the proposed project.

4. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or

their habitat (San Diego Municipal Code § 125.0440(d) and Subdivision Map Act § 66474(e)).

The proposed development is to convert five existing residential dwelling units into five condominium units located on a 0.172 acre property. An initial Environmental Initial Study (EIS) was conducted for the proposed subdivision in accordance with the California Environmental Quality Act (CEQA) that determined the project would be categorically exempt from further environmental review. No adverse environmental impacts would result from this development and therefore no mitigation would be required. The site does not include any environmentally sensitive resources and is not adjacent to environmentally sensitive lands. Therefore, the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat.

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

The proposed development is to convert five existing residential dwelling units into five condominium units, which is located on a 0.172 acre property. The proposed subdivision and improvements have been designed to comply with all applicable Federal, State and local land use policies including the California State Map Act and the City of San Diego Land Development Code. Further, the proposed subdivision and any improvements would be permitted, constructed and inspected in accordance with the California Building Code. Therefore, the design of the subdivision or the proposed improvements would not be detrimental to the public health, safety, and welfare.

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

The proposed development is to convert five existing residential dwelling units into five condominium units, which is located on a 0.172 acre property. There is no further physical change to the existing development. Public Access to serve this development is from the existing Kendall Street and the existing public alley, which will remain the same. The proposed subdivision would maintain and, as required, improve the existing public rights-of-ways and general utility easements therefore, the design of the subdivision and the associated 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 proposed development is to convert five existing residential dwelling units into five condominium units, which is located on a 0.172 acre property. The proposed conversion to

condominiums does not propose passive or natural heating and cooling systems at this time. The existing apartment building is made up of flat roofed portions with ample southern exposure and the proposed improvements to these buildings will not impede or inhibit any future passive or natural heating and cooling opportunities.

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

The proposed project includes the conversion of five existing apartment units into condominiums. The decision maker has reviewed the administrative record including the project plans, technical studies, environmental documentation and public testimony to determine 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 and found that the conversion of five residential units would assist the housing needs of the Pacific Beach Community.

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).

A signed affidavit has been provided to the Development services Department identifying each of the tenants of the proposed project and stating each tenant received, pursuant to State Map Action Section 66452.9, written notification of intention to convert at least 60 days on November 23, 2007.

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)).

Condition No. 8 of this Resolution requires that the Subdivider 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.

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)).

This project is privately financed and no funds obtained from a governmental agency to provide for elderly, disabled, or low income housing would be used in this development.

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. 504802, hereby granted to 1520 Tyler LLC, a California Limited Liability Company, subject to the attached conditions which are made a part of this resolution by this reference.

By

Glenn R. Gargas, AICP
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 23428839

PLANNING COMMISSION
CONDITIONS FOR TENTATIVE MAP NO. 504802, 4073 KENDALL TENTATIVE
MAP - PROJECT NO. 144251

ADOPTED BY RESOLUTION NO. R-_____ ON JUNE 23, 2011

GENERAL

1. This Tentative Map will expire June 23, 2014.
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 Final Map, unless otherwise noted.
3. Prior to the Tentative Map expiration date, a Final Map to consolidate the existing lots into one lot shall be recorded in the Office of the San Diego County Recorder.
4. Prior to the recordation of the Final Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
5. The Final Map shall conform to the provisions of Coastal Development Permit No. 504803.
6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

Project No. 144251
TM No. 504802

CONDOMINIUM CONVERSION

7. The Subdivider shall provide a Notice of Tenants Rights and Notices for Condominium Conversion, consistent with the Land Development Manual to be provided as follows:
 - a. For existing tenants, within ten days of the project application for the condominium conversion being deemed complete; or
 - b. For prospective tenants, upon application for the rental of a unit in the proposed condominium conversion.
8. 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.
9. The Subdivider shall provide the tenants a Notice of Application for a Public Report at least ten days prior to the submittal to the Department of Real Estate [DRB], pursuant to Subdivision Map Act section 66427.1(a).
10. 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 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 California Civil Code sections 1941, 1941.1 and 1941.2.
11. The Subdivider shall provide the tenants of the proposed condominiums with written notification within ten days or approval of a Final Map for the proposed conversion, in conformance with Subdivision Map Act section 66427.1(a)(2)(D).
12. The Subdivider shall give each tenant a notice of termination of tenancy sixty days prior to being required to vacate the property. (San Diego Municipal Code § 125.0431(a)(4)).
13. 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)).

14. 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 section 144.0504(c)).
15. Prior to the recordation of the Final Map, 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

16. Prior to filing a final map, the applicant shall either show evidence that relocation assistance has been paid to all 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, §144.0505). In addition, applicant must pay the appropriate fees incurred by the Housing Commission for compliance monitoring (Chapter 14, Article 4, Division 5, §144.0503).
17. The proposed development is subject to the Coastal Overlay Zone Affordable Housing Replacement Regulations of San Diego Municipal Code Chapter 14, Article 3, Division 8. Prior to recordation of the Final Map, the Subdivider shall provide one (1) two-bedroom replacement unit with a rent affordable to a low-income household for a period of five years. Alternatively, the Subdivider may pay an in-lieu fee to the Housing Commission. Based on the current In-Lieu Fee Schedule, the In-Lieu Fee would be \$30,800.00. Please note that the In-Lieu Fee Schedule is subject to change, and the amount the Subdivider would be required to pay will depend on the Fee Schedule in place at the time the Coastal In-Lieu Fee is due and payable.

