



**THE CITY OF SAN DIEGO**

**M E M O R A N D U M**

**DATE:** June 10, 2025

**TO:** Hearing Officer Fernandez

**FROM:** Negar Sadegholvad, Development Project Manager II, Development Services Department

**SUBJECT:** Item No. 1, Project No. PRJ-1115535, Tentative Map Waiver, Staff Map Waiver Conditions Correction

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Esteemed Hearing Officer Fernandez,

Staff have updated Engineering conditions to ensure that public improvements are completed. The Map Waiver Conditions for the Hearing Officer Meeting of June 11, 2025 have been updated. The section of the Map Waiver Conditions is hereby revised as follows:

**ENGINEERING**

15. No changes.
16. 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.
17. The subdivider shall dedicate and improve the 5-foot right-of-way, adjacent to the alley, satisfactory to the City Engineer.
18. The subdivider shall construct and complete the required public improvements per PRJ-1048738, PMT-3134958, satisfactory to the City Engineer.
19. The subdivider shall obtain an Encroachment Maintenance Removal Agreement for the wall, private walkway, landscape, and irrigations located within the City's right-of-way, satisfactory to the City Engineer.
20. The subdivider shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

Negar Sadegholvad  
Development Services Department  
Attachments: 1. Map Waiver Conditions

HEARING OFFICER  
CONDITIONS FOR TENTATIVE MAP WAIVER NO. PMT-3296327  
**4374 GEORGIA STREET CONDOMINIUM CONVERSION PROJECT NO. PRJ-1115535**  
ADOPTED BY RESOLUTION NO. HO-\_\_\_\_\_ ON JUNE 11, 2025

**GENERAL**

1. This Map Waiver will expire on June 11, 2028.
2. Compliance with all the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map unless otherwise noted.
3. Prior to the expiration of the Tentative Map Waiver (TMW), a Parcel Map to consolidate and subdivide the 0.1376-acre properties into 3 residential condominium units, shall be recorded in the San Diego County Recorder's Office.
4. Prior to the recordation of the Parcel Map, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition.
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 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
  - b. For prospective tenants, upon application for the rental of a unit in the proposed condominium conversion.

#### **ATTACHMENT 4**

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 tenants of the proposed condominiums with written notification within 10 days after approval of a Parcel Map 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 Section 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 Section 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 Parcel Map, the Subdivider shall demonstrate conformance with the San Diego Municipal Code provisions for building and landscape improvements (San Diego Municipal Code section 144.0507), to the satisfaction of the City Engineer.

#### **AFFORDABLE HOUSING**

14. The Owner/Permittee shall show evidence that relocation assistance has been paid to eligible tenants or shall enter into a written Agreement with the San Diego Housing Commission which shall be drafted and approved by the San Diego Housing Commission, executed by the Owner/Permittee, and secured by a deed of trust which incorporates applicable relocation benefit conditions consistent with the San Diego Municipal Code.

**ENGINEERING**

15. 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, is satisfactory to the City Engineer.
16. 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.
17. The subdivider shall dedicate and improve the 5-foot right-of-way, adjacent to the alley, satisfactory to the City Engineer.
18. The subdivider shall construct and complete the required public improvements per PRJ-1048738, PMT-3134958, satisfactory to the City Engineer.
19. The subdivider shall obtain an Encroachment Maintenance Removal Agreement for the wall, private walkway, landscape, and irrigations located within the City's right-of-way, satisfactory to the City Engineer.
20. The subdivider shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

**MAPPING**

21. "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).
22. "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."
23. Every Parcel Map shall:
  - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
  - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. 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 the conversion of the grid-to-ground distances shall be shown on the map.

24. The Parcel Map shall be based on field survey and all lot corners must be marked with durable survey monuments pursuant to Section 144.0311(d) of the City of San Diego Land Development Codes and Subdivision Map Act Section 66495.
25. All survey monuments shall be set prior to the recordation of the Parcel Map, unless the setting of monuments is deemed impractical due to the proposed improvements and/or grading associated with the project, in which case, delayed monumentation may be applied on the Parcel Map in accordance with San Diego Municipal Code section 144.0130.
26. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6, pursuant to sections 8801 through 8819 of the California Public Resources Code.

**HISTORIC**

27. Within 60 days of the recordation of the Parcel Map and prior to the issuance of the Certificate of Occupancy, Resolution Number R-20102902 and the Mills Act Agreement for 4374 Georgia Street shall be updated and recorded in the San Diego County Recorder's Office.

**INFORMATION:**

- The approval of this Tentative Map Waiver by the Hearing Officer of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies, including but not limited to the Federal Endangered Species Act of 1973 and any amendments thereto (16 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 Waiver 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 Waiver, may protest the imposition within 90 days of the approval of this Tentative Map Waiver 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 the 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. 24009943