



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: April 23, 2020 REPORT NO. PC-20-022

HEARING DATE: May 7, 2020

SUBJECT: 70TH STREET TENTATIVE MAP (TM) AND PLANNED DEVELOPMENT PERMIT (PDP), PROCESS FOUR DECISION

PROJECT NUMBER: [613124](#)

OWNER/APPLICANT: COUNTYWIDE HOME LOAN OF SOUTHERN CALIFORNIA, INC.

SUMMARY

Issue: Should the Planning Commission approve a request for a Tentative Map (TM) to subdivide an existing undeveloped lot to create two parcels, and a Planned Development Permit (PDP) to create a new driveway with a deviation, located at 5114 70th Street (APN No. 468-112-3400 and 3600), in the RS-1-7 Zone within the College Area Community Plan area?

Staff Recommendation:

Approve Tentative Map No. 2173032, a waiver requirement to underground existing off-site overhead utilities, and approve Planned Development Permit No. 2359196.

Community Planning Group Recommendation: On July 10, 2019, the College Area Community Planning Board voted 10-3-0 to approve the project with no additional conditions (Attachment 11).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), "Common Sense Exemption". This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on October 8, 2019, and the opportunity to appeal that determination ended October 22, 2019 (Attachment 8).

Fiscal Impact Statement: All costs associated with the processing of this project are paid from a deposit account funded by the applicant.

Code Enforcement Impact: None with this application.

Housing Impact Statement: The project would subdivide a single lot designated and zoned

for single-family residential development into two residential lots intended for future development. The [College Area Community Plan](#) designates the site as Low density residential within a density range of 5 to 10 dwelling units per acre. The project site could accommodate between one and three single-family dwelling units per this land use designation. The proposed subdivision is consistent with the community plan land use designation and would increase the opportunity for creating one additional residential dwelling unit on each new lot.

BACKGROUND

The 0.379-acre project site is an undeveloped lot located at 5114 70th Street (APN No. 468-112-3400 and 3600) in the RS-1-7 Zone, Airport Land Use Compatibility (Montgomery Field) Overlay Zone, Airport Influence Area (Review Area – 2), and Transit Priority Area within the College Area Community Plan area. The RS-1-7 Zone is a single dwelling residential zone which requires a minimum 5,000-square-foot lot per residential unit. The proposed subdivision of Parcel 2 of Map No. 21604, an existing 16,518 square foot lot, would create two parcels. Parcel 1 would consist of 9,682 square feet and Parcel 2 would consist of 6,836 square feet. Both lots exceed the RS-1-7 zone minimum lot area and meet the lot depth and lot width.

The site is located west of 70th Street, north of Saranac Street, within a developed, urban neighborhood surrounded by single-family development. The College Area Community Plan designates the site as Low density residential at 5 to 10 dwelling units per acre. The undeveloped project site could accommodate between one and three single-family dwelling units.

The topography of the site is relatively flat, and ranges from an elevation of approximately 475-455 feet Above Mean Sea Level (AMSL). The site is not located within or adjacent to the City's Multiple Habitat Planning Area (MHPA) and does not contain Environmentally Sensitive Lands (ESL).

The Tentative Map is a Process Three decision pursuant to SDMC [Section 125.0430](#), and the Planned Development Permit is a Process Four decision pursuant to SDMC [Section 126.0604](#). The two discretionary actions have been consolidated under this application and processed concurrently, pursuant to the Consolidation of Processing regulations contained in SDMC [Section 112.0103](#). Therefore, the decision to approve, conditionally approve, or deny this project will be made by the Planning Commission, a Process Four decision, with appeal rights to the City Council.

DISCUSSION

TENTATIVE MAP:

The application is a request for a Tentative Map, in accordance with San Diego Municipal Code (SDMC) [Section 125.0410](#), to subdivide an existing 16,518 square-foot undeveloped lot, Parcel 2 of Map No. 21604, to create two parcels. Proposed Parcel 1 would consist of 9,682 square feet, and proposed Parcel 2 would consist of 6,386 square feet. No new development is proposed with this mapping action. Below is an aerial photo of the project site depicting the current configuration of the existing lot in blue, and proposed subdivision indicated in yellow.

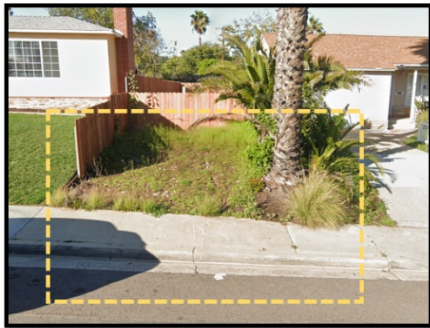


According to [SDMC Section 125.0440](#), Findings for a Tentative Map, the decision maker may approve a Tentative Map if the decision maker finds that the proposed subdivision complies with the requirements of the Subdivision Map Act and the SDMC.

The project complies with the Subdivision Map Act and is conditioned to dedicate a 10-foot curb-to-property-line distance along 70th Street; reconstruct the existing driveway on 70th Street to current City Standards; reconstruct the existing sidewalk along 70th Street to current City Standard; underground any new service run to any new or proposed structures within the subdivision; and to construct a 12-foot driveway with a 9.5-foot driveway curb-cut per the requested deviation, adjacent to the site on Saranac Street.

PLANNED DEVELOPMENT PERMIT:

The proposed Tentative Map which is requesting a subdivision of an existing 16,518 square-foot lot to create two parcels; Parcel 1 would consist of 9,682 square feet, and Parcel 2 would consist of 6,836 square feet and is also requesting a Planned Development Permit (PDP). A PDP is required for a proposed new driveway with a driveway curb-cut deviation. Parcel 1 has an existing driveway accessed from 70th Street that is conditioned to be reconstructed to current City standard. The project is requesting a deviation from [SDMC Section 142.0521\(d\)](#) for a new proposed driveway for Parcel 2 to obtain access from Saranac Street. The minimum standard driveway curb-cut width for access to the proposed parcel is 12 feet, and the project is proposing a 9.5-foot driveway curb-cut. Below is an aerial photo of the existing driveway indicated in blue, and the proposed new driveway with the requested deviation indicated in yellow with a magnified street view.



Shared driveway access on 70th Street for both parcels was explored but determined not feasible due to existing utility easements. Also, roadway classification and current traffic volume on 70th Street, supports the determination to locate a new driveway to access Parcel 2 on Saranac Street, instead of an additional driveway of 70th Street. The proposed access on Saranac Street can best be accomplished with the deviation to the width of the driveway curb cut; from 12-feet to 9.5-feet in order to not impact the adjacent property to the east. A visibility analysis was submitted and reviewed, confirming an adequate line of sight for traffic egressing could be provided; identifying safe and adequate visibility of vehicles, bicycles and pedestrians. The proposed 9.5-foot wide driveway curb cut design would maintain the driveway apron flare within the boundaries of Lot 2, and provide sufficient space on the westerly side of the subject driveway for the installation of the proposed water services, meters, and backflow preventers on the uphill side of the sewer laterals.

Community Plan Analysis:

The project site is subject to the recommendations of the citywide General Plan. Community-specific recommendations are provided by the College Area Community Plan (Community Plan), the City's adopted land use plan for this area. The Community Plan Recommended Residential Densities map designates the subject site as Low density residential. This land use provides for residential use and development at a density between 5 to 10 dwelling units per acre. The 0.379-acre site can accommodate between one and three single-family dwellings within the allocated density range. The proposal to subdivide the site into two residential parcels would allow for future development of two single-family dwelling units, a maximum of one dwelling unit on each subdivided parcel, which would be within the density range allocated by the Community Plan.

The Community Plan also contains the following recommendation pertaining specifically to subdivisions: "Single-family lots should not be subdivided unless the new lots meet all requirements

of the underlying single-family zone. No panhandle lots should be created, nor should any other variances relating to lot size or configuration be granted." The proposed subdivision map would create two parcels with street frontage on 70th Street and Parcel 2 would have access to Saranac Street through an existing access and utility easement. The two proposed parcels meet the zone requirements for minimum lot area, lot depth and lot width. The proposed lot sizes and configurations would not create panhandle lots.

Overhead Utility Underground Waiver:

There are existing off-site overhead utilities across the project site along 70th Street. Pursuant to [SDMC Section 144.0240\(b\)\(5\)](#), the applicant has requested a waiver of the requirement to underground these utilities. The project qualifies for the waiver in accordance with [SDMC Section 144.0240\(c\)\(1\)\(A\)](#), that "the conversion involves undergrounding of utilities that are already scheduled to occur in the near term as a utility company financed undergrounding project or as part of the City's utility underground program". The project site location is identified as UU583 of the City of [San Diego Utilities Undergrounding Program](#), which was allocated in 2017 with Rule 20A funds for utility undergrounding.

CONCLUSION

City staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted Land Development Code. Staff has provided draft findings and conditions (Attachments 6 and 7) to support the subdivision and draft findings and conditions of approval for the Planned Development Permit to support the driveway curb-cut deviation (Attachment 4 and 5). Staff is recommending that the Planning Commission approve the project as presented.

