



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: September 10, 2019 REPORT NO. HO-19-085

HEARING DATE: September 18, 2019

SUBJECT: HAMILTON III MAP WAIVER. Process Three Decision

PROJECT NUMBER: [627462](#)

OWNER/APPLICANT: JMCD Ventures, LLC, Owner and Robert Bateman, San Diego Land Surveying & Engineering, Inc., Applicant.

SUMMARY

Issues: Should the Hearing Officer approve a Map Waiver for the creation of two (2) residential condominium units for a residential duplex over a three-car garage currently under construction and the conversion of an existing single-family dwelling with detached garage to a condominium unit for a total of three (3) condominium units on an existing 5,247-square-foot lot and waive the requirement to underground existing off-site overhead utilities for the project site located at 4174, 4176 & 4178 Hamilton Street in the North Park Community Plan area?

Staff Recommendation: APPROVE Map Waiver No. 2248773 and waive the requirement to underground existing off-site overhead utilities.

Community Planning Group Recommendation: On May 14, 2019, the North Park Planning Committee voted 13-0-0 to recommend approval of the proposed project without conditions/recommendations (Attachment 8).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15315 (Minor Land Division). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on July 25, 2019, and the opportunity to appeal that determination ended August 8, 2019.

BACKGROUND

The 0.12-acre site is located at 4174, 4176 & 4178 Hamilton Street, north of Polk Avenue and south of Howard Avenue, in the RM-3-7, Transit Priority Area, Parking Standards Transit Priority Area, Transit Area Overlay, and Residential Tandem Parking Overlay Zones, within the North Park

Community Plan Area. The Community Plan designates the project site for thirty (30) to forty-four (44) dwelling units per acre (North Park Community Plan, Table 2-4, pg. 16), or three to five units allowed on site. The density per the RM-3-7 base zone allows one dwelling unit per 1,000 square feet of lot area, or five dwellings onsite with no required minimum density. The project is consistent with the land use density designation of the North Park Community Plan area.

The site consists of an existing single-family dwelling with a detached garage built in 1928 and a multi-family residential duplex over a three-car garage which is currently under construction. The site has been previously graded and developed in 1928 for the construction of the single-family dwelling and detached garage and currently under construction for a duplex over a three-car garage. A historical assessment was performed and City Staff determined that the property and associated structures are not an individually designated resource and not located within a designated historic district. Additionally, during City Staff review, it was determined that the property appeared eligible for designation under one or more Historic Resources Board designation criteria and the project as proposed is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties and would not adversely impact the building's eligibility as a historic resource.

On July 13, 2017, the City of San Diego approved the ministerial construction permits under Project No. [509045](#) for the development of a residential duplex over a three-car garage currently being constructed by right in accordance with the base zone regulations of the San Diego Municipal Code (SDMC). At the time of issuance of the ministerial construction permits under Project No. [509045](#) the applicant paid the Affordable Housing In-Lieu Fee for the duplex to comply with the Affordable Housing Regulations and paid the applicable Development Impact Fees for financing public facilities. During the ministerial review the project was determined to be in compliance with the underlying zone regulations including but not limited to height, floor area ratio, parking, setbacks, and landscaping requirements.

DISCUSSION

PROJECT DESCRIPTION:

The project proposes to create two (2) residential condominium units for a duplex over a three-car garage currently under construction and to convert an existing single-family dwelling with detached garage to a condominium unit; additionally, the project includes a waiver for the requirement to underground existing off-site overhead utilities. The project does not propose any enlargements or expansion of use or deviations from the previously approved building permits. The proposed subdivision is consistent with the development regulations of the underlying zone including but not limited to height, floor area ratio, density, parking, setbacks, and landscaping requirements.

PROCESS APPROVAL REQUIRED:

The proposed subdivision requires a Map Waiver per SDMC Section [125.0120\(b\)\(2\)](#) to create condominium units for individual ownership and convert a single-family dwelling with detached garage to a condominium unit for individual ownership. The subdivision as proposed requires a Process Three, Hearing Officer decision with appeal rights to the Planning Commission. According to SDMC Section [125.0123](#), Findings for a Map Waiver, the decision maker may approve a Map

Waiver if the decision maker finds that the proposed subdivision complies with the requirements of the Subdivision Map Act and the Land Development Code. Additionally, the applicant requests a waiver of the requirement to underground the existing overhead utilities, pursuant to [SDMC 112.0103](#), both actions will be consolidated for processing and shall be reviewed by a single decision maker. Staff has reviewed the proposed subdivision and determined that it complies with both the Subdivision Map Act and the Land Development Code.

WAIVER OF THE REQUIREMENT TO UNDERGROUND UTILITIES:

The project site is currently served by overhead utility lines from poles located within the existing alley adjacent to the property. The City's Undergrounding Master Plan designates the site within North Park 06, funded surcharge with no estimated date of completion. Pursuant to SDMC Section [144.0240\(b\)\(5\)](#), the applicant requests a waiver of the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public right-of-way. 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.