ENGINEERING

18. A Final Map to consolidate the existing lots into one lot shall be recorded in the Office of the County Recorder, prior to the Tentative Map expiration date.
19. 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.

20. The Final Map shall comply with the provisions of Coastal Development Permit No. 504803.
21. The subdivider shall dedicate and improve an additional 2.5 feet adjacent to the alley.
22. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the subdivider to provide the right-of-way free and clear of all encumbrances and prior easements. The subdivider must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.
23. Taxes must be paid on this property pursuant to section 66492 of the Subdivision Map Act. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition.
24. The subdivider shall repair the damaged onsite parking areas.
25. The subdivider shall repair the damaged areas of curb and gutter to current City Standards.
26. The subdivider shall replace the damaged, displaced sidewalk, maintaining the existing sidewalk scoring pattern and any preserving the contractor's stamp, adjacent to the site on Kendal Street.
27. The subdivider shall remove the block, located on both sides of the driveway, from the Kendall St. right-of-way.
28. 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.

WATER AND SEWER

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.

Project No. 144251
TM No. 504802

MAPPING

31. "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].
32. "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."
33. 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.

PLANNING

34. No fewer than 9 parking spaces shall be maintained on the property at all times in the locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.
35. Prior to the recordation of the Final Map, the Owner/Permittee shall obtain construction permits, and pass final inspections, to remove architectural projections along the west elevation that encroach into parking spaces #1 and 2 as shown on the tentative map.
36. Prior to the recordation of the Final Map, the Subdivider shall demonstrate conformance with the San Diego Municipal Code provisions for Coastal Overlay

Zone Affordable Housing Replacement Regulations (San Diego Municipal Code §§ 143.0810 et seq.), to the satisfaction of the Development Services Department and the San Diego Housing Commission.

LANDSCAPE

37. Prior to recordation of the Final Map, complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with the Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department.
38. Prior to recordation of the Final Map, and after Landscape and Irrigation Construction Documents have been approved by Development Services, the subdivider shall install all required landscaping consistent with the approved plans and the Land Development Manual, Landscape Standards.
39. Prior to recordation of the Final Map, it shall be the responsibility of the Permittee/Owner to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.
40. The Landscape Construction Plan shall take into account a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.
41. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.
42. The Permittee or subsequent owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.
43. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the

satisfaction of the Development Services Department within 30 days of damage or prior to a Certificate of Occupancy or a Final Landscape Inspection.

INFORMATION:

- The approval of this Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 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 ninety 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. 23428839

Project No. 144251
TM No. 504802

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

Agency: CITY OF SAN DIEGO

LDR FILE NO.: 144251

DATE: December 3, 2007

Action/Permits: Coastal Development Permit, Tentative Map & Utility Undergrounding Waiver

Permit No. N/A

Description of Activity: 4073 Kendall Tentative Map: The conversion of five existing residential units to condominiums and a waiver from the requirement to underground the existing overhead utilities.

Location of Activity: 4073 Kendall Street, Pacific Beach Community Plan area

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

ARTICLE 19 of GUIDELINES CATEGORICAL EXEMPTIONS (Incomplete list)		ARTICLE 18 of GUIDELINES STATUTORY EXEMPTIONS (Incomplete list)	
Sec.	Short Name	Sec.	Short Name
<input checked="" type="checkbox"/> 15301	1 Existing Facilities	<input type="checkbox"/> 15261	Ongoing Project
<input type="checkbox"/> 15302	2 Replacement or Reconstruction	<input type="checkbox"/> 15262	Feasibility and Planning Studies
<input type="checkbox"/> 15303	3 New Construction or Conversion of Small Structures	<input type="checkbox"/> 15265	Adoption of Coastal Plans and Programs
<input type="checkbox"/> 15304	4 Minor Alterations to Land	<input type="checkbox"/> 15268	Ministerial Projects
<input type="checkbox"/> 15305	5 Minor Alterations in Land Use Limitations	<input type="checkbox"/> 15269	Emergency Projects
<input type="checkbox"/> 15306	6 Information Collection	<input type="checkbox"/> Other	
<input type="checkbox"/> 15311	11 Accessory Structures		
<input type="checkbox"/> 15312	12 Surplus Government Property Sales		
<input type="checkbox"/> 15315	15 Minor Land Divisions		
<input type="checkbox"/> 15317	17 Open Space Contracts or Easements		
<input type="checkbox"/> 15319	19 Annexation of Existing Facilities and Lots for Exempt Facilities		
<input type="checkbox"/> 15325	25 Transfer of Ownership of Interest in Land to Preserve Open Space		
<input type="checkbox"/> Other			

