



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: October 31, 2018 REPORT NO. HO-18-098

HEARING DATE: November 7, 2018

SUBJECT: POLK LOFTS TENTATIVE MAP WAIVER - Process Three Decision

PROJECT NUMBER: [609378](#)

OWNER/APPLICANT: Polkka, LLC / Jose Perez

SUMMARY

Issue: Should the Hearing Officer approve the Tentative Map Waiver for the creation of six residential condominium units in an under-construction development and waive the requirement to underground existing offsite overhead utilities, at 1935 Polk Avenue in the North Park Community Planning area?

Staff Recommendation: **Approve** Tentative Map Waiver No. 2154423 and a waiver of the requirement to underground existing off-site overhead utilities.

Community Planning Group Recommendation: On September 18, 2018, the North Park Planning Group voted 4-2-0 to recommend the approval of the proposed project without conditions/recommendations (Attachment 6).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305, Minor Alterations in Land Use Limitations. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on October 18, 2018, and the opportunity to appeal that determination ended November 1, 2018.

Fiscal Impact Statement: All costs associated with this project are paid for by a flat fee provided by the applicant at the time of submittal of the project.

Code Enforcement Impact: None with this action.

BACKGROUND

The 0.18-acre site is located at 1935 Polk Avenue (Attachment 1), at the southwest corner of Polk Avenue and Florida Street, in the RM-3-7 zone, within the North Park Community Plan area. The project site is within an urban, developed residential neighborhood, surrounded by multi-family development on all sides. The RM-3-7 zone is a multi-dwelling residential zone that allows one unit per 1,000 square feet of lot area or a maximum of eight dwelling units allowed on site with no required minimum density. The North Park Community Plan also designates the site for multi-dwelling development at rate of 30-44 dwelling units per acre or 5-8 dwelling units allowed on site.

The Site Development Permit (SDP) required for the construction of these multi-family units was approved by the Hearing Officer on May 3, 2006, under Project No. 50490. The development is being constructed under the previously conforming Mid City Communities Planned District-MR-1250B zone in accordance with the San Diego Municipal Code (SDMC) Mid-City Communities Planned District Ordinance and the ministerial permits were approved on July 12, 2016, via Project Number 412000. At the time of building permit issuance, the applicant paid an in-lieu fee to comply with the City's Affordable Housing Regulations. During the ministerial review the project was determined to be in compliance with all underlining zone regulations including but not limited to height, floor area ratio, parking, setbacks and landscaping. Therefore, the design of the previously-approved, under construction units is not part of this Tentative Map Waiver application.

The project proposes the creation of condominium units for home ownership opportunity and does not affect the previously approved building permit.

DISCUSSION

Project Description:

The proposed project requests a Tentative Map Waiver per [SDMC Section 125.0120\(b\)\(1\)](#) to create six residential condominium units (under construction) on a previously mapped single parcel and a waiver of the requirement to underground the existing overhead utilities. The project as proposed requires a Process Three, Hearing Officer decision with appeal right to the Planning Commission.

The project requires nine parking spaces and nine parking spaces are provided. The proposed subdivision is consistent with the development regulations of the RM-3-7 zone and complies with the setback, floor area ratio, density and landscaping requirements. No deviations are requested with this action.

According to [SDMC Section 125.0123](#), Findings for a Tentative Map Waiver, the decision maker may approve a Tentative Map Waiver if the decision maker finds that the proposed subdivision complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed subdivision and determined that it complies with both the Subdivision Map Act and the San Diego Municipal Code.

General Plan/Community Plan:

The [General Plan](#) designates the site for residential land uses. The North Park Community Plan designates the 0.18-acres project site for residential medium high-density development at a rate of 30-44 dwelling units per acre, or 5-8 dwelling units allowed on the site. Therefore, creation for the six residential condominium units in the under-construction project complies with the General Plan and North Park Community Plan.

Waiver of the Requirement to Underground Utilities:

There are existing off-site overhead utilities abutting the project site on the Polk Avenue and in the alley right of way. 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 to [SDMC Section 144.0242\(c\)\(1\)\(B\)](#), as the conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility.

CONCLUSION

Staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and Land Development Code regulations and conforms to both the North Park Community Plan and General Plan. Staff has provided draft findings and conditions (Attachment 4) and recommends the Hearing Officer approve the project as proposed.

ALTERNATIVES

1. Approve Tentative Map Waiver No. 2154423, with modifications.
2. Deny Tentative Map Waiver No. 2154423, if the findings required to approve the project cannot be affirmed.

