



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: October 13, 2021 REPORT NO. HO-21-047

HEARING DATE: October 20, 2021

SUBJECT: BROADWAY AT 41ST MAP WAIVER, PROCESS THREE

PROJECT NUMBER: [623730](#)

OWNER/APPLICANT: David Andrews/Alidade Engineering

SUMMARY

Issue: Should the Hearing Officer approve the conversion of two existing dwelling units into condominiums and a waiver to the requirement to underground existing overhead utilities, located at 4119-4123 Broadway in the Southeastern San Diego Community Planning Area?

Staff Recommendation: Approve Tentative Map Waiver No. 2233993 and a waiver of the requirement to underground existing overhead utilities.

Community Planning Group Recommendation: On November 9, 2020, the Southeastern San Diego Planning Group approved the project 8-0, with one abstention, and no conditions (Attachment 7).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301, Existing Facilities, and 15304, Minor Alterations to Land. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on June 9, 2021, and the opportunity to appeal that determination ended June 23, 2021.

BACKGROUND

The 0.122-acre site is located at [4119-4123 Broadway](#) (Attachment 1), in the [RS-1-7 zone](#) and the [Southeastern San Diego Community Plan](#), which designates the property Residential – Low (5-9 units/acre, Attachment 2). The site is currently developed with two residential units. Adjacent properties to the north, east, south, and west are located within the same zone and land use designation and are developed with similar uses.

The two residential units onsite were constructed in 1942 and 1955 and a review of the existing site was conducted by City staff to determine if potential significant historic resources exist on the site in accordance to San Diego Municipal Code (SDMC) section [143.0212](#). Based on the documentation provided, staff determined the property does not meet local designation criteria as an individually significant historic resource under any adopted Historic Resources Board criteria.

DISCUSSION

The proposed project proposes a waiver of the requirement to file a tentative map for the creation of two new residential condominiums per [SDMC 125.0120\(b\)\(2\)\(A\)](#), and a request to waive the requirement to underground existing overhead utilities pursuant to [SDMC section 144.0242](#). Pursuant to [SDMC section 125.0122](#), the project requires a Process Three Hearing Officer decision, which is appealable to the Planning Commission.

A map waiver is allowed under the San Diego Municipal Code as the project ...

The project complies with all applicable sections of the Municipal Code, including the condominium conversion regulations in Chapter 14, Article 4, Division 5 which outline requirements for tenant notice, landscaping and building conditions. No deviations are requested with this Map Waiver. The project also includes a request to waive the requirement to underground existing utilities which is appropriate pursuant to [SDMC 144.0242\(c\)\(1\)\(B\)](#) because 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.

According to [SDMC 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 this is the case.

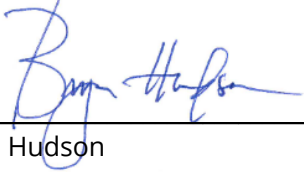
CONCLUSION

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 the regulations of the Land Development Code. 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. 2233993 with modifications.
2. Deny Tentative Map Waiver No. 2233993, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Bryan Hudson
Development Project Manager

Attachments:

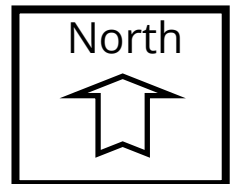
1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location
4. Draft Map Resolution with Findings and Conditions
5. Tentative Map Waiver Exhibit
6. Environmental Exemption
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement



Aerial Photo

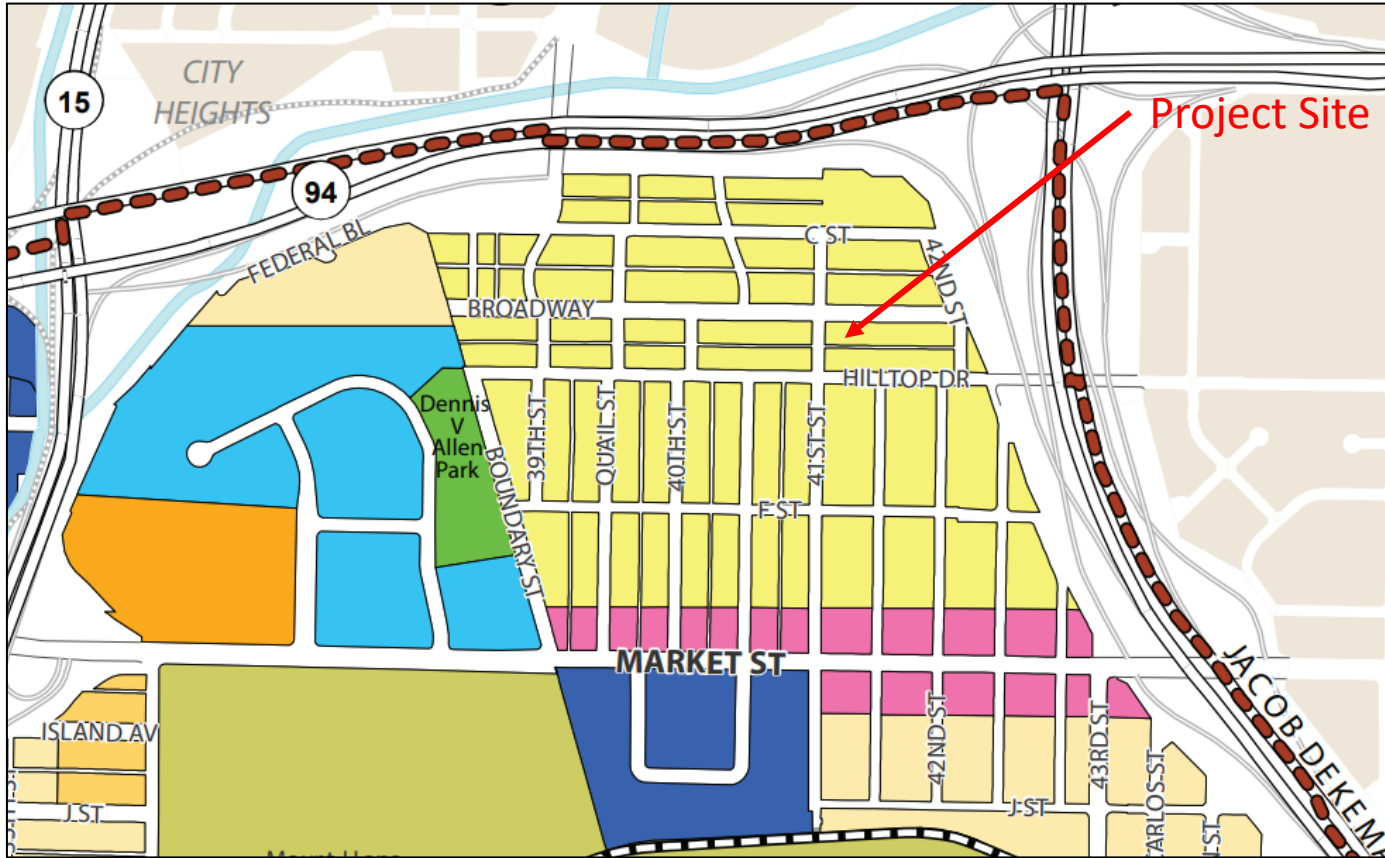


**Project No. 623730, Broadway at 41st Map Waiver
4119-4123 Broadway**



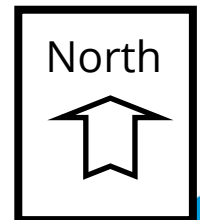


Community Plan



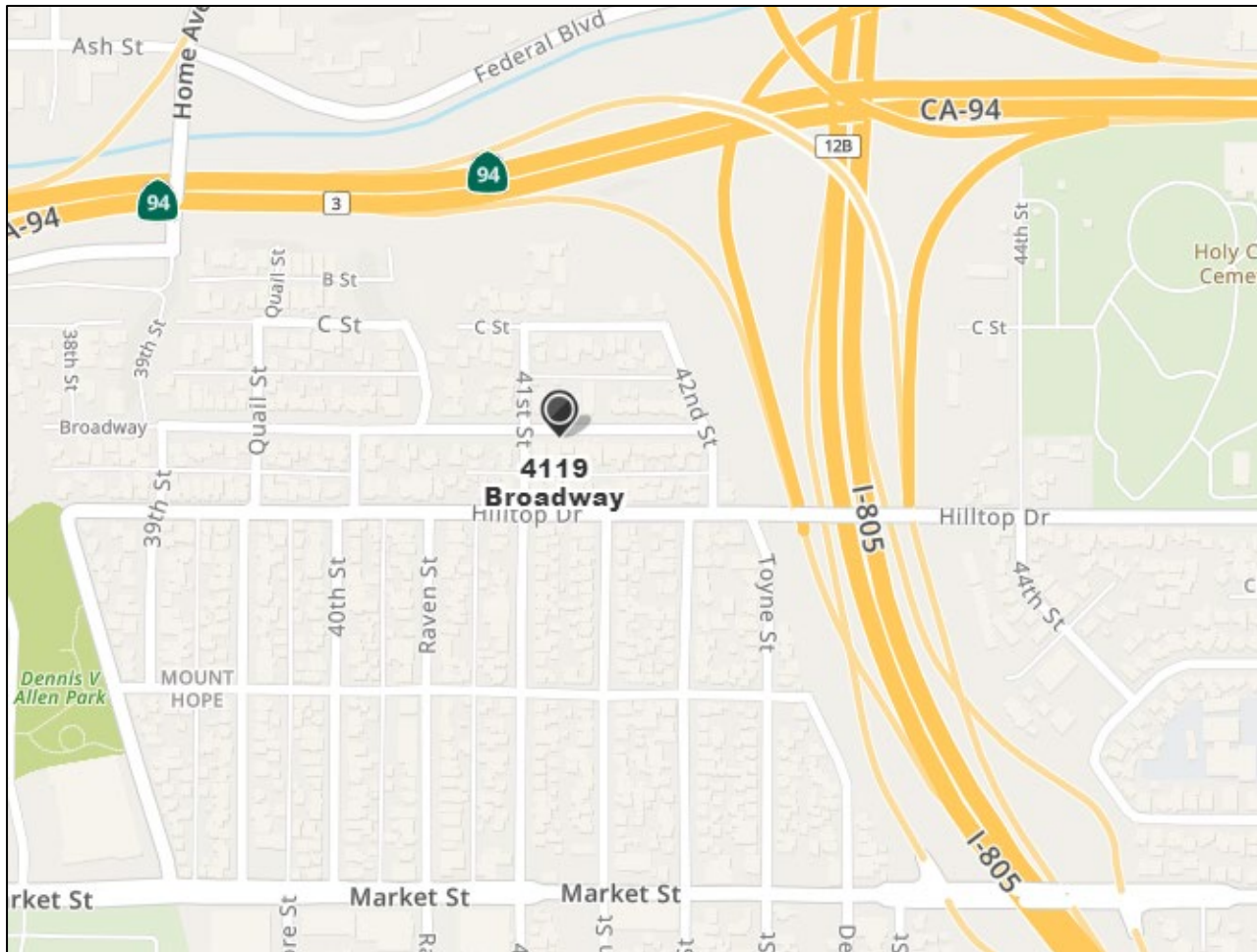
- Residential - Low (5-9 du/ac)
- Residential - Low Medium (10-14 du/ac)
- Residential - Medium (15-29 du/ac)
- Residential - Medium High (30-44 du/ac)