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

Distribution:

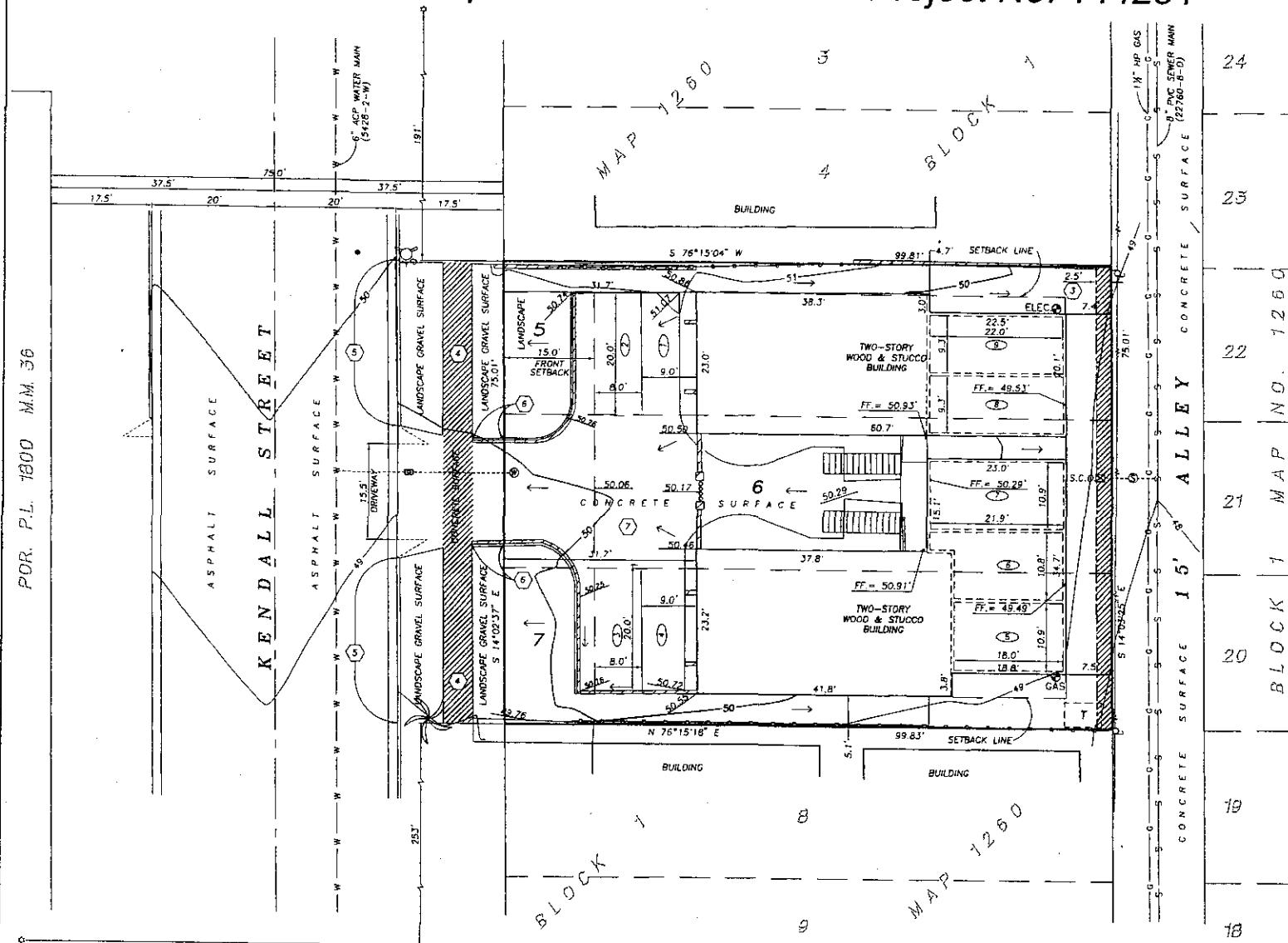
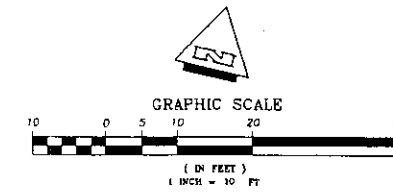

 Kenneth Teasley, Senior Planner
 Environmental Analysis Section

Exemption file
 Project Manager

4073 KENDALL STREET

TENTATIVE MAP FOR CONDOMINIUM CONVERSION

Tentative Map No. 504802 Project No. 144251



POR. P.L. 1800 M.M. 36

ZONING INFORMATION
 EXISTING AND PROPOSED ZONE: RM-1-1
 COMMUNITY PLAN NAME: PACIFIC BEACH
 OVERLAY ZONES: COASTAL HEIGHT LIMIT
 COASTAL CITY
 PARKING IMPACT
 RESIDENTIAL TANDEM PARKING