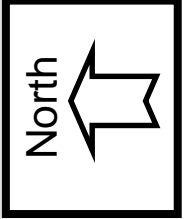
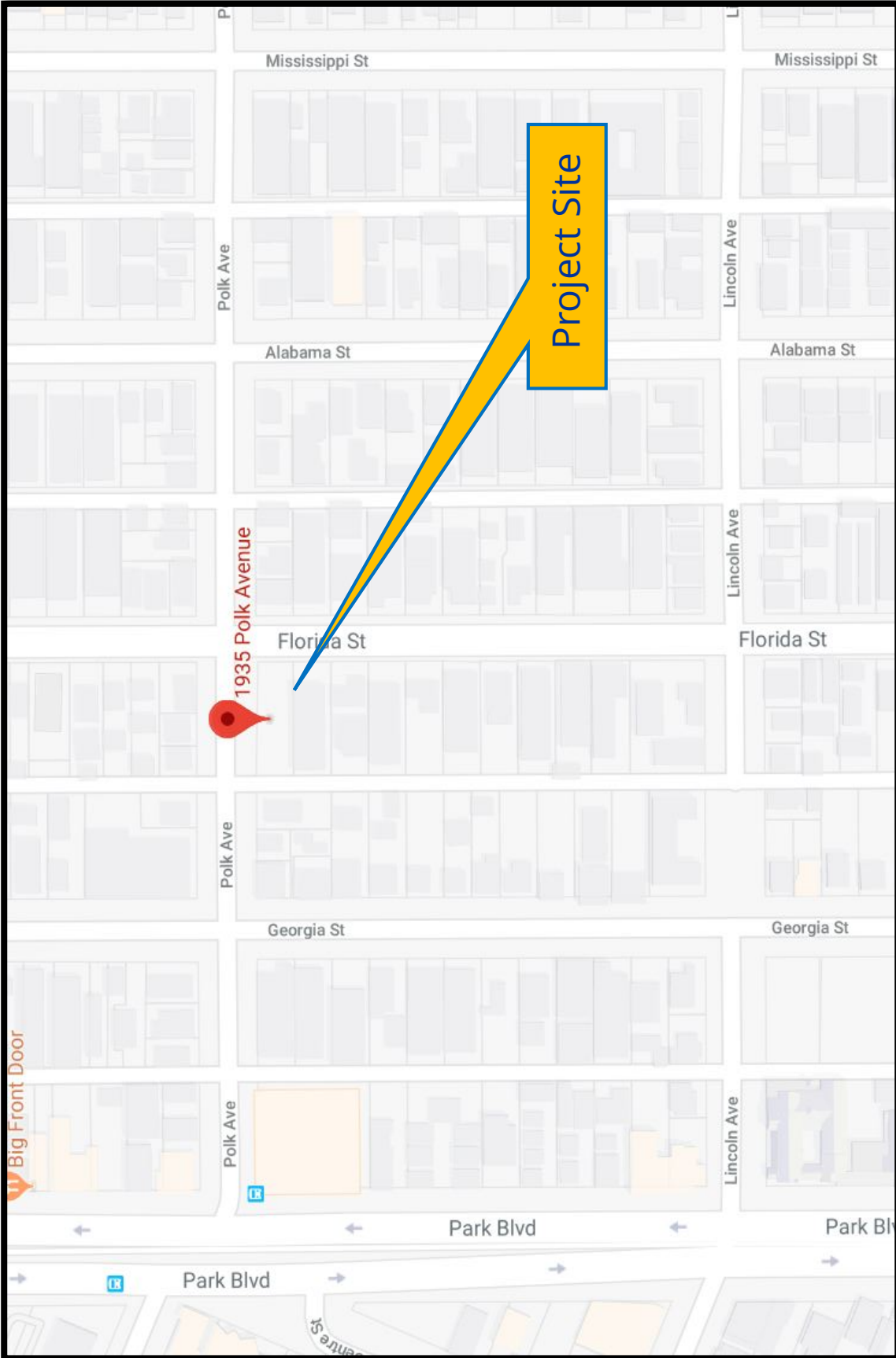
Respectfully submitted,



Bryan Hudson, Development Project Manager

Attachments:

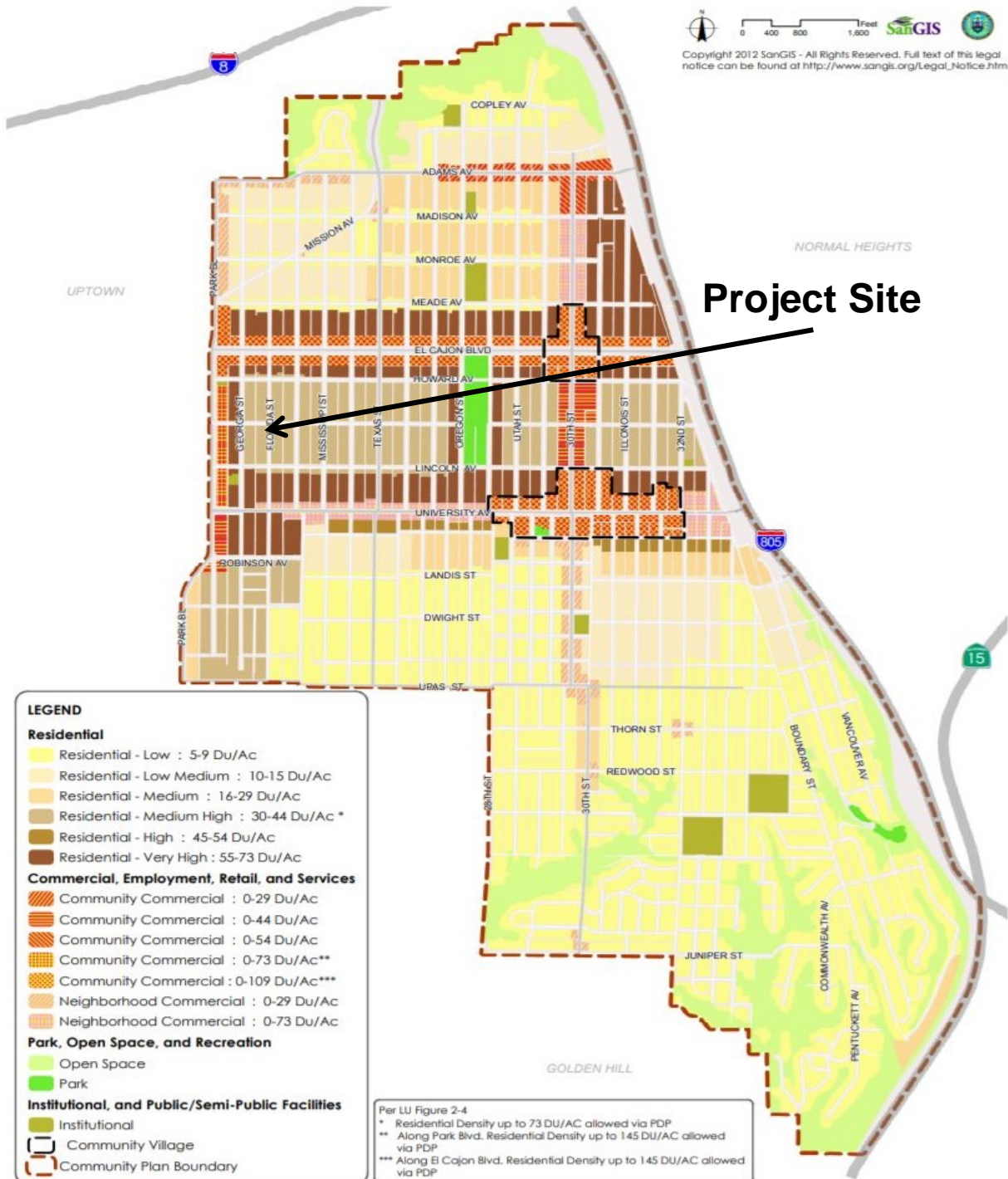
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. Community Planning Group Recommendation
7. Ownership Disclosure Statement
8. Tentative Map Waiver Exhibit