Project No. 623730, Broadway at 41st Map Waiver
4119-4123 Broadway

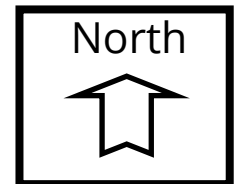




Project Location Map



**Project No. 623730, Broadway at 41st Map Waiver
4119-4123 Broadway**



HEARING OFFICER RESOLUTION NUMBER HO-_____
TENTATIVE MAP WAIVER 2233993
BROADWAY AT 41st MAP WAIVER – PROJECT NO 623730

WHEREAS, David Andrews, Subdivider, and Alidade Engineering, Engineer, submitted an application to the City of San Diego for Map Waiver 2233993 to waive the requirement for a Tentative Map to create two residential condominium units, and to waive the requirement to underground existing offsite overhead utilities. The 0.122-acre site is located at 4119-4123 Broadway (Attachment 1), in the RS-1-7 zone and the Southeastern San Diego Community Plan. The property is legally described as: Lots 5 and 6 in Block 2 of Buena Vista Tract, being a subdivision of the Southwest quarter of Horton’s Purchase in Ex-Mission Rancho, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 515, filed in the Office of the County Recorder of San Diego March 22, 1899; and

WHEREAS, the map proposes the subdivision of a 0.122-acre site into one (1) lot for a 2-unit residential condominium development; and

WHEREAS, on June 9, 2021, 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 Sections 15301, Existing Facilities, and 15304, Minor Alterations to Land, 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, a preliminary soils and geological reconnaissance report are waived by the City Engineer pursuant to Subdivision Map Act section 66491(a) and San Diego Municipal Code sections 144.0220(a) and 144.0220(b); and

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 4125 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is two; and

WHEREAS, on October 20, 2021, the Hearing Officer of the City of San Diego considered Map Waiver No. 2233993 including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to sections 125.0122, 125.0444, 144.0240, and 125.0440 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 Tentative Map Waiver No. 2233993:

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

The 0.122-acre site is located at 4119-4123 Broadway, in the RS-1-7 zone and the Southeastern San Diego Community Plan, which designates the property Residential – Low (5-9 units/acre)

By creating homeownership opportunities from rental housing, the project is consistent with Southeastern San Diego Community Plan goals and policies, including, but not limited to, P-LU-11: Achieve a diverse mix of housing types and forms, consistent with allowable densities and urban design policies; P-LU-12: Balance new development with the rehabilitation of high-quality older residential development; and P-LU-14: Support rental and ownership opportunities in all types of housing, including alternative housing such as companion units, live/work studios, shopkeeper units, small-lot housing typologies, and for-sale townhomes.

Therefore, the proposed subdivision and its design or improvement 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 is a subdivision of two residential units only and does not facilitate any additional development. The residential units were previously approved in compliance with all applicable development regulations.

Future purchasers of the units will be required to observe the zoning requirements in effect at the time of development. The request to waive the requirement to underground existing utilities is appropriate pursuant to San Diego Municipal Code (SDMC) 144.0242(c)(1)(B) because 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. 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 is a subdivision only and does not facilitate any additional development. The infill project site is located in a developed area. The project would continue to front on and take access from existing public rights of way. No additional development is proposed with this map waiver. Future operations at the site would be required to comply with Land Development Code Regulations and construction permit requirements. The site is in a developed, urban neighborhood with no watercourses, Environmentally Sensitive Lands (ESL) or Multi-Habitat Planning Area (MHPA) lands located on or adjacent to the site. Therefore, the subdivision to create two condominium units 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 project is a subdivision only and does not facilitate any additional development. There are no watercourses, Environmentally Sensitive Lands (ESL) or Multi-Habitat Planning Area (MHPA) lands located on or adjacent to the site, which is surrounded by existing development. The project was determined to be exempt from CEQA pursuant to State CEQA Guidelines Sections 15301, Existing Facilities, and 15304, Minor Alterations to Land. 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.