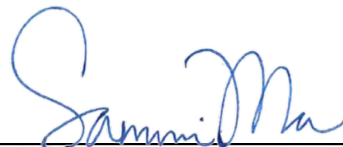
ALTERNATIVES

1. Approve Tentative Map No. 2173032, a waiver requirement to underground existing off-site overhead utilities, and Planned Development Permit No. 2359196, with modifications.
2. Deny Tentative Map No. 2173032, a waiver requirement to underground existing off-site overhead utilities, and Planned Development Permit No. 2359196, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



P.J. FitzGerald
Assistant Deputy Director
Development Services Department



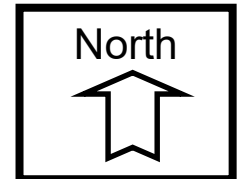
Sammi Ma
Development Project Manager
Development Services Department

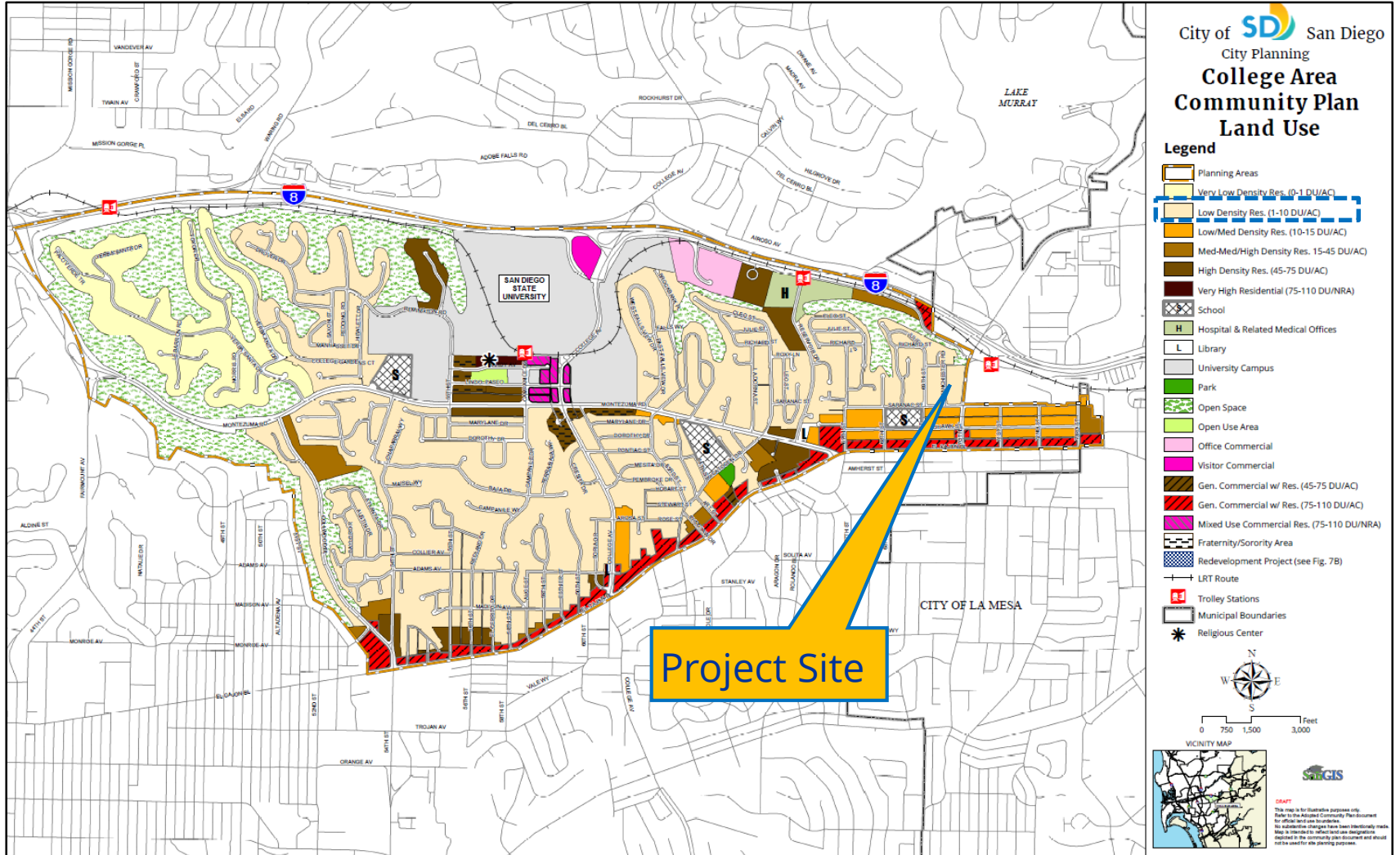
Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Draft Permit Resolution with Findings
5. Draft Permit with Conditions
6. Draft Tentative Map Resolution with Findings
7. Draft Tentative Map Conditions
8. Environmental Exemption
9. Project Site Plan/Tentative Map Exhibit
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement



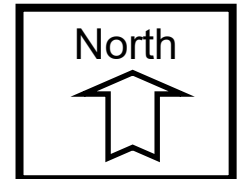
Aerial Photograph
70th Street PDP/TM - 5114 70th Street
PROJECT NO. 613124

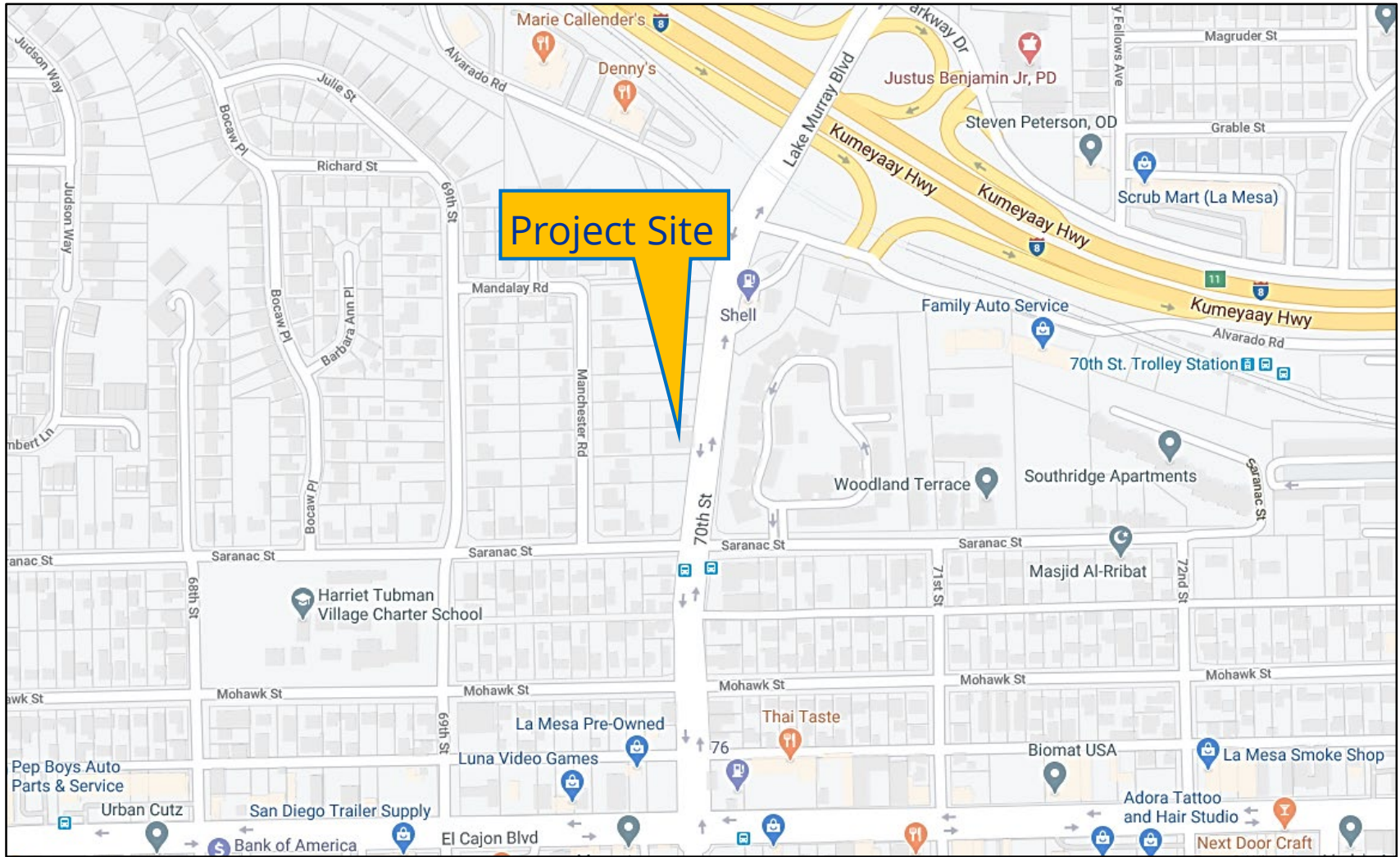




Community Plan Land Use Map

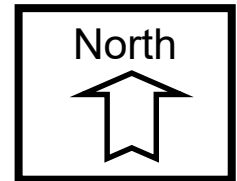
70th Street PDP/TM - 5114 70th Street
PROJECT NO. 613124





Project Location Map

70th Street PDP/TM - 5114 70th Street
PROJECT NO. 613124



PLANNING COMMISSION
RESOLUTION NO. XXXXX
PLANNED DEVELOPMENT PERMIT NO. 2359196
70TH STREET PDP/TM, PROJECT NO. 613124

WHEREAS, Countywide Home Loan of Southern California, Inc. Retirement Trust, a California Corporation, Owner/Permittee, filed an application with the City of San Diego for a Tentative Map to subdivide Parcel 2 of Map No. 21604 to create two parcels, and a Planned Development Permit to deviate from the San Diego Municipal Code regulations for a proposed driveway curb-cut (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permits (Planned Development Permit No. 2359196 and Tentative Map No. 2173032), on portions of a 0.379-acre site;

WHEREAS, the project site is located at 5114 70th Street (APN No. 468-112-3400 and 3600) in the RS-1-7 Zone, Airport Land Use Compatibility (Montgomery Field) Overlay Zone, Airport Influence Area (Review Area – 2), and Transit Priority Area within the College Area Community Plan area;

WHEREAS, the project site is legally described as Parcel 2, in the City of San Diego, County of San Diego, State of California, according to Parcel Map No. 21604, filed in the office of the County Recorder of said County of San Diego on July 12, 2018;

WHEREAS, on October 8, 2019, 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 15061(b)(3), "Common Sense Exemption"; and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on May 7, 2020, the Planning Commission of the City of San Diego considered Planned Development Permit No. 2359196 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Planned Development Permit No. 2359196:

A. PLANNED DEVELOPMENT PERMIT [SDMC Section 126.0605]

1. Findings for Planned Development Permits:

a. The proposed development will not adversely affect the applicable land use plan.