Project Location Map

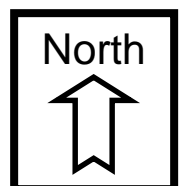
Polk Lofts Tentative Map Waiver / 1335 Polk Avenue
PROJECT NO. 609378

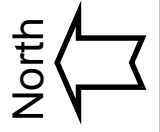
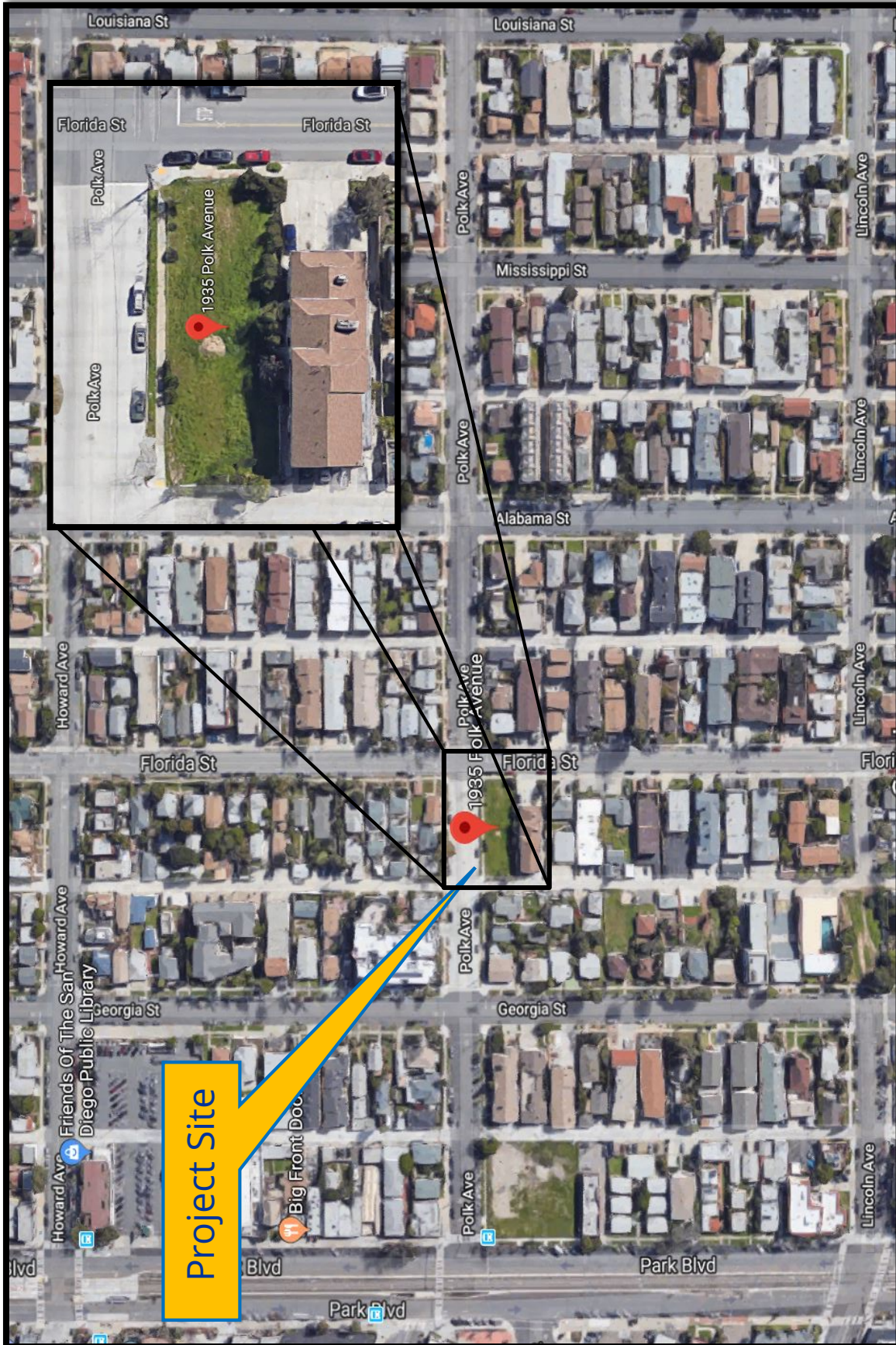




Land Use Map

Polk Lofts Tentative Map Waiver / 1935 Polk Avenue
PROJECT NO. 609378





Aerial Photo

Polk Lofts Tentative Map Waiver / 1935 Polk Avenue
PROJECT NO. 609378



RESOLUTION NO. _____
DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE HEARING OFFICER ADOPTING THE FINDINGS
AND APPROVING TENTATIVE MAP WAIVER NO. 2154423 FOR
POLK LOFTS TENTATIVE MAP WAIVER – PROJECT 609378