CITY OF SAN DIEGO DEVELOPMENT SUMMARY

- SUMMARY OF REQUEST:**
 CONVERT 9 EXISTING UNITS TO CONDOMINIUMS
 COASTAL DEVELOPMENT PERMIT
- STREET ADDRESS:** 4073 KENDALL ST.
 N SIDE BETWEEN PACIFIC BEACH DR AND CHICO ST.
- SITE AREA:**
 TOTAL SITE AREA (GROSS) (7,487 SF) (0.172 AC.)
 NET SITE AREA (7,487 SF) (0.172 AC.)
- DENSITY (RESIDENTIAL):**
 MAXIMUM NO. DWELLING UNITS ALLOWED PER ZONE:
 NUMBER OF EXISTING UNITS TO REMAIN ON SITE:
 NUMBER OF PROPOSED DWELLING UNITS ON SITE:
 TOTAL NUMBER OF UNITS PROVIDED ON THE SITE:
- YARD/SETBACK STANDARD MINIMUM**
 FRONT YARD: 20' 15'
 SIDE YARD: 8' 5'
 STREET YARD(S): 10'
 REAR YARD: 15'
- PARKING:**
 PARKING CRITERIA:
 RESIDENTIAL COMMERCIAL INDUSTRIAL
 MIXED USE OTHER

- LEGEND:**
- ⊕ INDICATES GAS METER
 - ⊖ INDICATES ELECTRIC METER
 - ⊙ INDICATES WATER METER
 - ⊕ INDICATES FIRE HYDRANT
 - ⊕ INDICATES GATE VALVE
 - ⊕ INDICATES LIGHT POLE UNLESS NOTED
 - ⊕ INDICATES POWER POLE
 - S.C.D. INDICATES SEWER CLEAN OUT
 - ⊕ INDICATES WOOD FENCE
 - ⊕ INDICATES WROUGHT IRON FENCE
 - ⊕ INDICATES BLOCK WALL
 - INDICATES DIRECTION OF DRAINAGE
 - ⊕ INDICATES SEWER LATERAL
 - ⊕ INDICATES WATER SERVICE
 - T INDICATES TRASH COLLECTION AREA
 - ⊕ INDICATES STRIPED PARKING SPACE
 - ⊕ INDICATES PROPERTY LINE/TENTATIVE MAP BOUNDARY

PROFESSIONAL LAND SURVEYOR:
 SAN DIEGO LAND SURVEYING & ENGINEERING, INC.
 8685 CHEESAPEAKE DRIVE, SUITE 445
 SAN DIEGO, CALIFORNIA 92123 (858) 565-8362
 DRAWING NO. KendallS14073TM.dwg



TYPE OF UNIT	NUMBER OF TYPE	PARKING REQUIRED PER UNIT	TOTAL PER TYPE
2 BR UNIT	5	1.50	7.5
TOTAL REQUIRED BY ZONE			8
TOTAL PROVIDED ON-SITE			9

UNIT AREAS

TYPE OF UNIT	NUMBER OF TYPE	SQUARE FOOTAGE PER UNIT	TOTAL PER TYPE
2 BR UNIT	4	874	3,496
2 BR UNIT	1	897	897
TOTAL LIVING			4,393
CARAGE			1,127
LAUNDRY			230

MONUMENTATION & MAPPING
 ALL PROPERTY CORNERS WILL BE SET AND A ONE LOT SUBDIVISION MAP WILL BE FILED. A DETAILED PROCEDURE OF SURVEY WILL BE SHOWN ON THE SUBDIVISION MAP.

EXISTING IMPROVEMENTS
 SEWER DRAWING NO. 22760-8-0
 WATER DRAWING NO. 5428-2-W

EXISTING & PROPOSED EASEMENTS:
 NONE

UTILITY TABLE:

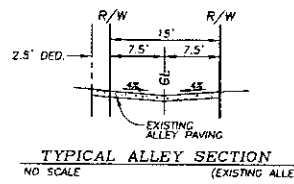
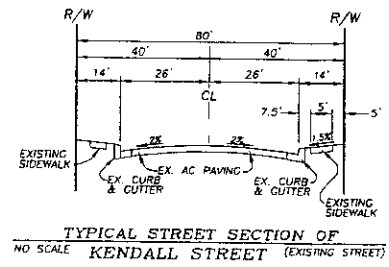
UTILITY	OVERHEAD	UNDERGROUND
CATV	X	
ELECTRIC	X	
GAS		X
TELEPHONE	X	

OWNER/DEVELOPER:
 1520 TYLER, LLC
 136 JUNIPER STREET
 SAN DIEGO, CA 92101

J. D. Bols, Member

DEVELOPMENT NOTES:

- THIS IS A MAP OF A CONDOMINIUM PROJECT AS DEFINED IN SECTION 1330 ET. SEQ. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. TOTAL NUMBER OF UNITS IS 5.
- NUMBER OF EXISTING LOTS = 3
 NUMBER OF PROPOSED LOTS = 1
- SUBDIVIDER SHALL DEDICATE AND IMPROVE AN ADDITIONAL 2.5' TO THE ALLEY.
- SUBDIVIDER SHALL REPLACE THE BROKEN AND UNEVEN SIDEWALK, MAINTAINING EXISTING SCORING PATTERN & ANY CONTRACTORS STAMP/S ADJACENT TO THE SITE ON KENDALL ST.
- SUBDIVIDER SHALL REPAIR THE DAMAGED PORTIONS OF THE EXISTING CURB & GUTTER.
- SUBDIVIDER SHALL REMOVE THE BLOCKS ALONG THE DRIVEWAY FROM THE RIGHT-OF-WAY.
- THE SUBDIVIDER SHALL REPAIR THE DAMAGED ONSITE PARKING AREA.
- THE SUBDIVIDER SHALL INSTALL PRIVATE BACK FLOW DEVICES ON ALL EXISTING AND PROPOSED WATER SERVICES ADJACENT TO PROJECT SITE IN A MANNER SATISFACTORY TO THE WATER DEPARTMENT DIRECTOR.
- THE SUBDIVIDER SHALL PROVIDE A LETTER, AGREEING TO PREPARE CC&RS FOR THE OPERATION AND MAINTENANCE OF ALL PRIVATE WATER AND SEWER UTILITIES THAT TRAVERSE MORE THAN A SINGLE CONDOMINIUM UNIT OR LOT.



Prepared By:
 SAN DIEGO LAND SURVEYING AND ENGINEERING, INC.
 8685 CHEESAPEAKE DRIVE, SUITE 445
 SAN DIEGO, CA 92123-1354
 PHONE: 858-565-8362
 FAX: 858-565-4354 EMAIL: rbateman@sdbe.com

Consultants:

VICINITY MAP

Project Soil Condition: Existing developed site.
 Source of Topography: Field survey by San Diego Land Surveying on 8-15-07

Project Legal Description:
 LOTS 5, 6 AND 7 IN BLOCK 1 OF STERLING PARK ADDITION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1260, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MAY 13, 1916.

Project Permits Required:
 TENTATIVE MAP
 COASTAL DEVELOPMENT PERMIT

Project Data:
 Number of Stories: 2
 Proposed use: Residential
 Existing use: Residential
 Zone Designation: RM-1-1
 Year of Construction (exist. structure): 1978

LAAMBERT COORDINATES:
 NAD 27 = 430-1607 NAD 83 = 1870-6258
 A.P.N. 424-411-04

Project Name:
 4073 KENDALL STREET
 CONDOMINIUM CONVERSION

Project Address:
 4073 Kendall Street
 San Diego, CA 92109

Project Owner:
 1520 Tyler, LLC
 135 Juniper Street
 San Diego, CA 92101

Sheet Title:
 TENTATIVE MAP No. 504802
 Project No. 144251

Scale: 1" = 10'
 Original Date: November 7, 2007
 Revised: January 11, 2011
 Revised: February 4, 2011

Sheet 1 of 1

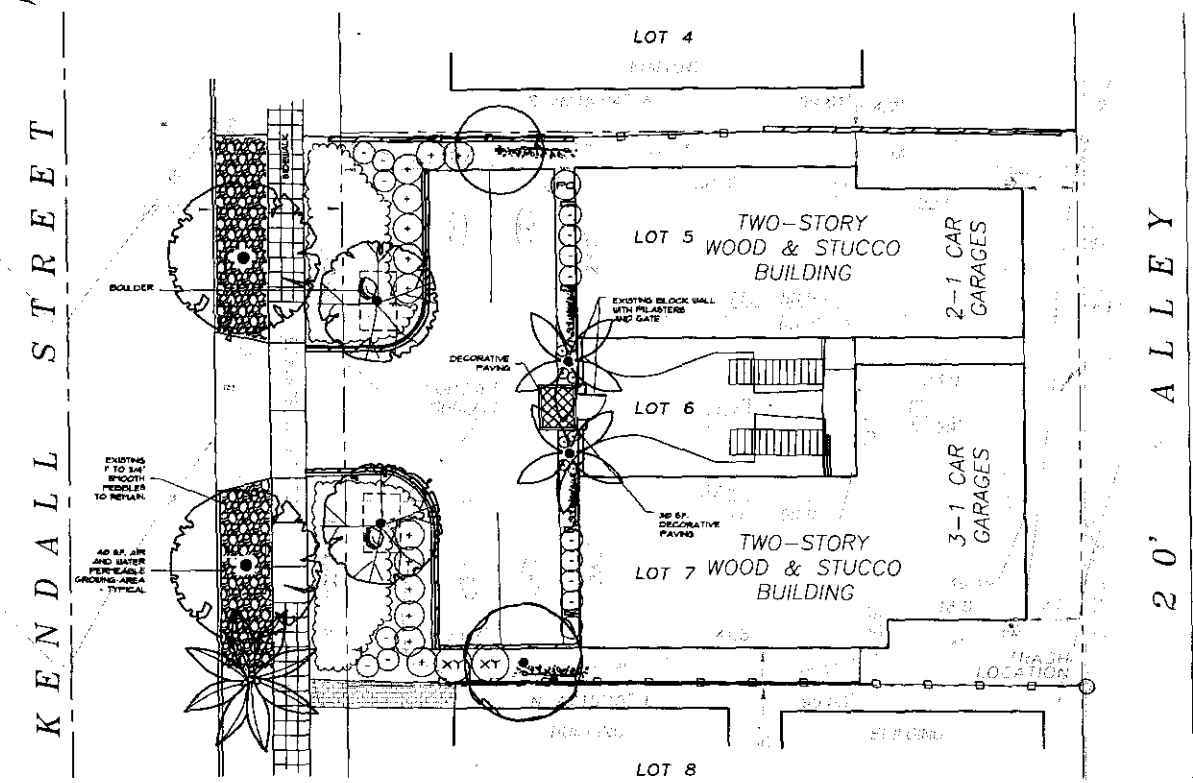
Malia Mears
 Landscaper
 Architect
 (619)933-4542
 SLS # 4008
 maliamears@earthlink.net