This project is in a developed, urban neighborhood and does not propose or facilitate any additional development. The Tentative Map Waiver includes conditions and corresponding exhibits of approval, including installation of public improvements, and payment of applicable taxes to achieve compliance with the regulations of the San Diego Municipal Code.

The developed project site is served by existing utilities and access to the site is provided via an existing alley. The frontage is developed with existing curb, gutter, and sidewalk that would remain. Future development would be required to comply with Land Development Code Regulations and Building Permit requirements.

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 site will continue to be accessed from the existing public street which is developed with existing curb, gutter, and sidewalk and shall close the existing driveway with current city standard sidewalk, curb and gutter, adjacent to the site on Broadway. Future development would be required to comply with Land Development Code Regulations and Building Permit requirements and there are no existing access easements through the property. Therefore, the design of the subdivision and proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

The proposed condominium subdivision will not impede or inhibit any future passive or natural heating and cooling opportunities. The project proposes no additional development, and future development would be required to comply with Land Development Code Regulations and Building Permit requirements, which includes setback and height limitations to ensure adequate natural light and air movement between the future structures. 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 subdivision does not propose additional development; therefore, it is not anticipated to have employment or housing impacts beyond those which have already occurred. Future development on the property would be subject to the underlying zone regulations at the time of the application. The site is served by existing public infrastructure, including developed rights-of-way and utility lines. Impacts to environmental resources would be avoided because the site is in a developed, urban neighborhood and does not contain nor is adjacent to such resources. Therefore, there would be no additional demand for public services or available fiscal and environmental resources associated with the creation of two new condominium units.

9. The notices required by San Diego Municipal Code section 125.0431 have been given in the manner required.

All public notice has been given in accordance with SDMC 125.0431, and all future notices required to be given will be given by the applicant in the manner outlined in SDMC 125.0431.

10. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low-income housing.

The proposed project is privately funded and was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low-income housing.

11. For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed.

The proposed project is privately funded and was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low-income housing. As such, this finding is inapplicable to this project.

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, Map Waiver No. 2233993 is hereby granted to David Andrews, 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: Map Waiver Conditions

Internal Order No. 11004543

HEARING OFFICER
CONDITIONS FOR TENTATIVE MAP WAIVER NO. 2233993
BROADWAY AT 41ST MAP WAIVER - PROJECT NO. 623730
ADOPTED BY RESOLUTION NO. HO-_____ ON OCTOBER 20, 2021

GENERAL

1. This Tentative Map Waiver will expire on October 20, 2024.
2. 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

3. The Subdivider shall ensure that all 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.
4. The Subdivider shall dedicate and improve an additional 2.5 feet of the adjacent alley.
5. The Subdivider shall remove the existing fence and curb from the adjacent alley's right of way.
6. 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.
7. The Subdivider shall close the existing driveway with current city standard sidewalk, curb and gutter, adjacent to the site on Broadway.
8. The Subdivider shall reconstruct and locate the existing mailbox, adjacent to the site on Broadway, to current USPS Standards with local postmaster approval.
9. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement for the mailbox and private walkway in the Broadway public right of way.

10. Per the City of San Diego Street Design Manual-Street Light Standards, and Council Policy 200-18, the Subdivider shall install a new street light adjacent to the site on Broadway.
11. 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.
12. 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.
13. The Subdivider shall provide a Notice of Tenants Rights and Notices for Condominium Conversion, consistent with the Land Development Manual to be provided as follows:
 - a. For existing tenants, within 10 days of the project application for the condominium conversion being deemed complete; or
 - b. For prospective tenants, upon application for the rental of a unit in the proposed condominium conversion.
14. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the Subdivision Map Act.
15. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion in conformance with Subdivision Map Act section 66427.1(a)(2)(E). The provisions of this condition shall neither alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Civil Code sections 1941, 1941.1 and 1941.2.
16. The Subdivider shall provide the tenants of the proposed condominiums with written notification within 10 days after approval of a Parcel Map for the proposed conversion, in conformance with Subdivision Map Act section 66427.1(a)(2)(D).
17. The Subdivider shall give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (San Diego Municipal Code § 125.0431(a)(4)).
18. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Subdivision Map Act section 66427.1(a)(2)(F) and San Diego Municipal Code section 125.0431(a)(5). The right shall

commence on the date the subdivision public report is issued, as provided in section 11018.2 of the Business and Professions Code, and shall run for a period of not less than 90 days, unless the tenant gives prior written notice of his or her intention not to exercise the right. (San Diego Municipal Code § 125.0431(a)(5)).

19. The Subdivider shall provide a copy of the Building Conditions Report to a prospective purchaser prior to the opening of an escrow account. (San Diego Municipal Code § 144.0504(c)).