WHEREAS, Polkka a California Limited Liability Company, Subdivider, and Florez Engineering, Engineer, submitted an application with the City of San Diego for Tentative Map Waiver No. 2154423, to waive the requirement for a Tentative Map for the creations of six residential condominium units for a project that is currently under construction, and to waive the requirement to underground existing offsite overhead utilities. The project site is located at 1935 Polk Avenue, in the RM-3-7 zone, within the North Park Community area. The property is legally described as Parcel 1 of Parcel Map Number 20343, in the State of California, County of San Diego, City of San Diego; and

WHEREAS, the Map proposes the subdivision of a 0.18-acre site into six residential condominium units for a project that is currently under construction; and

WHEREAS, on October 18, 2018, 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 Guidelines Section 15305; Minor Alternation in Land Use Limitations, and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; and

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

WHEREAS, the project consists of six units under construction for which Certificates of Occupancy have not been issued; and

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 4125 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is six; 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 the conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility; and

WHEREAS, on November 7, 2018, the Hearing Officer of the City of San Diego considered Map Waiver No. 2154423, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to sections 125.0122 (tentative map waiver), 144.0240 (underground) of the San Diego Municipal Code 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 Hearing Officer having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Map Waiver No. 2154423:

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

The project includes the creation of six residential condominium units, currently under construction, within a single parcel. The 0.18-acre site is located at 1935 Polk Street in the RM 3-7 zone, within the North Park Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The [General Plan](#) designates the site for residential land uses. The proposed subdivision is consistent with the land use residential designation of the North Park Community area. The Community Plan designates the project site for 30-44 dwelling units per acre (per North Park Community Plan Figure 2-1, pg. 15), or 5-8 units allowed on site. The RM-3-7 base zone allows a maximum of eight dwelling units onsite with no required minimum density. Therefore, the creation of six residential condominium units in the under-construction project complies with the North Park Community Plan and the base zone allowed density. The project would also assist with furthering the North Park Community Plan Land Use goals to provide residential densities appropriate to each North Park neighborhood and multi-dwelling development that does not detract from its surrounding neighborhood by providing six residential units in an established, predominantly multi-family, urban neighborhood, surrounded by similar development. The proposed subdivision and its design or improvements are consistent with the policies, goals and objectives of the applicable land use plan.

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 project includes the creation of six residential condominium units, currently under construction, within a single parcel. The 0.18-acre site is located at 1935 Polk Avenue in the RM-3-7 zone, within the North Park Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The development is being constructed by right under the previously conforming MR-CCPD-MR-1250B zone in accordance with the SDMC Mid-City Community Planned District Ordinance. On July 12, 2016, the City of San Diego approved the residential development's ministerial construction permit under Project No. 412000. The density requirements per RM-3-7 base zone allows a maximum of eight dwelling units allowed on the site. During the ministerial review the project was determined to be in compliance with all the underlying zone regulations including but not limited to height, floor area ratio, parking, setbacks, and landscaping and no deviations were proposed.

The Tentative Map Waiver proposes condominiums for home ownership opportunities and does not affect the previously approved building permits.

Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code.

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

The project includes the creation of six residential condominium units, currently under construction, within a single parcel. The 0.18-acre site is located at 1935 Polk Street in the RM 3-7 zone, within the North Park Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The site is located in an urban developed neighborhood and is served by existing public infrastructure and fronts on the fully developed Polk Avenue and Florida Street and rear alley rights-of-way. The site is being constructed in compliance with all applicable geologic, engineering and building code requirements, as reviewed under the issued building permits under Project No. 412000. The approved construction permits also include the requirement to install curb, gutter, sidewalk and a new driveway at the project site. Therefore, this site is physically in 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 project requires a Tentative Map Waiver to create six residential units (under construction) into condominium on a 0.18-acre site located in a developed urban neighborhood. The site is within an existing urban, developed neighborhood, and does not contain nor is adjacent to any fish or wildlife habitats, environmentally sensitive lands or Multiple Habitat Lands. The project is exempt from the California Environmentally Quality Act (CEQA) pursuant to Section 15305 (Minor Alterations in Land Use Limitations) of the State CEQA Guidelines. Therefore, the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat.

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

The project includes the creation of six residential condominium units, currently under construction, within a single parcel.

The 0.18-acre site is located at 1935 Polk Avenue in the RM-3-7 zone, within the North Park Community Plan area. The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The project proposes condominiums for home ownership opportunities and does not affect the previously approved building permit. The project has been reviewed and is in compliance with the SDMC and the Subdivision Map Act. The Tentative Map Waiver includes conditions and corresponding exhibits of approvals relevant to adequate parking, public improvements, and paying applicable fees in order to achieve compliance with SDMC regulations. The proposed subdivision is consistent with the development regulations of the underlying zone of the Land Development Code regulations and permitted requirements continue to govern this project. Therefore, the design of the subdivision or the type of improvements will not be detrimental to the public, health, safety and welfare.

6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

The proposed site does not contain any easements acquired by the public at large for access through or use of property within the subdivision. The site fronts on Florida Street and Polk Avenue and has access from Florida Street. Therefore, the design of the subdivision and proposed improvement would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

The proposed Tentative Map Waiver will not impede or inhibit any future passive or natural heating and cooling opportunities as the purpose of the subdivision is to create residential condominium units for individual ownership and no enlargement or expansion of use. The development is currently under construction via the building permit under Project Number 412000 and the underlying zone provides opportunities through required setbacks, building materials, site orientation, architectural treatments and landscaping 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 project includes the creation of six residential condominium units, currently under construction, within a single parcel. The 0.18-acre site is located at 1935 Polk Street in the RM-3-7 zone, within the North Park Community Plan area.

ATTACHMENT 4

The proposed Tentative Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

Other than the subdivision to allow condominium ownership within a built out urbanized community with adequate infrastructure, no other changes are requested, and the project does not include additional development of the property. The site consists of six units with a two-car parking garage that was permitted on July 13, 2016, Project No. 412000 and all applicable Affordable Housing In-Lieu Fees and Development Impact Fees have been paid.