SHEET TITLE
LANDSCAPE DEVELOPMENT PLAN

PROJECT NAME
KENDALL STREET CONDOMINIUMS
 4073 Kendall Street
 San Diego, CA 92109

date: 10/22/07
 scale: 1"=10'
 Job no.: 2007
 file: Kendall_LCP.dwg
 revisions:



PLANT LEGEND

SYMBOL	SIZE	QTY	FORM	BOTANICAL NAME	COMMON NAME
(Symbol)	100% 24" BOX	1	PARKING SHADE TREE	ALBIZIA JULBRISIN CASSIA LEPTOPHYLLA PYRUS KAWAKAMI RHUS LANCEA	SILK TREE GOLD MEDALLION TREE EVERGREEN PEAR AFRICAN SUMAC
(Symbol)	100% 24" BOX	2	STANDARD STREET TREE	JACARANDA MINOSIFOLIA PODOCARPUS GRACILIOR TIPIANA TIPI TRISTANIA CONFERTA	JACARANDA FERN PINE TIPI TREE BRISBANE BOX
(Symbol)	100% 36" BOX	2	MEDIUM LOW BRANCHING ACCENT TREE	ACER PALMATUM 'SLOOGOOD' BETULA PENNOLA LAGERSTROMIA HYBRID MAGNOLIA SOULANGIANA OLEA EUROPAEA CULTIVAR	JAPANESE MAPLE WEeping WHITE BIRCH CREPE MYRTLE SAUCER MAGNOLIA FRUITLESS OLIVE
(Symbol)	100% 8' BTH	2	FEATHER SHADE PALM	ARECASTRUM ROMANOFFIANUM ARCHONTOPHOENIX CUNNINGHAMIANA	QUEEN PALM KING PALM
(Symbol)	100% 5 GALLON	13	LARGE EVERGREEN FOUNDATION SHRUB	CAMELLIA SPP. JUNIPERUS COLUMN LIGUSTRUM SPP. NERIUM OLIVACEUM XYLOSMA CONGESTUM	CAMELLIA JUNIPER COLUMN LIGUSTRUM OLEANDER XYLOSMA
(Symbol)	100% 5 GALLON	15	MEDIUM EVERGREEN FOUNDATION SHRUB	CARRISA SPP. DIETES SPP. LIGUSTRUM JAP. PITTOSPORUM SPP. RHAPHIOLEPIS SPP.	NATAL PLUM FORTNIGHT LILY PRIVET PITTOSPORUM INDIA HAWTHORN
(Symbol)	100% 1 GALLON	8	SMALL FLOWERING OR ACCENT SHRUB	AGAPANTHUS SPP. EUCONUMUS MICROPHYLLA HEMERICALLIS HYBRIDS LIRIOPE SPP. VINCA ROSEA	LILT OF THE NILE BOXWOOD EUCONUMUS DAY LILY LILY TURF VINCA
(Symbol)	100% 5 GALLON	2	ESPALIER VINE	CALLIANDRA HAEMATOCEPHALA GREWIA OCCIDENTALIS PYRACANTHA GRABARRI TRACHELOSPERMUM JASMINOIDES	PINK POWDER PUFF LAVANDER STARFLOWER FIRETHORN STAR JASMINE
(Symbol)	100% FLATS @ 12" O.C.	-	EVERGREEN GROUP COVER	CAMPANULA SPP. GAZANIA SPP. HEDERA SPP. IMPATIENS SPP. PELARGONIUM PELTATUM	CAMPANULA GAZANIA ENGLISH IVY IMPATIENS IVY GERANIUM

* MIN. SIZE AT PLANTING:
 24" BOX STANDARD = 8'-10" HT X 3'-4" SP
 36" BOX LOW BRANCHING = 6'-8" HT X 4'-6" SP

LANDSCAPE CALCULATIONS - CONDOMINIUM CONVERSION

STREET YARD

PLANTING AREA REQUIRED	PLANT AREA PROVIDED	EXCESS AREA PROVIDED
TOTAL AREA 2,377 SQ.FT. X 50% = 1,188 SQ.FT.	937 SQ.FT.	-251 SQ.FT.