This project is a request for a Planned Development Permit (PDP) to deviate from the San Diego Municipal Code (SDMC) regulations for a proposed driveway curb-cut, located at 5114 70th Street (APN No. 468-112-3400 and 3600) in the RS-1-7 Zone within the College Area Community Plan area. The proposed project also includes a Tentative Map (TM) for the subdivision of an existing 16,518 square-foot lot to create two parcels. Parcel 1 has an existing driveway accessed from 70th Street that is conditioned to be reconstructed to current City standard; Parcel 2 is requesting a deviation from [SDMC Section 142.0521\(d\)](#) for a new proposed driveway to obtain access from Saranac Street.

The College Area Community Plan (Community Plan) Recommended Residential Densities map designates the subject site as Low density residential. This land use provides for residential use and development at a density between 5 to 10 dwelling units per acre. The 0.379-acre site can accommodate between one and three single-family dwellings within the allocated density range. The proposal to subdivide the site into two residential parcels would allow for future development of two single-family dwelling units, a maximum one dwelling unit on each subdivided parcel, which would be within the density range allocated by the Community Plan. The proposed subdivision map would create two parcels with street frontage on 70th Street; however, Parcel 2 would take access to Saranac Street through an existing access and utility easement. The minimum standard driveway curb-cut width required by SDMC Section 142.0560(j) for access to the proposed parcel is 12 feet. The project is requesting a deviation for a proposed 12 feet wide driveway with a 9.5-foot wide driveway curb-cut to make access to Parcel 2 feasible.

The proposed development was reviewed and is in compliance with the regulations of the Land Development Code including the proposed deviation pursuant to Section 126.0602(b)(1) that are appropriate for this location. The permit controlling the development of this site contains specific conditions addressing compliance with the City's codes, policies and regulations related to the proposed deviation and

subdivision. Therefore, the proposed subdivision will not adversely affect the applicable land use plan.

b. The proposed development will not be detrimental to the public health, safety, and welfare.

This project requests a PDP to deviate from the SDMC regulations for a proposed driveway curb-cut, located at 5114 70th Street (APN No. 468-112-3400 and 3600) in the RS-1-7 Zone within the College Area Community Plan area associated with Parcel 2 of the proposed subdivision of an existing 16,518 square-foot lot to create two parcels. Parcel 1 has an existing driveway accessed from 70th Street that is conditioned to be reconstructed to current City standard. The project is requesting a deviation from [SDMC Section 142.0521\(d\)](#) for a new proposed driveway for Parcel 2 to obtain access from Saranac Street, instead of from 70th Street.

The minimum standard driveway curb-cut width required by SDMC Section 142.0560(j) for access to the proposed parcel is 12 feet. The project is proposing a 9.5-foot driveway curb-cut. Shared driveway access on 70th Street for both parcels was explored but determined not feasible due to existing utility easements. Also, roadway classification and current traffic volume on 70th Street supports the determination to locate a new driveway to access Parcel 2 on Saranac Street, instead of an additional driveway of 70th Street. The proposed access on Saranac Street can best be accomplished with the deviation to the width of the driveway curb cut; from 12-feet to 9.5-feet in order to not impact the adjacent property to the east. A photographic sight distance analysis was performed that confirmed adequate line of sight for traffic egressing could be provided; identifying safe and adequate visibility of vehicles, bicycles and pedestrians. In addition, the proposed 9.5-foot wide driveway curb cut design would maintain the driveway apron flare within the boundaries of Lot 2, and provide sufficient space on the westerly side of the subject driveway for the installation of the proposed water services, meters, and backflow preventers on the uphill side of the sewer laterals. The driveway width within the project site would be 12 feet, with a 9.5-foot wide driveway curb-cut.

The permit controlling the development of this site contains specific conditions addressing compliance with the City's codes, policies and regulations related to the proposed deviation and subdivision. Therefore, this project will not be detrimental to the public health, safety and welfare.

c. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

This project proposes a PDP to deviate from the SDMC regulations for a proposed driveway curb-cut, located at 5114 70th Street (APN No. 468-112-3400 and 3600) in the RS-1-7 Zone within the College Area Community Plan area.

The proposed subdivided Parcel 2 is requesting a deviation from [SDMC Section 142.0521\(d\)](#) for a new proposed driveway to obtain access from Saranac Street. The minimum standard driveway curb-cut width for access to the proposed parcel is 12 feet, and the project is proposing a 9.5-foot driveway curb-cut. Shared driveway access on 70th Street for both parcels was explored but determined not feasible due to existing utility easements. Also, roadway classification and current traffic volume on 70th Street supports the determination to locate a new driveway to access Parcel 2 on Saranac Street, instead of an additional driveway of 70th Street. This deviation will make the project more desirable because it retains the necessary space for the installation of proposed utilities, as well as make it feasible to have access to a developable parcel.

The College Area Community Plan designates the site as Low density residential within a density range of 5 to 10 dwelling units per acre. The proposed subdivision map would create two parcels with street frontage on 70th Street and Parcel 2 would also have access to Saranac Street through an existing access and utility easement with the requested deviation to the standard driveway requirements. In concurrence with the Tentative Map, this project will result in a more desirable project by making it possible to accommodate the future development of two single-family dwelling units instead of one dwelling unit per the current lot configuration. Consistent with the General Plan Housing Element adopted by the City Council in March 2013, and the Regional Housing Needs Allocation goals for the 2010-2020 cycle, this project achieves the goals to alleviating the housing needs by increasing the development opportunity by one additional residential dwelling unit on-site.

The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

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

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Planned Development Permit No. 2359196 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set

forth in Planned Development Permit No. 2359196 and Tentative Map No. 2173032, a copy of which is attached hereto and made a part hereof.

Sammi Ma
Development Project Manager
Development Services

Adopted on: May 7, 2020

IO#: 24007959

DRAFT

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

INTERNAL ORDER NUMBER: 24007959

SPACE ABOVE THIS LINE FOR RECORDER'S USE

PLANNED DEVELOPMENT PERMIT NO. 2359196
70TH STREET PDP, PROJECT NO. 613124
PLANNING COMMISSION

This Planned Development Permit No. 2359196 is granted by the Planning Commission of the City of San Diego to Countywide Home Loan of Southern California, Inc. Retirement Trust, a California Corporation, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0605. The 0.37-acre site is located at 5114 70th Street (APN No. 468-112-3400 and 3600) in the RS-1-7 Zone, Airport Land Use Compatibility (Montgomery Field) Overlay Zone, Airport Influence Area (Review Area - 2), and Transit Priority Area within the College Area Community Plan area. The project site is legally described as Parcel 2, in the City of San Diego, County of San Diego, State of California, according to Parcel Map No. 21604, filed in the office of the County Recorder of said County of San Diego on July 12, 2018.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to subdivide Parcel 2 of Map No. 21604 to create two parcels, and to deviate from the Land Development Code regulations for a proposed driveway, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 7, 2020, on file in the Development Services Department.

The project shall include:

- a. Deviation from the San Diego Municipal Code Section 142.0521(d) for a proposed driveway, from the required 12-foot driveway curb-cut to the proposed 9.5-foot driveway curb-cut, for the subdivision of Parcel 2 of Map No. 21604, consistent with Tentative Map No. 2173032.
- b. 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. 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. This permit must be utilized by May 21, 2023.
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 construction 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.

CLIMATE ACTION PLAN REQUIREMENTS:

11. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

LANDSCAPE REQUIREMENTS:

12. Prior to issuance of any construction permits, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Storm Water Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit and Exhibit "A," on file in the Development Services Department.

13. Prior to issuance of any construction permit for public improvement, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

14. Prior to issuance of any construction permits, the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)5.

15. In the event that partial permit for foundation only is requested by the Owner/Permittee, a site plan or staking layout plan, shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as 'landscaping area.'

16. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

17. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy [Final Inspection].

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

18. Owner/Permittee shall obtain a construction permit for the installation of appropriate private back flow prevention devices (BFPDs), on each water service such as domestic, fire and irrigation, in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

19. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the public

right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.