The site is within an existing urban, developed neighborhood, and does not contain nor is adjacent to any fish or wildlife habitats, environmentally sensitive lands or Multiple Habitat Lands. 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 and those needs were balanced against the needs for public services and the available fiscal and environmental resources.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Tentative Map No. 2154423, including the waiver of the requirements to underground existing offsite overhead utilities, hereby granted to Polkka a California Limited Liability Company, subject to the attached conditions which are made a part of this resolution by this reference.

By 
Bryan Hudson
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions

ATTACHMENT 5

HEARING OFFICER
CONDITIONS FOR TENTATIVE MAP WAIVER NO. 2154423
POLK LOFTS – TENTATIVE MAP WAIVER – PROJECT 609378
ADOPTED BY RESOLUTION NO. _____ ON _____

GENERAL

1. This Tentative Map Waiver will expire November 21, 2021.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Certificate of Compliance unless otherwise noted.
3. A Certificate of Compliance shall be recorded in the Office of the San Diego County Recorder, prior to the Tentative Map Waiver expiration date.
4. Prior to the recordation of the Certificate of Compliance, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify the Subdivider of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not be required to pay or perform any settlement unless such settlement is approved by the Subdivider.

ENGINEERING

6. The Certificate of Compliance shall comply with the provisions of the Tentative Map Waiver No. 2154423.
7. The Subdivider shall construct the required Public Improvements per approved Right of Way Permit No. 1781702 – PTS# 508611, six 1" water services with backflow prevention devices.
8. The Subdivider shall construct the required Public Improvements per approved Right of Way Permit No. 2154813 – PTS# 609464, including a new driveway.
9. The Subdivider shall reconstruct damaged AC alley with a City Standard concrete pavement full width alley, in the alley adjacent to the site.

ATTACHMENT 5

10. The Subdivider shall reconstruct the existing curb with City standard curb and gutter, reconstruct the sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractors stamp, adjacent to the site on Polk Avenue.
11. The Subdivider shall reconstruct the existing curb with City standard curb ramp on the west side of the alley entrance, with City standard drawing SDG-136 with truncated domes.
12. The Subdivider shall close the non-utilized curb cut, reconstruct the damaged curb and gutter with current City standards, reconstruct the sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractors stamp, adjacent to the site on Florida Street.
13. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement for the steps and planters along Polk Avenue.
14. The Subdivider shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
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, satisfactory to the City Engineer.
16. The Subdivider shall comply with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980. Only those exceptions to the General Conditions which are shown on the Map Waiver 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

17. Upon the approval of the Tentative Map Waiver, a Certificate of Compliance shall be recorded with the County Recorder prior to the expiration of the Tentative Map Waiver.
18. Prior to the recordation of the Certificate of Compliance, all conditions in the Tentative Map Waiver Resolution of Approval must be satisfied.
19. Prior to the recordation of the Certificate of Compliance, 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.

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.*).

ATTACHMENT 5

- 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 Map Waiver, may protest the imposition within 90 days of the approval of this 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 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. 12002110



NORTH PARK PLANNING COMMITTEE

northparkplanning.org

URBAN DESIGN-PROJECT REVIEW SUBCOMMITTEE

MEETING MINUTES: Tuesday, September 4, 2018 – 6:00 p.m. North

Park Recreation Center / Craft Room, 4044 Idaho St., 92104

Date and location changed due to Labor Day holiday

I. Parliamentary Items

A. Call to Order (6:07 pm)

NPPC Members: Hill, Stayner, Gebreselassie, Vidales (arrived late and left early)

Voting members of the public: Steppke, Bonn

B. Motion to adopt agenda: Bonn/Gebreselassie 5/0/0

C. Motion to Approve Minutes from August 6, 2018: Bonn/Steppke 4/0/1 (Gebreselassie absent)

D. Announcements: Bonn: Chris Chaffe Florida and Adams project. Owner is working with City Traffic Engineer on sidewalk bump-outs.

Hill: Thursday 6:45 University Heights Community Association Meets Alice Birney Elementary School Auditorium: Steven Russel guest speaker and topic is “All things housing”.

Vidales: Target on University was scheduled to open in November 2018, but now looking at opening in March 2019.

II. Non Agenda Public Comment (2 minutes each). None.

III. Items -

A. Map Waiver -1935 Polk Avenue - Action (6:13-6:35pm)

Map Waiver to create six residential condominiums on a single lot at 1935 Polk Avenue. The 0.18 acre site is located in the RM-3-7 zone in the Greater North Park Community Plan area.

Presenter: Jose Perez – Architect from ArkitDesigns.

Six units on Polk and Florida

Currently under final inspection.

Within 300 feet of nearest streetlight, so they don't have to put a new one in.

Utilities are undergrounded.

Discretionary permit needed for tentative map waiver.

Six units is the cutoff for tentative map waiver. Over six units would require a TM.

These will be condos and will be sold individually.

Not attached units.

Establish HOA requirements come later on the Condominium Map.

The subcommittee's responsibility here is to determine if ownership is acceptable or rental units are preferred.

Steppe: This project came in front of the committee years ago, and this final product does look better than what was initially shown. When it came in front of the committee the first time, it was presented as condominiums.

There is 12 feet of landscape on each unit along Polk.

Along Florida 20 feet of landscaping with 6 street trees.

Bonn: Consider covering it up the blank wall facing Florida with tall landscaping.

Vidales: Trees look like they are dying. Response: A sprinkler system is being installed.

Hill: What are the pipes that are currently exposed on the alley side? Response: Future gas meters, which will be protected by posts. SDGE chose the location.

Motion; Approve the Map Waiver for the 1935 Polk Ave. due to desirability of home ownership within the community for stability. The NPPC disagrees strongly with the practice of "Dual Tracking" which allows projects to initially be permitted as apartments and then be entitled as condominiums. This is a loss of opportunity for the input from the Community at a time when it could have made a difference. Vidales/Hill 4/2/0 (Gebreselassie and Bonn).