*SEE SUBSTITUTION BELOW TO ALLOW REDUCED PLANTING AREA

PLANTING POINTS REQUIRED	PLANT POINTS PROVIDED	EXCESS POINTS PROVIDED
TOTAL AREA 2,377 SQ.FT. X 0.05 = 119 POINTS	436 POINTS	317 POINTS

POINTS ACHIEVED W/ TREES: 195 POINTS

PLANTING AREA ALLOWABLE AS HARDSCAPE OR PAVERS	PROVIDED
PLANTING AREA 1,188 SQ.FT. X 10% = 119 SQ.FT.	30 SQ.FT.

SUBSTITUTIONS

MAX. ALLOWED PLANTING AREA REDUCTION
TOTAL AREA 1,188 SQ.FT. X 25% = 297 SQ.FT.

REQUIRED EXCESS POINTS FOR REDUCTION (1 S.F. = 1 POINT)	EXCESS POINTS PROVIDED	EXCESS POINTS AFTER REDUCTION
REDUCTION AREA 251 SQ.FT. X 1 = 251 POINTS	317 POINTS	66 POINTS

PLANTING AREA REQUIRED WITH SUBSTITUTION	PLANT AREA PROVIDED	EXCESS AREA PROVIDED
PLANTING AREA REQ'D 1,188 - 251 = 937 SQ.FT.	937 SQ.FT.	0 SQ.FT.

LIST OF PLANTING POINTS

TALLY OF PLANTING POINTS IN STREET YARD	TOTAL POINTS
1 EX. 8" CALIPER TREE X 125 POINTS = 125 POINTS	
5 EX. 24" SHRUB X 15 POINTS = 75 POINTS	
2 36" BOX TREE X 50 POINTS = 100 POINTS	
1 24" BOX TREE X 20 POINTS = 20 POINTS	
2 8' BTH FEATHER PALM X 24 PNTS = 48 POINTS	
30 5 GAL SHRUB X 2 POINTS = 60 POINTS	
8 1 GAL SHRUB X 1 POINTS = 8 POINTS	
	436 POINTS

STREET TREE

NUMBER OF 24" BOX STREET TREES REQUIRED	PROVIDED
STREET FRONTAGE 75 LF. DIV. BY 30 LF. = 2.5 TREES	3+ TREES

* INCLUDES ONE EXISTING CANARY ISLAND DATE PALM

GENERAL NOTES

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

Maintenance: This project shall be maintained by the Home Owners Association who shall assume responsibility for the long term landscape maintenance including the landscaping in the adjoining public right of way. The landscape areas shall be free of debris and litter and all plant material shall be maintained in a healthy growing condition.

Street Trees and Landscaping in the Public ROW:

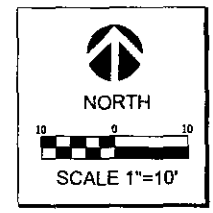
- One street tree per 30 feet of property frontage with in the public ROW.
- Provide a 40 sq. ft. air and water permeable growing area per street tree, minimum 30 sq. ft. per palm. Minimum dimension (width) of the planting area to be 5 ft.
- MINIMUM TREE/IMPROVEMENT SEPARATION DISTANCE:
 TRAFFIC SIGNALS (STOP SIGNS) - 20 FT.
 UNDERGROUND UTILITY LINES - 5 FT. (10 FT. FOR SEWER)
 ABOVE GROUND UTILITY LINES - 10 FT.
 DRIVEWAYS (ENTRIES) - 10 FT.
 INTERSECTIONS (INTERSECTING CURB LINES OF 2 STREETS) - 25 FT.

Root Barriers: Bio-Barrier root barriers (or equal) shall be provided for all newly installed trees within 5 ft. of any hardscape, pavement, wall, building or curb. Root barriers will not be wrapped around the rootball and shall be 24" deep and 10' in length. Length to be centered on rootball.

Mulch: Provide a minimum 2" layer of mulch in all planting areas not relieving groundcover or lawn. Provide minimum 1/2" layer of mulch in all planting areas receiving groundcover.

PLANT LEGEND - existing

SYMBOL	SIZE	QTY	BOTANICAL NAME / COMMON NAME
(Symbol)	100% 20" BTH X 15" SP 36" CALIPER	1	PIG EYE CANARIENSIS / CANARY ISLAND DATE PALM
(Symbol)	100% 15' HT X 15" SP MULTI-TRUNK 3" CALIPER	1	SCHINUS TEREBINTHIFOLIUS / BRAZILIAN PEPPER TREE
(PC)	100% 42" HT. PERENNIAL SHRUB	1	PODOCARPUS GRACILIOR / FERN PINE COLUMN
(XY)	100% 42" HT. PERENNIAL SHRUB	2	XYLOSMA CONGESTUM / XYLOSMA HEDGE
(Symbol)	100% 24" HT. PERENNIAL VINE	2	CALLIANDRA HAEMATOCEPHALA / PINK POWDER PUFF ESPALIER



Gargas, Glenn

From: Chris Olson [surferoly@att.net]
Sent: Thursday, April 28, 2011 7:44 AM
To: Greg Daunoras; 'John Shannon'; Curtis, Thyme; Chris Olson; Peterson, Jeff; Gargas, Glenn
Subject: Draft Minutes from April Meeting

Below is a draft of the minutes from a portion of the meeting from last night. The official approved minutes will be available in approximately one month.