MAPPING

20. A Parcel Map to consolidate and subdivide the 0.122-acre site into two (2) residential condominium units shall be recorded with the County Recorder prior to the expiration of the Tentative Map Waiver (TMW).
21. Prior to the recordation of the Parcel Map, all conditions in the Tentative Map Waiver (TMW) Resolution of Approval must be satisfied.
22. Prior to the recordation of the Parcel Map, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition.

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

23. The Parcel Map shall be based on field survey and all lot corners must be marked with durable survey monuments pursuant to Section 144.0311(d) of the City of San Diego Land Development Codes and Subdivision Map Act Section 66495.

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.

24. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.
25. The Parcel Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearings" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true meridian (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 shall be shown on the map.

AFFORDABLE HOUSING

26. Owner/Permittee shall comply with the provisions of Chapter 14, Article 2, Division 13 of the San Diego Municipal Code ("Inclusionary Affordable Housing Regulations") by paying the Condominium Conversion Inclusionary Affordable Housing Fee in one of the following manners:
 - a. Deferring payment of the Condominium Conversion Inclusionary Affordable Housing Fee until the close of escrow of the first condominium sold at the development by entering into a written agreement with the San Diego Housing Commission securing payment of the Condominium Conversion Inclusionary Affordable Housing Fee, which shall be recorded against the development and secured by a recorded deed of trust in favor of the San Diego Housing Commission, in which case the fee shall be calculated using the rate in effect at the close of escrow of the first condominium unit sold at the development; or
 - b. Pre-paying the Condominium Conversion Inclusionary Affordable Housing Fee to the City based upon the aggregate square footage of all residential units in the project, in which case the fee shall be calculated using the rate in effect on the date of pre-payment.

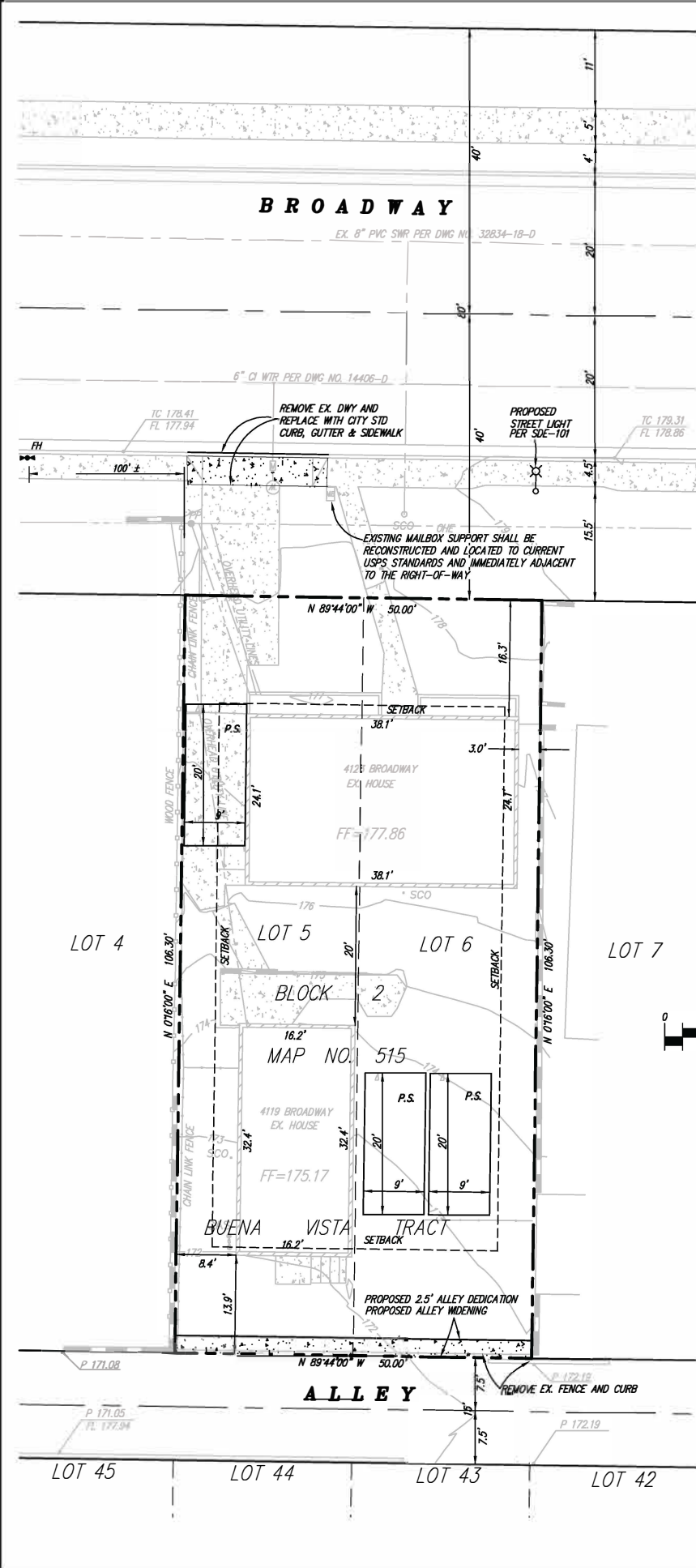
INFORMATION:

- 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 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 Waiver will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

ATTACHMENT 4

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map Waiver, may protest the imposition within ninety days of the approval of this Tentative Map Waiver by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of 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. 11004543



DEVELOPMENT SUMMARY

SUMMARY OF REQUEST
 PROCESS A TENTATIVE MAP WAIVER FOR 2 RESIDENTIAL UNITS WITH ASSOCIATED SUPPORT FACILITIES.
 THIS IS A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4125 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA.