B. Discussion – 12th Land Development Code (LDC) Update - Action (6:35-8:02 pm)

Follow-up to August work. Review of proposed amendments to LDC relevant to North Park Presented by Hill: Proposed amendments to LDC and these are still 'in flux'. Must go through CMT. Reforming some regulations and clarifies language.

Item 14: Language is very unclear. Vidales followed-up with David Moty. Moty did not understand the language either.

Moty does not know when this LDC update will be coming to CPC.
Red comments are from CPC rep of CMT.

Item 65: Steppe spoke to Moty, who said that Item 65 is off the list of revisions.

Item 5: Steppe: not able to find out much online, brought it up to Moty: He doesn't have concern with this because this is addressing SD as a whole and most buildable areas within SD are much larger houses than what we have in our urban environment here. Our zoning is much denser, and he thinks our denser scale will supersede this FAR restriction. Steppe will continue to investigate.

Item 71: Randy Wilde followed up. This is consistent with prior update. If a small business expands building area or parking places, they become subject to the new more expensive landscape requirements. Although it seems consistent, it will reduce the number of street trees, and the threshold may be taken advantage of by larger businesses that can afford it.

Wilde: If there is a hardship, the City should be asked to provide financial support for the landscape requirements.

Steppe: Change the word exemption to reduction. Something should still be done to improve the street.

Incentivize street trees because it supports the Tree Planting Initiative that helps to meet

climate action plan goals.

Motion: The proposed revision would benefit from consideration of the following points.

- 1) Replace the term “exemption” with “reduction” in item 71.
- 2) There is concern that exempting small projects will impair street tree planting which is critical element of CAP. Stayner/Hill 5/0/0

Item 67: Hill: You need to get a minimum amount of trees for each project per the City. You get different points based on landscaping you choose. Currently the code applies to multi-family units with min of 1000 sf floor area. Multi-family development must have 50% of street yard area planted. What level of density does this kick-in at? How will it affect different kinds of development? Need more info on thresholds. Hill to follow-up again.

Item 39: Hill: Retail alcohol. Currently decisions to allow new alcohol retailers are based on requirements about crime rates and number of existing stores selling retail alcohol. Consideration of nearby residential areas factor into the decision. A store cannot have more than 10% of area dedicated to selling alcohol.

It seems Item 39 is addressing situations that are at a larger scale than what North Park typically sees.

Motion: We do not support lowering the 15,000 sf alcohol regulation exemption limit. Due to not knowing what the new limit will be, we do not know what the impact to North Park will be. Hill/Gebreselassie 5/0/0

Item 13: Concern with item: “Allow two story structures to encroach in setbacks.” Hill will research this one further for next meeting.

C. Discussion: NPPC & Tentative Map Approval Requests- Info

Standing agenda item: how can NPPC best address both its concerns about lack of community input in projects under construction and seeking a Tentative Map (Waiver), and also City feedback requesting a decision and explanation on the Tentative Map (Waiver) issue.

Will be addressed in a future meeting

IV. Information: None

V. Unfinished, New Business & Future Agenda Items: None

VI. Adjournment: (8:04 pm) Motion to Adjourn: Gebreselassie/Steppe 5/0/0

Next Urban Design-Project Review Subcommittee meeting date: Monday, October 1, 2018

For information about the Urban Design-Project Review Subcommittee please visit northparkplanning.org or contact the Chair, Peter Hill, at urbandesign@northparkplanning.org or (619) 846-2689.

*** Subcommittee Membership & Quorum:** When all 15 elected NPPC Board Member seats are filled, the maximum total of seated (voting) UD-PR Subcommittee members is 13 (up to 7 elected NPPC Board Members and up to 6 seated North Park community members). To constitute a quorum, a majority of the seated UD-PR Subcommittee members must be elected NPPC Board Members.

Community Voting Members: North Park residents and business owners may gain UD-PR Subcommittee voting rights by becoming a General Member of the NPPC and by attending three UD-PR Subcommittee meetings. Please sign-in on the meeting attendance list and notify the Chair or Vice-Chair if you are attending to gain Subcommittee voting rights.

North Park Planning Committee meetings are held on the second floor of the North Park Christian Fellowship (2901 North Park Way, 2nd Floor), on the third Tuesday of each month, at 6:30 pm. The next scheduled NPPC meeting is on September 18, 2018.

NPPC Agendas are posted in the North Park Main Street window at 3939 Iowa St #2.

For additional information about the North Park Planning Committee, please like our Facebook page and follow our Twitter feed:



[NorthParkPlanning](https://www.facebook.com/NorthParkPlanning)



[@NPPlanning](https://twitter.com/NPPlanning)



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

Ownership Disclosure Statement

**FORM
DS-318**

October 2017

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: POLK LOFTS **Project No. For City Use Only:** 609378
Project Address: 1935, 1945, 1955, 1965, 1975, 1985 POLK AVE

Specify Form of Ownership/Legal Status (please check):

☐ Corporation ☒ Limited Liability -or- ☐ General - What State? CA 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: POLKKA LLC ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: 1935 Polk Ave
 City: San Diego State: CA Zip: 92101
 Phone No.: 858-610-3251 Fax No.: _____ Email: 2014urban@design@gmail.com
 Signature: [Signature] Date: 05/31/18
 Additional pages Attached: ☒ Yes ☐ No

Applicant

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

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

1935 POLK STREET, SAN DIEGO, CA MAP WAIVER APPROVAL NO. _____

ADDITIONAL NOTES

15. PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS, THE OWNER /PERMITEE SHALL ASSURE BY PERMIT AND BOND, THE REPLACEMENT OF DAMAGED CURB, GUTTER, AND SIDEWALK (REPLACE FROM JOINT TO JOINT), PER CURRENT CITY STANDARDS, ADJACENT TO THE SITE FROM POLK AVE. SATISFACTORY TO THE CITY ENGINEER.
16. THE SUBDIVIDER SHALL ENSURE THAT ALL ONSITE UTILITIES SERVING THE DEVELOPMENT SHALL BE UNDERGROUNDED WITH THE APPROPRIATE PERMITS. (IF APPLICABLE)
17. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT THE OWNER /PERMITEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCP). THE WPCP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN THE CITY'S STORM WATER STANDARDS.
18. SITE IS UNDER CONSTRUCTION PTS#412000
19. THE SUBDIVIDER SHALL PREPARE CC&RS FOR THE OPERATION AND MAINTENANCE OF ALL PRIVATE SEWER FACILITIES THAT SERVE OR TRAVERSE MORE THAN A SINGLE CONDOMINIUM UNIT.