Chris

**Pacific Beach Community Planning Group
 Draft Minutes: Commercial and Residential Sub-committee
 Wednesday April 27th 2011**

Chris Olson Stated that the Next meeting of the Residential / Commercial Subcommittee will be on Thursday May 12th, 12:00pm at Pacific Beach Library Community Room. Olson also stated that he would like to relinquish the chairmanship of the subcommittee to someone else.

1. Update: Oliver Ave Oceanfront Public Land: Development plan for the "paper street" and adjacent public right of way. The current status of this project is trying to determine the ownership of the land through a title search. Olson requested a title search from the Real Estate Assets Department (READ) in September 2010. In February 2011, Councilmember Faulconer made an official request for the title search from READ. On March 23rd, Director of READ, James Barwick, said he would have the title search within 1 week. As of tonight's meeting we still are awaiting the results of the title search.

2. 4073 Kendall St. # 144251: Tentative map to convert 5 existing units to condominiums. Owner: 1520 Tyler, LLC Presenter: Robert Bateman, P.L.S.

Motion: Olson, Second:_____ Approve the project with the condition that a trash enclosure or locked gate control alley access and prevent rummaging.

Motion Passed 18-0-0

3. 1314 Pacific Beach Dr. #205860: CDP to demolish existing residence and construct a 3,698 sq. ft. duplex on a 2,870 sq ft lot zoned RM-2-5. Unit #1 is 2 bd, 2.75 bath plus den. Unit #2 is 1 bd, 2.5 bath plus den, plus master retreat. There is a roof deck and 4 off-street parking spaces Owner: Raybon LLC, Presenter: Stosh Thomas Architects

Motion: Olson, Second _____ Approve the project as proposed

Motion Passed 9-8-1. The reason for voting against the motion was regarding the 2 Dens and Master retreat which can be converted into bedrooms. In this case the project does not meet the parking requirements.



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

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • **Other** _____

Project Title **Project No. For City Use Only**
 4073 Kendall St. Condominium Conversion 144251
Project Address:
 4073 Kendall St.

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):
 JD Bois
 Owner Tenant/Lessee Redevelopment Agency
Street Address: 136 Juniper St.
City/State/Zip: San Diego, CA 92101
Phone No: 619-239-2909 **Fax No:** 619-239-2939
Signature : [Signature] **Date:** 9.28.07

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
Street Address:
City/State/Zip:
Phone No: **Fax No:**
Signature : **Date:**

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
Street Address:
City/State/Zip:
Phone No: **Fax No:**
Signature : **Date:**

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
Street Address:
City/State/Zip:
Phone No: **Fax No:**
Signature : **Date:**

Project Title: 4073 Kendall St. Condominium Conversion	Project No. (For City Use Only)
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Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation (Limited Liability -or- General) What State? _____ 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):
1520 TYLER, LLC

Owner Tenant/Lessee

Street Address: 136 JUNIPER ST.

City/State/Zip: SAN DIEGO CA 92101

Phone No: 619-239-2909 Fax No: 619-239-2939

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

Title (type or print):
PRESIDENT

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: _____

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: _____

4073 KENDALL TENTATIVE MAP
Project No. 144251
Project Chronology

Date	Action	Description	City Review Time	Applicant Response
11/20/07	Applicant submits initial plans/Deemed Complete	Project plans distributed for City staff review.	1 day	
12/20/07	First Assessment Letter	First Assessment Letter identifying required approvals and outstanding issues provided to applicant.	1 Month	
1/26/09	Applicant submits second full set of plans.	Applicant's revised set of plans submitted in response to first assessment letter from City staff.		13 Months 6 days
2/09/09	Second Assessment Letter	Second Assessment Letter identifying all remaining/outstanding issues.	13 days	
1/14/11	Applicant submits third set of plans.	Applicant's revised set of plans submitted in response to second assessment letter from City staff.		11 Months 5 days
03/17/11	Third Assessment Letter	Third Assessment Letter identifying all remaining/outstanding issues.	2 Months 3 days	
05/11/11	Issues resolved	Staff determines project issues resolved, okay Process 4 Planning Commission hearing to proceed.		1 Month 24 Days
06/23/11	Planning Commission Hearing	Public Hearing	1 Month 12 Days	
TOTAL STAFF TIME		Averaged at 30 days per month	4 Months 28 Days	
TOTAL APPLICANT TIME		Averaged at 30 days per month		26 Months 5 Days
TOTAL PROJECT RUNNING TIME			31 Months, 3 Days	