PROJECT TEAM
 CIVIL ENGINEER: ALDADE ENGINEERING, INC.
 41743 ENTERPRISE CIRCLE NORTH, SUITE 209
 TEMECULA, CA 92590
 (951) 587-2020
 BRENT C. MOORE, PE CS9121

LEGAL DESCRIPTION
 LOTS 5 AND 6 IN BLOCK 2 OF BUENA VISTA TRACT BEING A SUBDIVISION OF THE SOUTHWEST QUARTER OF LOT 25 OF HORTON'S PURCHASE IN EX-MISSON RANCHO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 515, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO MARCH 22, 1889. IN

ASSESSOR'S PARCEL NUMBER
 541-402-03

OWNER - APN 541-402-03
 DAVID NORMAN ANDREWS
 2805 PALMADO CIRCLE
 LA JOLLA, CA 92037

SHEET INDEX: SHEET 1 OF 1

TYPE OF CONSTRUCTION: TYPE V

OCCUPANCY CLASSIFICATION: RESIDENTIAL GROUP- R-3

EXISTING AND PROPOSED ZONE DESIGNATION
 RS-1-7 RESIDENTIAL ZONE

GROSS/NET SITE AREA: 0.122 AC 5,310 S.F.

EXISTING USE: RESIDENTIAL **PROPOSED USE:** RESIDENTIAL

YEAR CONSTRUCTED:
 4119 BROADWAY - 1942
 4123 BROADWAY - 1955

GEOLOGIC HAZARD CATEGORY: 52

LANDSCAPE AREAS:
 PARCEL 1: 0.073 AC 3,165 S.F.

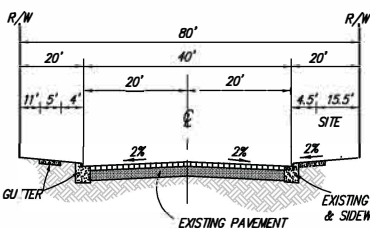
COVERAGE DATA PARCEL 1

4119 Broadway Area 2 Bedroom	600	Sq. Ft.
4123 Broadway Area 3 Bedroom	912	Sq. Ft.
Total Building Area (ground floor):	0.033	Ac. 1,512 Sq. Ft.
Total Landscape/Open Space Area:	0.073	Ac. 3,165 Sq. Ft.
Total Hardscape/Paved Area:	0.016	Ac. 702 Sq. Ft.
Floor Area Ratio (FAR)	0.28:1	
Gross Floor Area (GFA)	1,512	Sq. Ft.

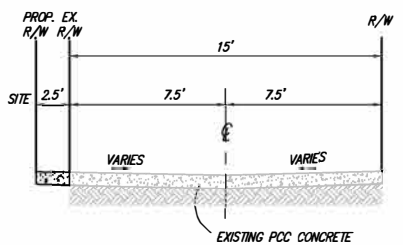
YARD/SETBACK

Front Yard:	Required 15 Ft.	Proposed 16.3 Ft.
Street Side Yard:	Required 5 Ft.	Proposed N/A Ft.
Interior Yard(s):	Required 4 Ft.	Proposed 3 Ft.
Rear Yard:	Required 13 Ft.	Proposed 13.9 Ft.

NOTE: THIS IS A MAP OF 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 RESIDENTIAL CONDOMINIUM UNITS IS 2.



BROADWAY DRIVE SECTION
 NOT TO SCALE



ALLEY SECTION
 NOT TO SCALE

NAD83C COORDINATES

1840-6295

LAMBERT COORDINATES

200-1735

BENCHMARK

LOCATION: BRASS PLUG ON SOUTHWEST CORNER OF HILLTOP DRIVE AND 41ST STREET.

ELEV= 157.752 DATUM: M.S.L.

GRADING DATA:

TOTAL AMOUNT OF SITE TO BE GRADED: 0.0 ACRES. NO GRADING ANTICIPATED.
 PERCENT OF TOTAL SITE GRADED: 0%
 AMOUNT OF SITE WITH 25 PERCENT NATURAL SLOPES OR GREATER: 0 ACRES.
 PERCENT OF TOTAL SITE WITH 25 PERCENT NATURAL SLOPES OR GREATER: 0 %
 AMOUNT OF SITE WITHIN HILLSIDE REVIEW: 0.0 ACRES.
 PERCENT OF SITE WITHIN HILLSIDE REVIEW: 0.0%
 AMOUNT OF CUT: 0 CUBIC YARDS.
 AMOUNT OF FILL: 0 CUBIC YARDS.
 MAXIMUM HEIGHT OF FILL SLOPE(S): 0 FEET 2:1 SLOPE RATIO.
 MAXIMUM HEIGHT OF CUT SLOPE(S): 0 FEET 2:1 SLOPE RATIO.
 AMOUNT OF EXPORT SOIL: 0 CUBIC YARDS.
 RETAINING/CRIB WALLS: HOW MANY: 0
 MAXIMUM LENGTH: 0 FEET
 MAXIMUM HEIGHT: 0 FEET

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS MAP IS THE CENTERLINE OF HILLTOP DRIVE, MAP NO. 1619, I.E. N89°44'00"W.