20. Prior to Final Inspection, all public water and sewer facilities shall be complete and operational, in a manner satisfactory to the Public Utilities Director and the City Engineer.

21. The Owner/Permittee shall design and construct any proposed water and sewer facilities within the public right-of-way, and/or public easement, in accordance with the criteria established in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, or as otherwise approved by the Public Utilities Director and the City Engineer.

TRANSPORTATION REQUIREMENTS:

22. Prior to the issuance of any construction permits, the Subdivider shall dedicate a portion of the property to provide a 10-foot curb-to-property-line distance along 70th Street to the City for street right-of-way, as shown on the approved Exhibit "A", satisfactory to the City Engineer.

23. The Subdivider shall reconstruct the existing driveway to current City Standards adjacent to the site on 70th Street. Maximum Driveway width shall be 16-feet, satisfactory to the City Engineer.

24. The Subdivider shall construct driveway per the approved Planned Development Permit No. 2359196, adjacent to the site on Saranac Street. Maximum Driveway width shall be 12-feet, and the driveway curb-cut width shall be 9.5-feet, satisfactory to the City Engineer.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary 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 May 7, 2020 and Resolution No. XXXXX.

Permit Type/PTS Approval No.: Planned Development Permit No. 2359196
Date of Approval: May 7, 2020

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Sammi Ma
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

**Countywide Home Loan of Southern
California, Inc. Retirement Trust**
Owner/Permittee

By _____
Abe Cohen
Trustee

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

PLANNING COMMISSION RESOLUTION NUMBER R-_____

TENTATIVE MAP NO. 2173032
70th STREET TM/PDP, PROJECT NO. 613124

WHEREAS, Countywide Home Loan of Southern California, Inc. Retirement Trust, a California Corporation, Subdivider, and David H. Yeh, Engineer, submitted an application to the City of San Diego for a tentative map for the subdivision of Parcel 2 of Map No. 21604 to create two parcels, and to waive the requirement to underground existing off-site overhead utilities. The project site is located at 5114 70th Street (APN No. 468-112-3400 and 3600) in the RS-1-7 Zone, Airport Land Use Compatibility (Montgomery Field) Overlay Zone, Airport Influence Area (Review Area – 2), and Transit Priority Area within the College Area Community Plan area. The property is legally described as Parcel 2, in the City of San Diego, County of San Diego, State of California, according to Parcel Map No. 21604, filed in the office of the County Recorder of said County of San Diego on July 12, 2018; and

WHEREAS, the Map proposes the Subdivision of a 0.379-acre site into two (2) lots; and

WHEREAS, on October 8, 2019, 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 15061(b)(3), "Common Sense Exemption"; and there was no appeal of the Environmental Determination filed within the time period provided by SDMC Section 112.0520; and

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

WHEREAS, the request to waive the undergrounding of existing overhead utilities has been determined to be appropriate pursuant to San Diego Municipal Code section 144.0242(c) based on Waiver of the Requirements to Underground Privately Owned Utility Systems and Services Facilities in that “the conversion involves undergrounding of utilities that are already scheduled to occur in the near term as a utility company financed undergrounding project or as part of the City's utility underground program”; and

WHEREAS, on May 7, 2020, the Planning Commission of the City of San Diego considered Tentative Map No. 2173032, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to SDMC section 125.0440, section 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. 2173032:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

The proposed TM is a subdivision of an existing undeveloped lot to create two parcels, located at 5114 70th Street (APN No. 468-112-3400 and 3600) in the RS-1-7 Zone within the College Area Community Plan area. The existing 16,518 square feet lot will be subdivided to create two parcels. Proposed Parcel 1 would consist of 6,836 square feet, and proposed Parcel 2 would consist of 9,682 square feet. The College Area Community Plan (Community Plan) designates the project site as Low density residential at 5 to 10 dwelling units per acre. The 0.379-acre site can accommodate between one and three single-family dwellings within the allocated density range. The proposal to subdivide the site into two residential parcels would allow for future development of two single-family dwelling units, a maximum of one dwelling unit on each subdivided parcel, which would be within the density range allocated by the Community Plan. The Community Plan also contains the following recommendation pertaining specifically to subdivisions: “Single-family lots should not be subdivided unless the

new lots meet all requirements of the underlying single-family zone. No panhandle lots should be created, nor should any other variances relating to lot size or configuration be granted." The proposed subdivision map would create two parcels with street frontage on 70th Street and Parcel 2 would have access to Saranac Street through an existing access and utility easement. The two proposed parcels meet the zone requirements for minimum lot area, lot depth and lot width. The proposed lot sizes and configurations would not create panhandle lots. Therefore, the proposed subdivision is consistent with the policies, goals, and objectives of the applicable land use plan, by increase the opportunity to create one additional residential dwelling unit.

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

The proposed TM is a subdivision of an existing 16,518 square-foot lot to create two parcels. Parcel 1 has an existing driveway accessed from 70th Street that is conditioned to be reconstructed to current City standards. The project is requesting a deviation from SDMC Section 142.0521(d) for a new proposed driveway for Parcel 2 to obtain access from Saranac Street through an existing private access and utility easement, per the requested deviation. The minimum standard driveway curb-cut width for access to the proposed parcel is 12 feet, and the project is proposing a 9.5-foot driveway curb-cut. Shared driveway access on 70th Street for both parcels was explored but determined not feasible due to existing utility easements. Also, roadway classification and current traffic volume on 70th Street supports the determination to locate a new driveway to access Parcel 2 on Saranac Street, instead of an additional driveway of 70th Street. The proposed access on Saranac Street can best be accomplished with the deviation to the width of the driveway curb cut; from 12-feet to 9.5-feet in order to not impact the adjacent property to the east. A photographic sight distance analysis was performed that confirmed an adequate line of sight for traffic egressing the proposed driveway on Saranac Street, identifying safe and adequate visibility of vehicles, bicycles and pedestrians. The proposed 9.5-foot wide driveway curb-cut design per Planned Development Permit No. 2359196 would maintain the driveway apron flare within the boundaries of Lot 2, and provide sufficient space on the westerly side of the subject driveway for the installation of the proposed water services, meters, and backflow preventers on the uphill side of the sewer laterals. The driveway width within the project site would be 12 feet.

The College Area Community Plan (Community Plan) Recommended Residential Densities map designates the subject site as Low density residential. This land use provides for residential use and development at a density between 5 to 10 dwelling units per acre. The 0.379-acre site can accommodate between one and three single-family dwellings within the allocated density range. The proposal to subdivide the site into two residential parcels would allow for future development of two single-family dwelling units, a maximum one dwelling unit on each subdivided parcel, which would be within the density range allocated by the Community Plan.

The proposed subdivision, which is surrounded by existing residential development, for single-unit residential development is consistent with the residential policies per the

Community Plan. The two lots proposed are consistent with the density specified by the Community Plan and the lot size required per the SDMC Section 131.0403. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

3. The site is physically suitable for the type and density of development.

The proposed TM is a subdivision of an existing undeveloped lot to create two parcels, located at 5114 70th Street (APN No. 468-112-3400 and 3600) in the RS-1-7 Zone within the College Area Community Plan area. The RS-1-7 Zone is a single dwelling residential zone which requires a minimum of 5,000-square-foot per lot. The subdivision of the existing 16,518 square feet lot will create two parcels consist of a 9,682 square feet lot and a 6,836 square feet lot. The Community Plan designates the project site as Low density residential at 5 to 10 dwelling units per acre. The 0.379-acre site can accommodate between one and three single-family dwellings within the allocated density range. The proposal to subdivide the site into two residential parcels would allow for future development of two single-family dwelling units, a maximum of one dwelling unit on each subdivided parcel, which would be within the density range allocated by the Community Plan.

The proposed subdivision map would create two parcels; Parcel 1 with access on 70th Street, and Parcel 2 would have access on Saranac Street through an existing private access and utility easement, per the requested deviation. The two proposed parcels meet the zone requirements for minimum lot area, lot depth and lot width. The proposed lot sizes and configurations would not create panhandle lots as recommended against in the College Area Community Plan. Therefore, the subdivision to create two lots from one existing lot at the proposed project location is physically suitable for the type and density of development.

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

The proposed TM is a subdivision of an existing undeveloped lot to create two parcels, located at 5114 70th Street (APN No. 468-112-3400 and 3600) in the RS-1-7 Zone within the College Area Community Plan area. There are no watercourses, Environmental Sensitive Lands or Multiple Habitat Planned Area lands located on or adjacent to the project site, which is surrounded by existing development. Therefore, the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife on their habitat.

5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare.

The proposed TM is a subdivision of an existing undeveloped lot to create two parcels, located at 5114 70th Street (APN No. 468-112-3400 and 3600) in the RS-1-7 Zone within the College Area Community Plan area. The proposed access on Saranac Street to access parcel 2 can best be accomplished with the deviation to the width of the driveway curb cut; from

12-feet to 9.5-feet in order to not impact the adjacent property to the east. A photographic sight distance analysis was performed that confirmed adequate line of sight for traffic egressing could be provided; identifying safe and adequate visibility of vehicles, bicycles and pedestrians. In addition, the proposed 9.5-foot wide driveway curb cut design would maintain the driveway apron flare within the boundaries of Lot 2, and provide sufficient space on the westerly side of the subject driveway for the installation of the proposed water services, meters, and backflow preventers on the uphill side of the sewer laterals.