PROJECT ADDRESS

1935 POLK AVENUE
SAN DIEGO, CA 92104

OWNERS/DEVELOPER

MAZAL PROPERTIES, LLC
7844 HERSCHEL AVENUE
LA JOLLA, CA 92038
619.370.7133
CONTACT: EDUARDO POSADA

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____

DATE: _____

ENGINEER

FLOREZ ENGINEERING, INC.
9517 GROSSMONT
SUMMIT DR.
LA MESA, CA 91941
619.679.2582
CONTACT: FRANK FLOREZ

SURVEYOR/MAPPER

ALTA SURVEYING, INC.
9517 GROSSMONT
SUMMIT DR.
LA MESA, CA 91941
619.679.2582

GRADING TABULATIONS:

TOTAL AMOUNT OF SITE TO BE GRADED:
SITE AREA: 0.17 ACRES, X OF TOTAL SITE: 100

AMOUNT OF CUT: 250 CUBIC YARDS

MAXIMUM DEPTH OF CUT: 3.5 FEET

AMOUNT OF FILL: 250 CUBIC YARDS

MAXIMUM DEPTH OF FILL: 3.5 FEET

AMOUNT OF IMPORT/EXPORT OF SOIL:
0 CUBIC YARDS

445-552-30-00

LEGAL DESCRIPTION

PARCEL 1 OF PARCEL MAP NO. 20343, 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 SEPTEMBER 12, 2007 AS INSTRUMENT NUMBER 2007-0601799 OF OFFICIAL RECORDS

BENCHMARK

CITY OF SAN DIEGO BENCHMARK BEING A BRASS PLUG ON TOP OF CURB AT THE SE CORNER OF FLORIDA STREET AND POLK AVENUE
ELEVATION = 281.90
DATUM NGVD29 (MSL).

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS PROJECT IS THE SOUTHERLY LINE OF PARCEL 1 AS SHOWN ON PARCEL MAP NO. 20343 IN THE STATE OF CALIFORNIA, COUNTY OF SAN DIEGO, CITY OF SAN DIEGO, IE: N 89°45'51" W

MONUMENTATION NOTE:

SHOW ALL EXISTING PROPERTY CORNERS. IF ANY MONUMENT REPRESENTING PROPERTY CORNERS ARE MISSING THEY WILL NEED TO BE SET AND A FILED CORNER RECORD PROVIDED PRIOR TO ISSUANCE OF A CERTIFICATE OF COMPLIANCE.

CONDOMINIUM NOTE:

THIS SUBDIVISION IS A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4125 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. THE TOTAL NUMBER OF CONDOMINIUM DWELLING UNITS IS 6.

GENERAL NOTES

1. OCCUPANCY: R-3
ZONE: RM-3-7
2. TOTAL LOT AREA: 0.18 ACRES
EXISTING USE: VACANT LAND
3. TOTAL NUMBER OF EXISTING LOTS = 1
TOTAL NUMBER OF PROPOSED LOTS = 1
LOT SUMMARY:

LOT NO.	USE	UNITS	PARKING
1	CONDOMINIUMS	6	12
5. NO EXISTING OR PROPOSED BUS STOPS ON SITE
6. NO EXISTING OR PROPOSED EASEMENTS ON SITE
7. THE MAXIMUM HEIGHT FOR THE PROPOSED PROJECT SHALL COMPLY WITH THE SAN DIEGO MUNICIPAL CODE, SECTIONS 1612.0303 IN THAT THE HIGHEST POINT ON THE ROOF, EQUIPMENT, PIPE, VENT, ANTENNA OR OTHER PROJECTION SHALL NOT EXCEED 50 FEET ABOVE GRADE.
8. UTILITIES:
WATER: CITY OF SAN DIEGO
SEWER: CITY OF SAN DIEGO
GAS & ELECTRIC: S.D.G.&E.
FIRE AND POLICE PROTECTION: CITY OF SAN DIEGO
CABLE T.V.: COX COMMUNICATIONS
SCHOOLS: SAN DIEGO UNIFIED SCHOOL DISTRICT
9. DRAINAGE:
A. RUNOFF FROM THE ROOF AND ALL IMPERVIOUS SURFACES WILL BE COLLECTED AND DIRECTED INTO PERVIOUS AREAS ON THE SITE (LANDSCAPED AREAS) FOR FILTRATION AND/OR PERCOLATION PRIOR TO BEING CONVEYED OFF-SITE IN A NON EROSION MANNER.
REQUIRED SETBACKS:

FRONT:	10'	PROVIDED SETBACKS:	FRONT:	10'
SIDE EAST:	6'	SIDE EAST:	6'	
SIDE WEST:	6'	SIDE WEST:	6'	
REAR:	1' (IF ALLEY)	REAR:	1' (IF ALLEY)	

Street Light key Map

Not to Scale

20. EMRA IS REQUIRED FOR STEPS AND PLANTERS IN POLK AVE ROW
20. EMRA FOR RETAINING WALLS IN FLORIDA STREET No. _____

UTILITIES STATUS	
ELECTRICAL	UNDERGROUND
GAS	UNDERGROUND
WATER	UNDERGROUND
CABLE	UNDERGROUND

Revision 1: 8-28-18

Revision 2: _____

Florez Engineering, Inc.
10732 Charbono Terrace
San Diego CA, 92131
(858) 229-2493