NO GRADING IS BEING PROPOSED

TOPOGRAPHY

EXISTING TOPOGRAPHY PER FIELD SURVEY PERFORMED BY ACCULINE SURVEYING IN MARCH 2018

REFERENCE DRAWINGS

MAP 515, 14406-D & 32834-18-D

STREET LIGHT NOTE

1. THERE ARE NO EXISTING STREET LIGHTS ON BROADWAY.

NOTE

EXISTING FEATURES TO REMAIN THE SAME FOR PROPOSED 2 UNIT CONDOMINIUM PROJECT.

WAIVER REQUEST

THIS TENTATIVE MAP TO BE WAIVED BY THIS EXHIBIT.

NOTE:

1. THERE ARE NO TRANSIT STOPS ADJACENT OR NEAR THIS PROJECT.
2. THE SUBDIVIDER SHALL ENSURE THAT ALL ONSITE UTILITIES SERVING THE SUBDIVISION SHALL BE UNDERGROUND WITH THE APPROPRIATE PERMITS.
3. THE SUBDIVIDER SHALL OBTAIN A PLUMBING PERMIT FOR THE INSTALLATION OF APPROPRIATE PRIVATE BACKFLOW PREVENTION DEVICE(S), ON EACH WATER SERVICE (DOMESTIC, FIRE AND IRRIGATION), IN A MANNER SATISFACTORY TO THE PUBLIC UTILITIES DIRECTOR AND THE CITY ENGINEER. GPO'S SHALL BE LOCATED ABOVE GROUND ON PRIVATE PROPERTY, IN LINE WITH THE SERVICE AND IMMEDIATELY ADJACENT TO THE RIGHT-OF-WAY.
4. THE PROVIDER SHALL PROVIDE COAR'S FOR THE OPERATION AND MAINTENANCE OF ALL PRIVATE WATER AND SEWER FACILITIES THAT SERVE OR TRAVERSE MORE THAN A SINGLE CONDOMINIUM UNIT OR LOT.

EASEMENT NOTE:

THERE ARE NO EASEMENTS ON THIS PROPERTY.

DRY UTILITIES

UTILITY COMPANY	UTILITY	STATUS
SAN DIEGO GAS AND ELECTRIC	ELECTRIC	OVERHEAD
SAN DIEGO GAS AND ELECTRIC	GAS	UNDERGROUND
SBC	TELEPHONE	OVERHEAD
TIME WARNER	CABLE	OVERHEAD

MAPPING NOTE:

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.



28936 OLD TOWN FRONT STREET, # 205
 Temecula, CA 92590
 Phone: (951) 587-2020
 Fax: (951) 587-2626



BRENT C. MOORE R.C.E. 59121
 MY REGISTRATION EXPIRES 6-30-19

DATE

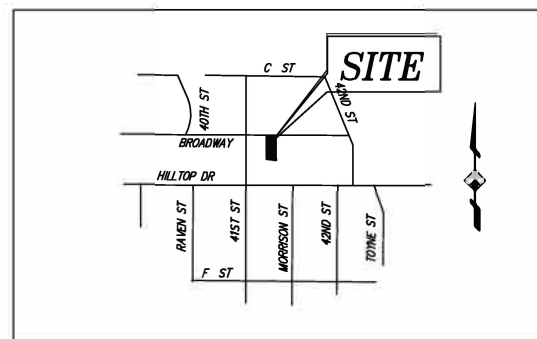
LEGEND

EXISTING IMPROVEMENTS

- PROPERTY LINE/TMW BOUNDARY
- EXISTING BUILDING
- EXISTING CURB AND GUTTER
- EXISTING CONCRETE
- EXISTING FINISH FLOOR
- EXISTING POWER POLE
- EXISTING DRIVEWAY
- EXISTING CONTOURS
- EXISTING SPOT ELEVATION
- EXISTING STAIRS
- EXISTING WATER METER
- EXISTING SEWER CLEANOUT
- EXISTING MAIL BOX
- EXISTING OVERHEAD UTILITIES
- EXISTING WATER LINE
- EXISTING SEWER LINE
- EXISTING RETAINING WALL
- EXISTING WOOD FENCE
- EXISTING CHAIN LINK FENCE
- SETBACK LINE
- PROPOSED ALLEY WIDENING
- PROPOSED PARKING SPACE



P.S.



VICINITY MAP
 NOT TO SCALE

PREPARED BY: ALDADE ENGINEERING, INC.