The Tentative Map for the project was reviewed and determined to be in compliance with the SDMC and Subdivision Map Act. Prior to the recordation of the parcel map, this project must satisfy conditions of approval of Tentative Map No. 2173032 and Planned Development Permit No. 2359196 in order to achieve compliance with the regulations of the SDMC. Therefore, this subdivision will not be detrimental to 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.

1. The proposed TM is a subdivision of an existing undeveloped lot to create two parcels, located at 5114 70th Street (APN No. 468-112-3400 and 3600) in the RS-1-7 Zone within the College Area Community Plan area. The existing easements located along 70th Street are held by San Diego Gas and Electric (SDG&E Book 6203, p. 453 and Book 6172, p. 87) for maintenance of overhead power lines. The project site is identified as UU583 of the City of San Diego Utilities Undergrounding Program, which was allocated in 2017 with Rule 20A funds for utility undergrounding.

The project site does not contain any right-of-way easements for pedestrians. The TM is conditioned to dedicate a portion of the property to provide a 10-foot curb-to-property-line distance along 70th Street to the City for street right-of-way, per the City of San Diego Street Design Manual. The TM also requires the Subdivider to ensure Covenants, Conditions & Restrictions (CC&Rs) or private water easements are attached to the title(s) of the subject lot(s) as required to address the private water service crossing from one lot to another.

The existing private access and utility easement that will be utilized as driveway access to Parcel 2 will not physically conflict with the facilities. The public utility easement held by the City of San Diego (Map 2299) does not contain physical facilities. Therefore, 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.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

The proposed TM is a subdivision of an existing undeveloped lot to create two parcels, located at 5114 70th Street (APN No. 468-112-3400 and 3600) in the RS-1-7 Zone within the College Area Community Plan area. The proposed Tentative Map will not impede or inhibit any future passive or natural heating and cooling opportunities as the purpose of the subdivision is the opportunity to create single-family dwelling units. The proposed project

site is currently undeveloped. Future development of the site must comply with all applicable building and zoning reviews and requirements, including setbacks, building materials, site orientation, architectural treatments and landscaping to provide for future passive or natural heating and cooling opportunities in those dwelling units. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

The proposed TM is a subdivision of an existing undeveloped lot to create two parcels, located at 5114 70th Street (APN No. 468-112-3400 and 3600) in the RS-1-7 Zone within the College Area Community Plan area. As stated in the Community Plan, the goal is to preserve the single-family neighborhood character, but also provide housing for the growing university population. The proposed development would allow for the preservation of the single-family character while aiding in the housing needs of the growing population by providing the opportunity to accommodate the future development of two single-family dwelling units on a currently undeveloped lot.

The decision maker has reviewed the administrative record including the project plans, environmental documentation, and public testimony to determine the effects of the proposed subdivision on the housing needs of the region. Those needs were balanced against the needs for public services and available fiscal and environmental resources and found that the proposed subdivision will contribute to alleviating the housing needs of the College Area Community Plan area.

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. 2173032, including the waiver of the requirement to underground existing offsite overhead utilities, hereby granted to Countywide Home Loan of Southern California, Inc., subject to the attached conditions which are made a part of this resolution by this reference.

By _____
Sammi Ma
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24007959

DRAFT

PLANNING COMMISSION
CONDITIONS FOR TENTATIVE MAP NO. 2173032
70th STREET TM - PROJECT NO. 613124

ADOPTED BY RESOLUTION NO. R-_____ ON _____

GENERAL

1. This Tentative Map will expire May 21st, 2023.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
3. Prior to the expiration of the approved Tentative Map, a Parcel Map to subdivide the 0.379-acre site into two parcels shall be recorded with the Office of the San Diego County Recorder.
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. To satisfy this condition, a current and original 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.

If a tax bond is required as indicated in the tax certificate, ensure that it is paid or posted at the San Diego County Clerk of the Board of Supervisors and supply proof prior to the recordation of the Parcel Map.

5. The Parcel Map shall conform to the provisions of Tentative Map No. 2173032 and Planned Development Permit No. 2359196.
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.

ENGINEERING

7. Prior to the issuance of any construction permits, the Subdivider shall dedicate a portion of the property to provide a 10-foot curb-to-property-line distance along 70th Street to the City for street right-of-way, as shown on the approved Exhibit "A", satisfactory to the City Engineer.
8. 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.
9. The Subdivider shall reconstruct the existing driveway to current City Standards adjacent to the site on 70th Street. Maximum Driveway width shall be 16-feet, satisfactory to the City Engineer.
10. The Subdivider shall reconstruct the sidewalk with current City Standard Sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractor's stamp, adjacent to the site on 70th Street, satisfactory to the City Engineer.
11. The Subdivider shall obtain an Encroachment Maintenance and Removal Agreement (EMRA) for the Sidewalk Underdrain/Curb Outlet in the 70th Street right-of-way, satisfactory to the City Engineer.
12. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
13. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
14. The Subdivider shall construct driveway per the approved Planned Development Permit No. 2359196, adjacent to the site on Saranac Street. Maximum Driveway width shall be 12-feet, and the driveway curb-cut width shall be 9.5-feet, satisfactory to the City Engineer.
15. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

16. The Parcel Map shall be based on field survey and all lot corners must be marked with durable survey monuments pursuant to Section 144.0331(d) of the City of San Diego Land Development Codes and Section 66495 of the Subdivision Map Act.

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 Section 144.0130 of the City of San Diego Land Development Codes.

17. "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].
18. "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."
19. The Parcel Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of 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 conversion of grid-to-ground distances shall be shown on the map.

PUBLIC UTILITIES

20. Prior to any Parcel Map being recorded, the Subdivider shall ensure that Covenants, Conditions & Restrictions (CC&Rs) or private water easements are attached to the title(s) of the subject lot(s) as required to address the private water service crossing from one lot to another, as shown on the approved Exhibit "A".
21. Prior to any Parcel Map being recorded, any sewer lateral which has been/is being connected to the City's public sewer infrastructure as a private sewer main within the public right-of-way must be located and labeled on an approved city Construction Record Drawing so as to clearly convey all the following:

The sewer line's identity as a "Private Sewer Main", its location relative to the nearest property line, its authorization to encroach into the public right-of-way, and its point of connection to the public sewer collection system relative to the nearest manhole.

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. 24007959

NOTICE OF EXEMPTION

TO: RECORDER/COUNTY CLERK
 P.O. BOX 1750, MS A-33
 1600 PACIFIC HWY, ROOM 260
 SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO
 DEVELOPMENT SERVICES DEPARTMENT
 1222 FIRST AVENUE, MS 501
 SAN DIEGO, CA 92101

 OFFICE OF PLANNING AND RESEARCH
 1400 TENTH STREET, ROOM 121
 SACRAMENTO, CA 95814

PROJECT NO.: 613124

PROJECT TITLE: 70th Street PDP TM

PROJECT LOCATION-SPECIFIC: 5116 70th Street, San Diego, CA 92115

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: A Tentative Map (TM) to subdivide Parcel 2 of Map No. 21604 to create two parcels and a Planned Development Permit (PDP), to deviate from the Land Development Code regulations, for a proposed driveway. The 0.37-acre site is located in the RS-1-7 base zone, within the College Area Community Plan and Council District 9.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Countrywide Home Loan of Southern California, 16559 Crespo Drive, La Jolla, CA 92037; Contact: Abe Cohen, 619-339-5570.

EXEMPT STATUS: (CHECK ONE)

- MINISTERIAL
 DECLARED EMERGENCY
 EMERGENCY PROJECT
 CATEGORICAL EXEMPTION: SECTION 15061(B)(3): "COMMON SENSE" EXEMPTION

REASONS WHY PROJECT IS EXEMPT: The project has been determined to be exempt from CEQA pursuant to Section 15061(b)(3) of CEQA Guidelines. Section 15061(b)(3) applies to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. None of the exceptions listed in CEQA Guidelines Section 15003.2 apply, therefore this exemption is applicable to the proposed project.

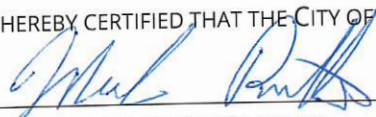
LEAD AGENCY CONTACT PERSON: M. Brunette

TELEPHONE: (619) 446-5379

IF FILED BY APPLICANT:

1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?
 YES NO

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA



 MARK BRUNETTE, SENIOR PLANNER

OCTOBER 23, 2019

DATE

CHECK ONE:

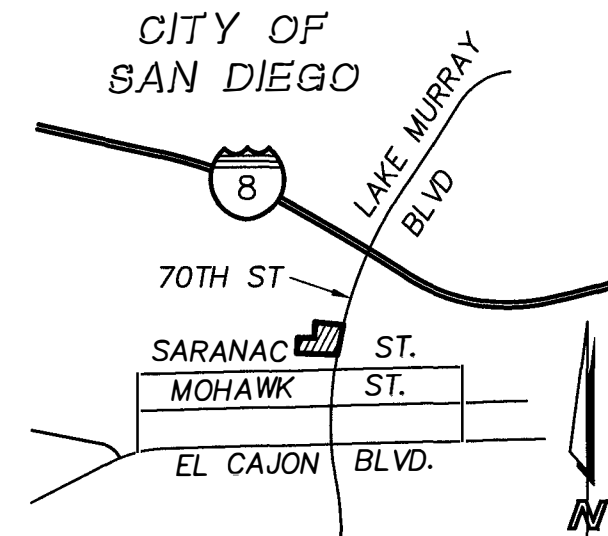
- SIGNED BY LEAD AGENCY
 SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

CITY OF SAN DIEGO

TENTATIVE MAP NO. 2173032

70TH STREET TPM



VICINITY MAP
N.T.S.