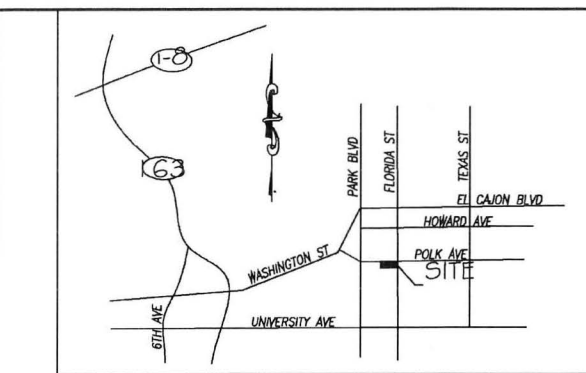
ADDRESS: 1935 POLK STREET, SAN DIEGO, CA

SCALE: 1"=10' APPROVED BY: _____ DRAWN BY: JOSE PEREZ
DATE: 8-7-18 REVISED BY: JOSE PEREZ

CALIFORNIA COORDINATE INDEX:

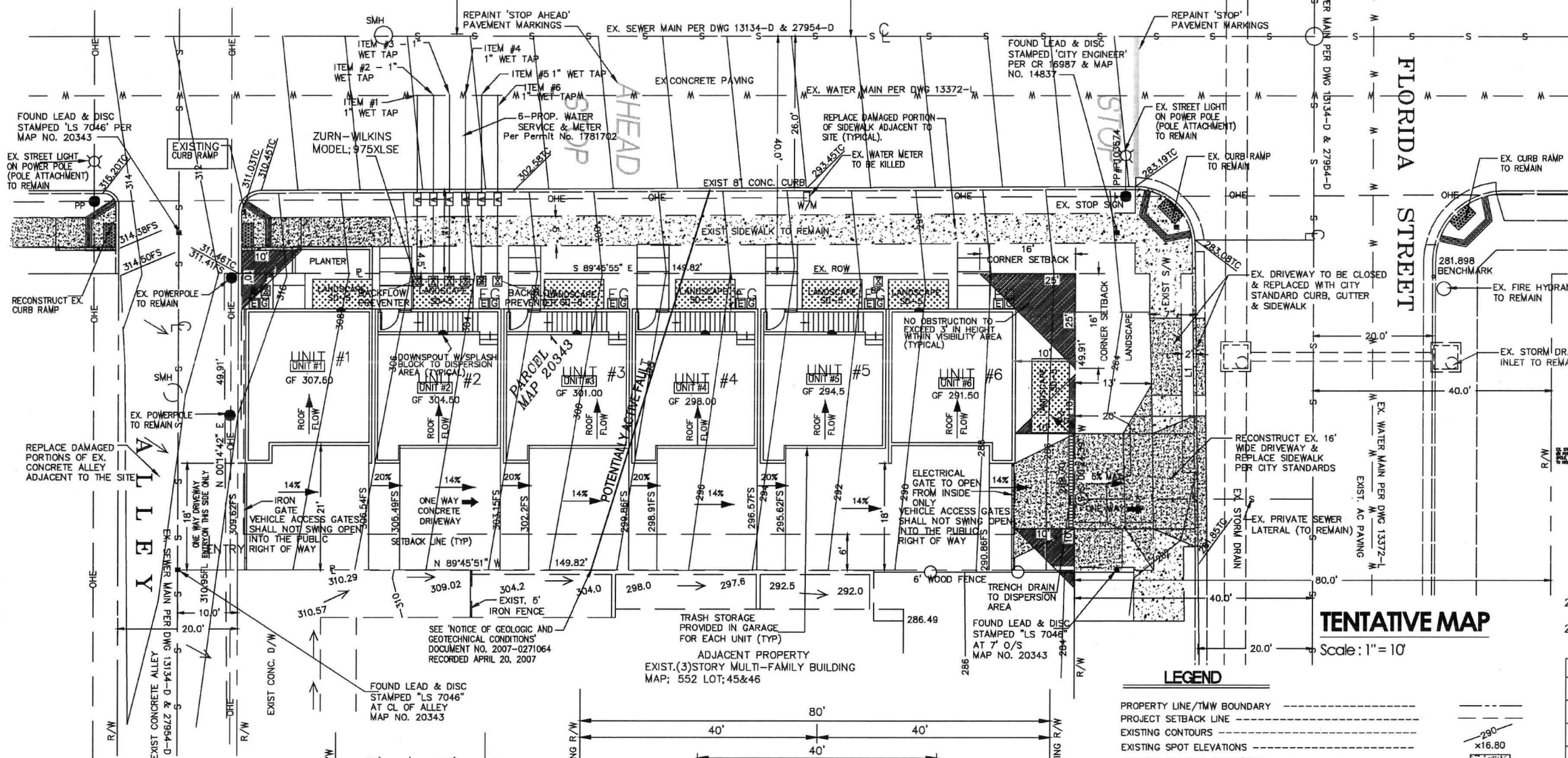
DRAWING TITLE: TENTATIVE MAP WAIVER DRAWING NUMBER: T-1 SHEET 1 OF 1

PTS 609378 T.P.M 2154423 W.O. 24007892 L.C. 214-1725 CCS 1854-6285



VICINITY MAP

N.T.S.



TYPICAL ALLEY SECTION

NOT TO SCALE

TYPICAL STREET SECTION - FLORIDA STREET

NOT TO SCALE

TYPICAL STREET SECTION - POLK AVENUE

NOT TO SCALE



ENGINEER OF WORK

Florez Engineering, Inc.
Civil Engineering & Planning

FRANK FLOREZ R.C.E. 55555 DATE
EXPIRES ON 12/31/18