NAME: ALDADE ENGINEERING, INC. ADDRESS: 28936 OLD TOWN FRONT STREET, # 205 TEMECULA, CA 92590 PHONE #: (951) 587-2020 FAX: (951) 587-2626

PROJECT ADDRESS: 4119 AND 4123 BROADWAY DRIVE SAN DIEGO, CA 92102

PROJECT NAME: BROADWAY TENTATIVE MAP WAIVER

SHEET TITLE: TENTATIVE MAP WAIVER NO. 2233993 PROJECT NO. 623730

REVISION 12:	
REVISION 11:	
REVISION 10:	
REVISION 9:	
REVISION 8:	
REVISION 7:	
REVISION 6:	
REVISION 5:	
REVISION 4:	
REVISION 3:	
REVISION 2:	
REVISION 1:	01/07/2020

ORIGINAL DATE: 02/20/2019

SHEET 1 OF 1

DEP#

NOTICE OF EXEMPTION

(Check one or both)

TO: Recorder/County Clerk
 P.O. Box 1750, MS A-33
 1600 Pacific Hwy, Room 260
 San Diego, CA 92101-2400

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 Name/Number: Broadway at 41st Street MW / 623730

SCH No.: Not Applicable

Project Location-Specific: 4119 and 4123 Broadway, San Diego, California 92102

Project Location-City/County: San Diego/San Diego

Description of nature and purpose of the Project: A request for a TENTATIVE MAP WAIVER for the conversion of two existing single-family dwelling units into two condominium units. No development is proposed with this project. The project site is located at 4119 and 4123 Broadway. The 0.07-acre project site is designated Residential and zoned RS-1-7 within the Southeastern Community Plan area. Additionally, the project site is within the Airport Land Use Compatibility Plan Noise Contours Community Noise Equivalent Level (CNEL)- San Diego International Airport, Airport Influence Area (San Diego International Airport- Review Area 1). (LEGAL DESCRIPTION: Lots 4 and 5 in Block 2 of Buena Vista Tract Being a Subdivision of the Southwest Quarter of Lot 25 of Horton's Purchase in Ex-Rancho According to Map thereof No. 515.)

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: David Andrews, 2805 Palomino Circle, San Diego, California 92037, (619)518-8598

Exempt Status: (CHECK ONE)

- Ministerial (Sec. 21080(b)(1); 15268)
 Declared Emergency (Sec. 21080(b)(3); 15269(a))
 Emergency Project (Sec. 21080(b) (4); 15269 (b)(c))
 Categorical Exemption: Section 15301 (Existing Facilities) and 15304 (Minor Alterations to Land)
 Statutory Exemptions:
 Other:

Reasons why project is exempt: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to CEQA Section 15301 (Existing Facilities) which allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Additionally, the project would qualify to be categorically exempt from CEQA pursuant to CEQA Section 15304 (Minor Alterations to Land) which allows for minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environment were identified; the project is not adjacent to a scenic highway; nor is the project identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

ATTACHMENT 6

Lead Agency Contact Person: M. Dresser

Telephone: (619) 446-5404

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



Senior Planner

June 24, 2021


Signature/Title

Date

Check One:

- Signed By Lead Agency
- Signed by Applicant

Date Received for Filing with County Clerk or OPR:

Page 3		City of San Diego · Information Bulletin 620		May 2020	
		City of San Diego Development Services		Community Planning Committee Distribution Form	
Project Name: 4119 and 4123 Broadway in the RS- 1-7 Zone,			Project Number: 623730		
Community: Southeastern San Diego					
<p>For project scope and contact information (project manager and applicant), log into OpenDSD at https://aca.accela.com/SANDIEGO.</p> <p>Select "Search for Project Status" and input the Project Number to access project information.</p>					
<input checked="" type="radio"/> Vote to Approve <input type="checkbox"/> Vote to Approve with Conditions Listed Below <input type="checkbox"/> Vote to Approve with Non-Binding Recommendations Listed Below <input type="checkbox"/> Vote to Deny					
# of Members Yes 8		# of Members No 0		# of Members Abstain 1	
Conditions or Recommendations: Motion to approve Project # 623730					
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)					
NAME: Myron Taylor					
TITLE: Chair, Southeastern San Diego Planning Group				DATE: November 09, 2020	
<i>Attach additional pages if necessary (maximum 3 attachments).</i>					

	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
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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: Broadway Map Waiver **Project No. For City Use Only:** _____

Project Address: 4119 and 4123 Broadway

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: David Norman Andrews Owner Tenant/Lessee Successor Agency

Street Address: 2805 Palomino Circle

City: La Jolla State: CA Zip: 92037

Phone No.: 619-518-8918 Fax No.: NA Email: dandrews@san.rg.com

Signature: _____ Date: _____

Additional pages Attached: Yes No

Applicant

Name of Individual: David Norman Andrews Owner Tenant/Lessee Successor Agency

Street Address: 2805 Palomino Circle

City: La Jolla State: CA Zip: 92037

Phone No.: 619-518-8198 Fax No.: NA Email: dandrews@san.rg.com

Signature: *David Norman Andrews* Date: 11/11/18

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.sandiego.gov/development-services.
 Upon request, this information is available in alternative formats for persons with disabilities.