ENGINEER OF WORK

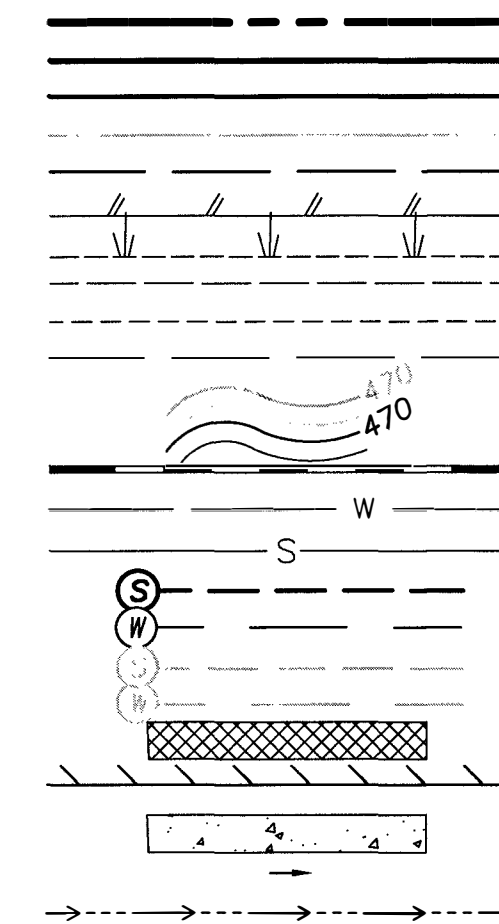
LANDMARK CONSULTING
9555 GENESEE AVE. STE 200
SAN DIEGO, CA. 92121
PHONE: (858)-587-8070 FAX: (858)-587-8750

DAVID H. YEH R.C.E. 62717
OWNER

APN 468-112-34 & 468-112-36:
COUNTY HOME LOAN OF SOUTHERN CALIFORNIA, INC.
RETIREMENT TRUST A CALIFORNIA CORPORATION
1659 CRESPO DRIVE
LA JOLLA, CA 92037

LEGEND

- PROPERTY LINE/TM BOUNDARY
- RIGHT OF WAY
- PROPOSED LOT LINE
- EXISTING BUILDING
- EXISTING PROPERTY LINE
- PROPOSED EASEMENT
- PROPOSED LIMIT OF GRADING
- PROPOSED EASEMENT
- EXISTING EASEMENT
- SETBACK LINE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING RETAINING WALL
- EXISTING 6" WATER MAIN
- EXISTING 8" SEWER MAIN
- PROPOSED PVT SEWER LATERAL
- PROPOSED WATER SERVICE
- EXISTING SEWER LATERAL
- EXISTING WATER SERVICE
- TRENCH RESURFACING
- PROPOSED CONCENUTAL BLDG
- PROPOSED CONCRETE DRAINAGE FLOW DIRECTION
- DRAINAGE SWALE
- 6" AREA DRAIN
- PROP SWR CLEANOUT AT R/W
- PROP WTR MTR
- EXISTING SURVEY MONUMENT
- PROP ST. TREE W/ 40SF ROOT ZONE



GENERAL NOTES:

1. PROJECT NAME: 70TH STREET TPM
2. APN: 468-112-34 & 468-112-36
3. PROJECT LOCATION: 5114 70TH ST AND APN 468-112-3600
4. PROJECT AREA: GROSS: 0.379 ACRES±
NET: 0.379 ACRES±
5. EASEMENTS:
 - ① EX 6' SDGE ESMT PER BOOK 6203 PG 453.
 - ② EX 4' CITY OF SAN DIEGO PUBLIC UTILITY ESMT PER MAP 2299 REC. 12/06/1945
 - ③ EX 17' PRIVATE ACCESS AND UTILITY ESMT PER GRANT DEED DOC NO. 2018-0336018
 - ④ EX CITY OF SAN DIEGO EARTH EXCAVATION AND EMBANKMENT ESMT PER DOC NO. 1960-123172, REC. 06/15/1960
 - ⑤ EX CITY OF SAN DIEGO EARTH EXCAVATION AND EMBANKMENT ESMT PER BOOK 7720 PG 547, REC. 06/17/1959
 - ⑥ EX 6' SDGE ESMT PER BOOK 6172, PG 87, REC. 06/04/1956
 - ⑦ EX 6' PRIVATE ESMT AND R/W FOR WATER PIPE LINE PER DOC NO. 2016-0641036, REC 11/22/2016
 - ⑧ PROP. 8' PVT. ACCESS AND UTILITY ESMT IN FAVOR OF PROPOSED PARCEL 1.
6. EXISTING LOTS: 1
7. PROPOSED LOTS: 2
8. ZONING: EXISTING: RS-1-7
PROPOSED: RS-1-7
9. PUBLIC UTILITIES AND DISTRICTS:
 - GAS AND ELECTRICITY: SDG&E
 - TELEPHONE: AT&T
 - FIRE AND POLICE: CITY OF SAN DIEGO
 - SCHOOL DISTRICT: SAN DIEGO UNIFIED SCHOOL DISTRICT
 - WATER AND SEWER: CITY OF SAN DIEGO
 - STORM DRAIN: CITY OF SAN DIEGO
10. TOPOGRAPHY SOURCE: AERIAL SURVEY, DATED: 2-16-2017
SOURCE: RJ LUNG AND ASSOCIATES
11. NAD 27 220-1755
NAD 83 1860-6315
12. REQUIRED & PROPOSED PARKING:
PROPOSED PARCEL 2: REQ'D: 2, PROVIDED: 3 (GARAGE)
PROPOSED PARCEL 1: REQ'D: 2, PROVIDED: 3 (GARAGE)
A MINIMUM ROOT ZONE OF 40 SF IN AREA SHALL BE FOR ALL TREES. THE MIN. DIMENSION FOR THIS AREA SHALL BE 5 FEET, PER SDMC 142.0403(b)(5).

GRADING QUANTITIES

GRADED AREA	1,719 SQ FT
CUT (2:1 MAX)	30 CY
FILL (2:1 MAX)	0 CY
IMPORT/EXPORT	30 CY
MAX CUT HEIGHT	5 FT
MAX FILL HEIGHT	1 FT

SETBACK REQUIREMENTS

	REQUIRED	PROVIDED
FRONT	15'	15'
SIDE	4'	VARIES 4'-16'
REAR	13'	13'

SCOPE OF WORK

TENTATIVE MAP TO SUBDIVIDE PARCEL 2 OF MAP NO 21604 TO CREATE 2 PARCELS. PROPOSE A NEW DRIVEWAY OFF SARANAC STREET TO PROVIDE ACCESS TO THE NEWLY SUBDIVIDED LOT. ALSO, TO REBUILD THE EXISTING DRIVEWAY OFF 70TH STREET TO MEET CURRENT CITY STANDARDS.

REFERENCE DRAWINGS / MAPS

- UTILITY: DWG NO. 8" V.C. SEWER MAIN7847-2-L
- 8" C.I. WATER MAIN25113-4-D
- MAPS: MAP 2299 PM 21604 PM 21528

APN

468-112-34-00, 468-112-36-00

LEGAL DESCRIPTION

PARCEL 2 OF PARCEL MAP NO. 21604, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 15, 2018 AS INSTRUMENT 2018-7000248 OF OFFICIAL RECORDS.

BENCHMARK

CITY OF SAN DIEGO BRASS PLUG IN CURB
LOCATION = NORTHWEST CORNER AT INTERSECTION OF MANCHESTER ROAD AND SARANAC STREET
ELEVATION = 475.999
DATUM = M.S.L.
PER CITY OF SAN DIEGO VERTICAL CONTROL BOOK

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM (CCS), ZONE 6, 1991.35 EPOCH GRID BEARING BETWEEN STATION "221" AND STATION "1105" AS SAID STATIONS ARE PUBLISHED IN ROS 14492. I.E. NORTH 88°42'24" WEST.

MAPPING NOTES

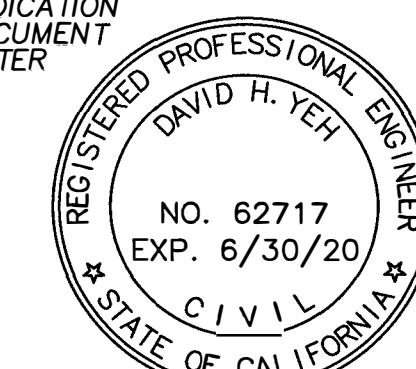
A PARCEL MAP SHALL BE FILED AT THE COUNTY RECORDER'S OFFICE PRIOR TO THE EXPIRATION OF THE TENTATIVE MAP, IF APPROVED. A DETAILED PROCEDURE OF SURVEY SHALL BE SHOWN ON THE PARCEL MAP AND ALL PROPERTY CORNERS SHALL BE MARKED WITH DURABLE SURVEY MONUMENTS.

NOTES

1. NO OBSTRUCTION INCLUDING SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED THREE FEET IN HEIGHT. PLANT MATERIAL OTHER THAN TREES, WITHIN THE PUBLIC RIGHT-OF-WAY THAT IS LOCATED WITHIN VISIBILITY AREAS SHALL NOT EXCEED 24 INCHES IN HEIGHT, MEASURED FROM THE TOP OF THE ADJACENT CURB. LANDSCAPING SHALL BE REVISED TO MAINTAIN THE REQUIREMENTS WITHIN THE VISIBILITY TRIANGLE.
2. PARCELS 1 & 2 WILL REQUIRE A PRIVATE PUMP FOR SEWER LATERAL.
3. PRIVATE SEWER LATERAL EMRA REQUIRED. PROPOSED SEWER LATERALS SHALL BE BUILT PER FIGURE 2-6 OF THE SAN DIEGO FACILITY SEWER DESIGN GUIDE.
4. NO TREES OR SHRUBS EXCEEDING THREE FEET IN HEIGHT AT MATURITY SHALL BE INSTALLED WITHIN TEN FEET OF ANY SEWER AND FIVE FEET OF ANY WATER FACILITIES.
5. PRIVATE ABOVE GROUND BACKFLOW PREVENTION DEVICE TO BE PRIVATELY OWNED, MAINTAINED AND LOCATED IN PRIVATE PROPERTY ADJACENT TO THE PUBLIC RIGHT OF WAY AND IN-LINE WITH THE PUBLIC WATER SERVICE LINE.
6. D/W PER CURRENT CITY STANDARDS. RAMP ON SOUTH SIDE ONLY. MATCH DRIVEWAY ELEVATION WITH EXISTING DRIVEWAY ON NORTH SIDE.

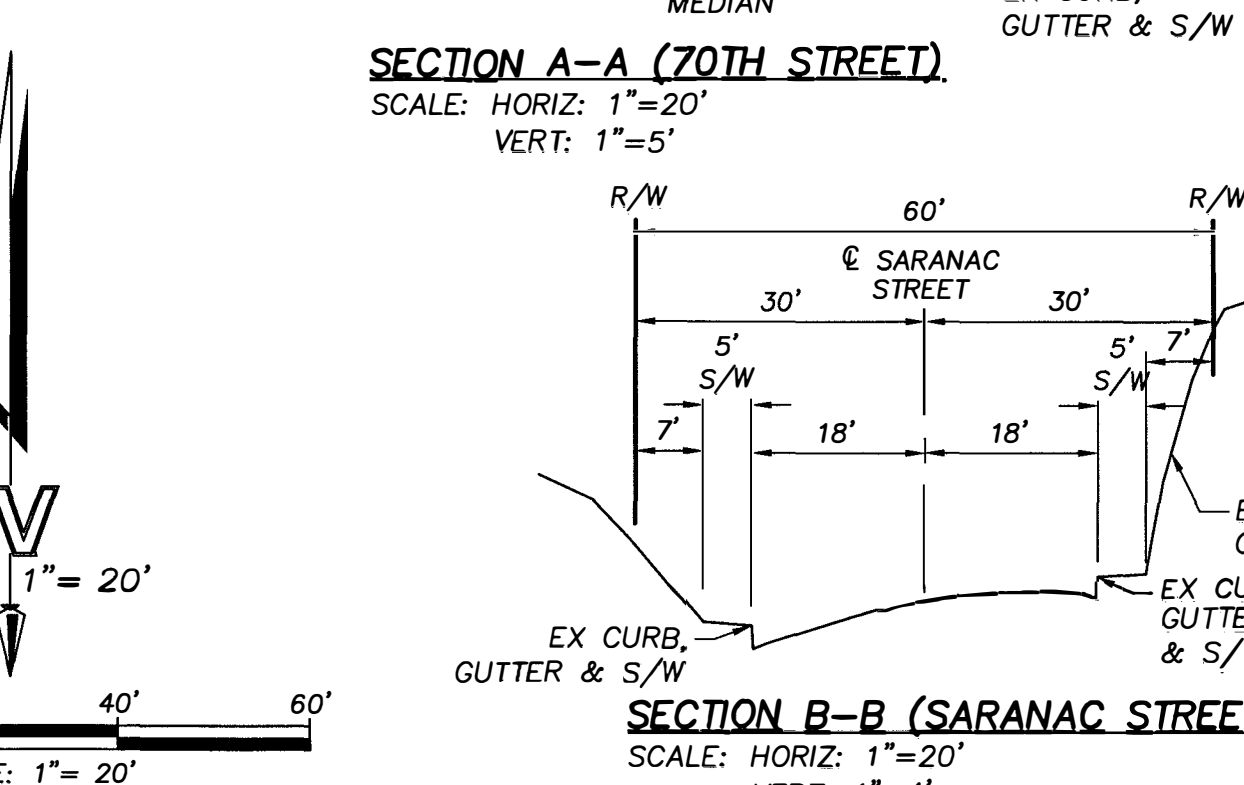
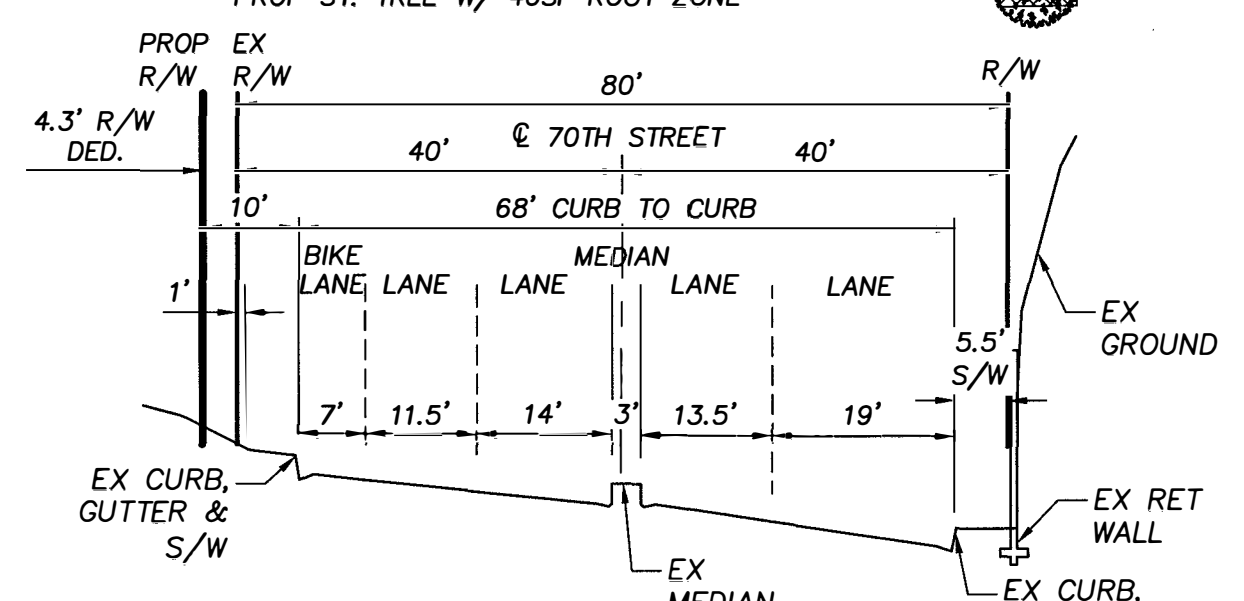
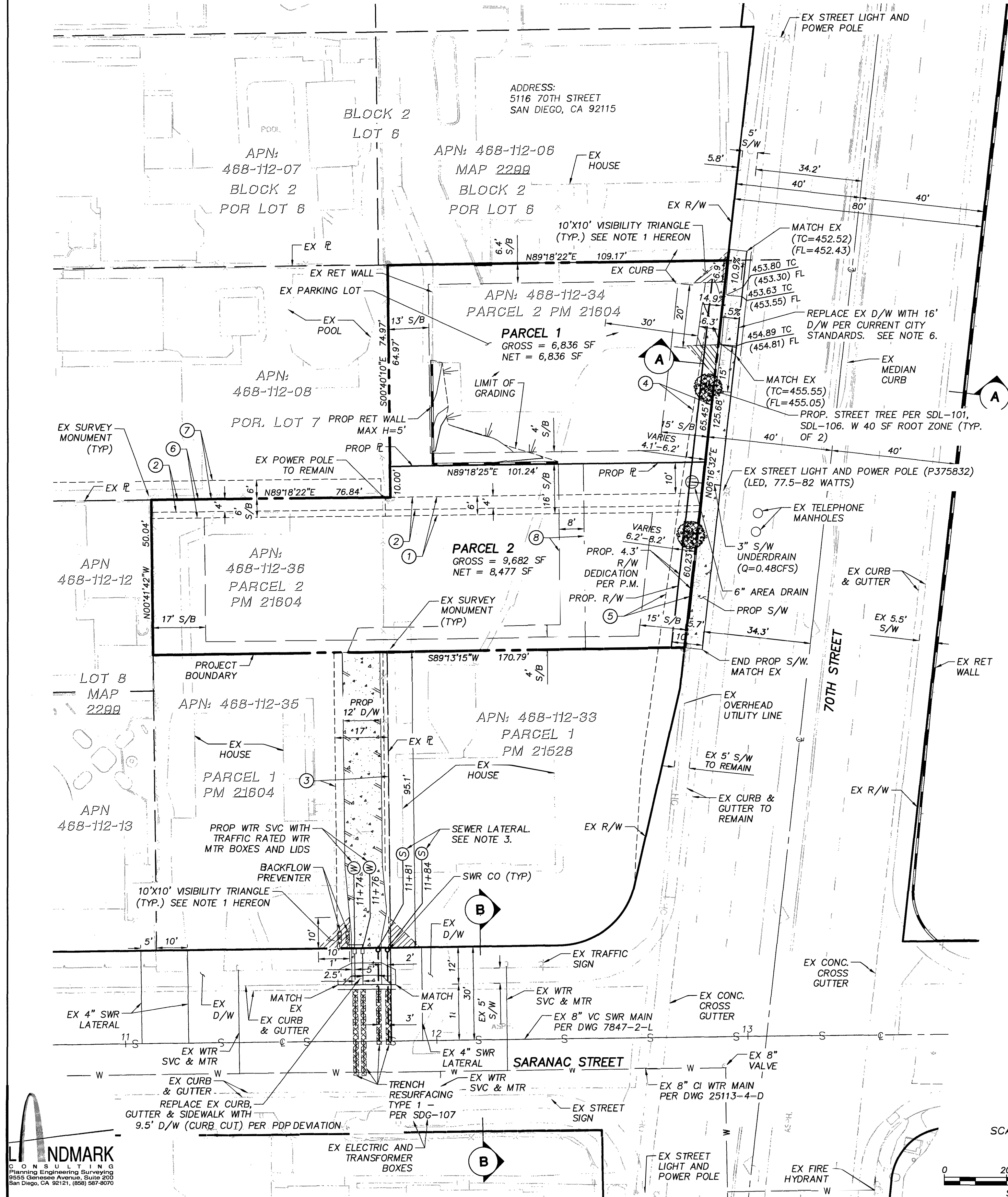
ABBREVIATIONS

A.C.	ASPHALT CONCRETE	MTR	METER SERVICE	SWR	SEWER RECORD
APN	ASSESSOR'S PARCEL NUMBER	REC.	RECORDED	R	PROPERTY LINE
CL	CENTERLINE	EG	EXISTING GRADE	PVT.	PRIVATE
CO	CLEANOUT	PVT	PRIVATE	D/W	DRIVEWAY
CONC.	CONCRETE	PROP	PROPOSED	R/W	RIGHT OF WAY
EX	EXISTING	UTIL	UTILITY	S/B	SETBACK
DED.	DEDICATION	MH	MANHOLE	S/W	SIDEWALK
DOC	DOCUMENT	MIN.	MINIMUM	RET	RETAINING
WTR	WATER				



DATE OF PREPARATION:

NO.	DATE	REVISION
1	7/18	LMCO
2	10/18	LMCO
3	12/18	LMCO
4	07/19	LMCO
5	01/13/2020	LMCO



College Area Community Planning Board (CACPB) and College Area Community Council (CACC)

Minutes From the Regular Meetings: July 10, 2019, 7:00 pm

Held in: Faith Presbyterian Church 5075 Campanile Dr. San Diego, CA 92115

P	Jose Reynoso	President	A(A2)	David Cook
P	Jim Jennings	Vice President	P	Robert Higdon
P	Ann Cottrell	Secretary	P	Jean Hoeger
P(A2)	John Putman	Treasurer	A	Robert Montana
A	Rachel Gregg	SDSU Appointee	P	Troy Murphree
A	Angie Espinosa	SDSU AS Appointee	P(A1)	B.J. Nystrom
P(A1)	Jim Schneider	BID Representative	P	Tom Silva
P(A1)	Saul Amerling			open
P	Ellen Bevier			open
P(A1)	Christina Boyd			Open

TOTAL BOARD MEMBERS: 20

P= present L= Late A – Absent (1),(2),(3) = 1st, 2nd 3rd absence

CP 600-24, Art. IV, Sec 1: “A vacancy exists upon the 3rd consecutive absence or 4th absence in 12 months (April May)

M/S/C = Moved/Seconded/Carried

The College Area Community Council (CACC) and the College Area Community Planning Board (CACPB) are two separate entities with a common board and officers and joint meetings. The items highlighted below with asterisks are CACPB business items, subject to City Council Policy 600-24 governing community planning groups. Items are reported in agenda outline order, although some items may have been considered in a different sequence.

COLLEGE AREA COMMUNITY PLANNING BOARD MEETING

I. Call to order/pledge of allegiance: 7:00 p.m.

II. Agenda approval

M approve agenda: Cottrell, S: Nystrom Y :13, N:-0, A:0 *Carried

III. Approval of CACPB minutes for Wednesday, May 8, 2019

M approve minutes: Schneider S: Amerling Y-13 N-0 A-0 *Carried

IV. Public Comments on non-agenda CACPB items

A. Mike Schaefer: Concerned about detached “apartments” planned near his house.

Jennings: It hasn’t come to project review committee yet, come to that meeting.

B. Dave Smith, Chair Navajo Planning Board. Navajo wants to collaborate with CACPB & Ken-Tal PB in supporting Fairmount Ave Interchange with I-8 as a CIP priority.

V. Law Enforcement Reports

SDSUPD: Mark Peterson

1. New Student Orientation runs from Friday to end of August. Prepare for traffic.
2. Active Shooter drills next week, don’t be alarmed by law enforcement, noise.
3. CARPUS meets next Tuesday, July 16, 4 p.m. at College Ave. Baptist Church

VI. New Business**A. Election by board to fill vacancy for seat expiring in 2020:**

Tom Silva is candidate

M to appoint Silva: Reynoso S: Nystrom Y:13 N:0 A:0 *Elected

B. Review and consideration of a proposed lot split at the corner of 70th St. & Saranac St., (APN 468-112-34-00 & 468-112-36-00): Jennings

Project Review Committee approved lot splits on 70th lots with 1200sf single family single story house & 400sf Companion Unit proposed for each.

Neighbor: Expressed objections to splits & building proposals adjacent to his lot.

Putman: Split is consistent with zoning & City Plan so no decision is needed.

M to approve lot splits: Jennings S: Nystrom

Y:10 N:3 (Higdon, Hoeger, Murphree) A:0 *Carried

C. Discussion of pending state housing legislation, SB 330 & SB 592:

Javier Gomez (Assembly Member Gloria's office)

1. 592 is NOT like SB 50. It updates California Housing Accountability Act by streamlining additional housing; ADUs will now be under this act & will be treated like any other housing project when consistent with zoning & community plan. Text is on line.
2. These bills will come up for vote in September. I am getting community feedback for Gloria who is on Housing Committee.
3. Concerns from board members & audience
 - a. It appears this will make it easier to build ADUs. *JG:* yes
 - b. College Area is different. Institutional investors are adding ADUs, not resident owners, so these are all rental properties. We don't oppose ADUs if there is accountability of an owner to living on the property.
 - c. In College Area many are inconsistent with neighborhood design, being large 2 story back yard buildings
 - d. Legislation making ADUs easier & cheaper to build is meant to increase affordable housing. This has not been demonstrated. We need to see research, facts. Affordability must be a requirement, bill must include criteria for affordability. In College Area, for example, ADUs can rent for \$700/bed. That is not affordable
 - e. There is no provision for improved infrastructure to serve additional population.
 - f. It appears there will be no CEQA review for ADUs
4. *Reynoso:*
 - a. ADUs have been approved by state. At most we will get tweaks if state is willing to change, e.g. set back rules. City has no authority over setbacks, established by the state. City can require an owner occupied house with ADU, but chose not to, in part because City Heights opposes such a regulation.
 - b. Community Planners Committee was told SB 592 & 330 do not supersede local zoning as SB 50 would do.
5. Move to table vote until September so we can get more information: Nystrom
S: Putman Y: 13 N:0 A: 0 *Carried

	<p>City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000</p>	<h1 style="margin: 0;">Ownership Disclosure Statement</h1>	<p>FORM DS-318</p> <p>October 2017</p>
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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: 70th Street TPM / PDP **Project No. For City Use Only:** 613124
Project Address: 70th St, San Diego, CA

Specify Form of Ownership/Legal Status (please check):
 Corporation Limited Liability -or- General - What State? _____ Corporate Identification No. _____
 Partnership Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter 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), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of ANY person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. 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.

Property Owner

Name of Individual: Countywide Home Loan of Southern California, Inc. Owner Tenant/Lessee Successor Agency
 Street Address: 1659 Crespo Drive
 City: La Jolla State: CA Zip: 92037
 Phone No.: 619-339-5570 Fax No.: _____ Email: countrywidehomeloan@sbcglobal.net
 Signature: *[Signature]* Date: 12-29-17
 Additional pages Attached: Yes No

Applicant

Name of Individual: Abe Cohen Owner Tenant/Lessee Successor Agency
 Street Address: 1659 Crespo Drive
 City: LA JOLLA State: CA Zip: 92037
 Phone No.: (619) 339 5570 Fax No.: _____ Email: _____
 Signature: *[Signature]* Date: 3-3-20
 Additional pages Attached: Yes No

Other Financially Interested Persons

Name of Individual: _____ Owner Tenant/Lessee Successor Agency
 Street Address: _____
 City: _____ State: _____ Zip: _____
 Phone No.: _____ Fax No.: _____ Email: _____
 Signature: _____ Date: _____
 Additional pages Attached: Yes No

Printed on recycled paper. Visit our web site at www.sd.gov for more information. For more information, please contact the City of San Diego at (619) 446-5000. This information is available in alternative formats for persons with disabilities.