COMMUNITY PLAN ANALYSIS:

The [North Park Community Plan](#) designates the project site for thirty (30) to forty-four (44) dwelling units per acre (North Park Community Plan, Table 2-4, pg. 16), or three to five units allowed on site. The density per the RM-3-7 base zone allows one dwelling unit per 1,000 square feet of lot area, or five dwellings onsite with no required minimum density. The North Park Community Plan Land Use Elements Goals and Policies reflected in this subdivision include compatibility of uses within established neighborhoods, continued revitalization and retention of residential neighborhoods, and development in proximity to transportation corridors. The Map Waiver would allow the creation of two (2) condominium units and conversion of one (1) single-family dwelling to a condominium for ownership opportunities and does not affect the previously approved building permit approved under Project No. [509045](#). The proposed subdivision will create condominium units for ownership which is compatible with the existing residential mix of ownership and rental dwelling units within the area, the preservation of the existing single-family dwelling is consistent with the community plan goal of retaining and revitalizing the existing residential neighborhood and lastly the project is located less than two blocks from El Cajon Boulevard which is a recognized regional transportation corridor. Therefore, the subdivision to create two (2) condominium units for individual ownership and convert one (1) single-family dwelling to a condominium unit for individual ownership complies with the North Park Community Plan and all underlining zone regulations including but not limited to height, floor area ratio, parking, setbacks, and landscaping.

CONCLUSION:

Staff has reviewed the application for the map waiver and has determined that the project is in compliance with adopted City Council policies and regulations of the Land Development Code and staff has determined that the proposed subdivision conforms to both the North Park Community Plan and the General Plan. Staff has provided draft findings and conditions and recommends the Hearing Officer approve the Map Waiver and the waiver of the requirement to underground the existing overhead utilities as proposed.

ALTERNATIVES

1. Approve Map Waiver No. 2248773 and the waiver for the requirement to underground existing off-site overhead utilities, with modifications.
2. Deny Map Waiver No. 2248773 and the waiver for the requirement to underground existing off-site overhead utilities, if the findings required to approve the project cannot be affirmed.

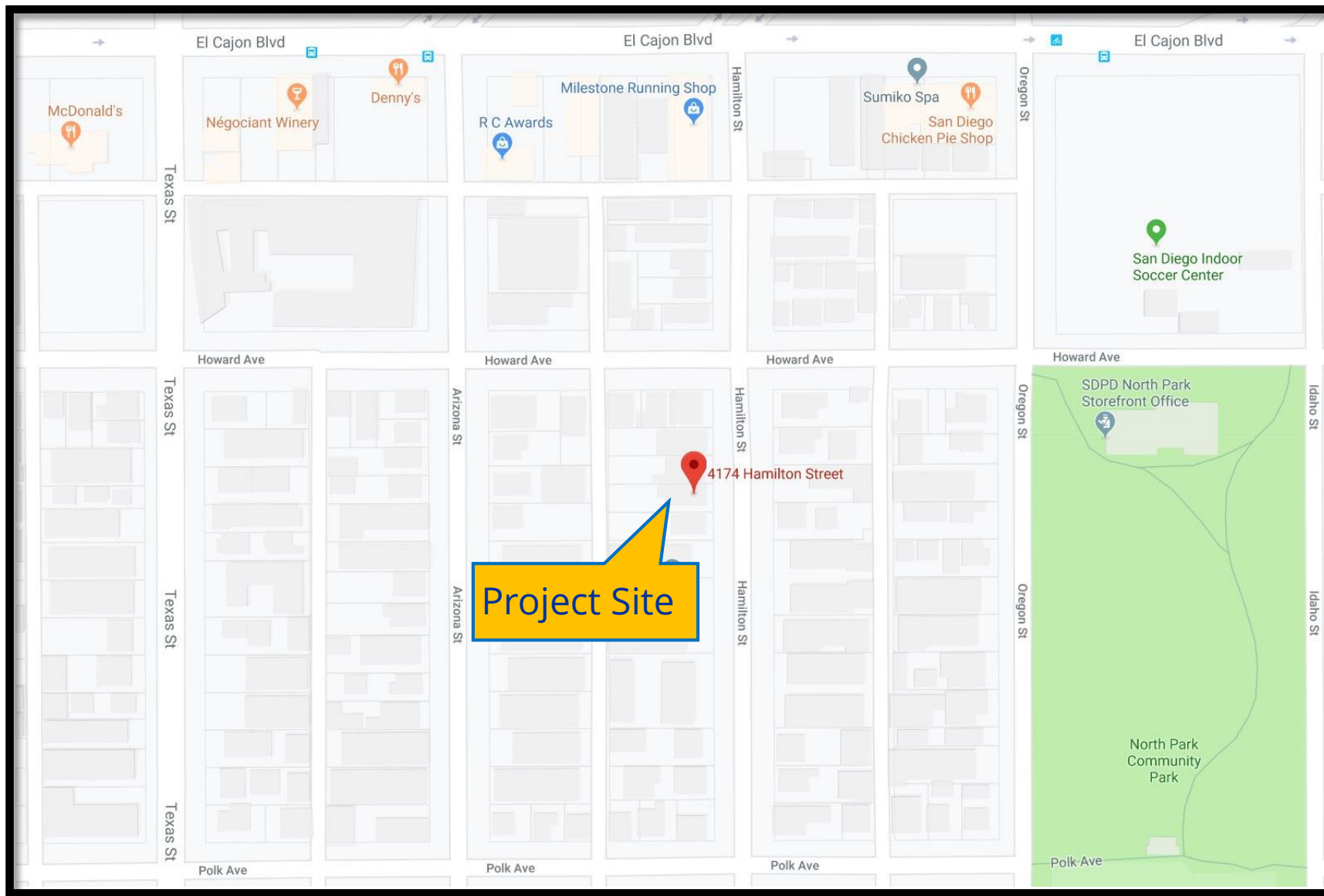
Respectfully submitted,



Bryan Hudson, Development Project Manager

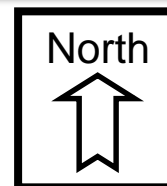
Attachments:

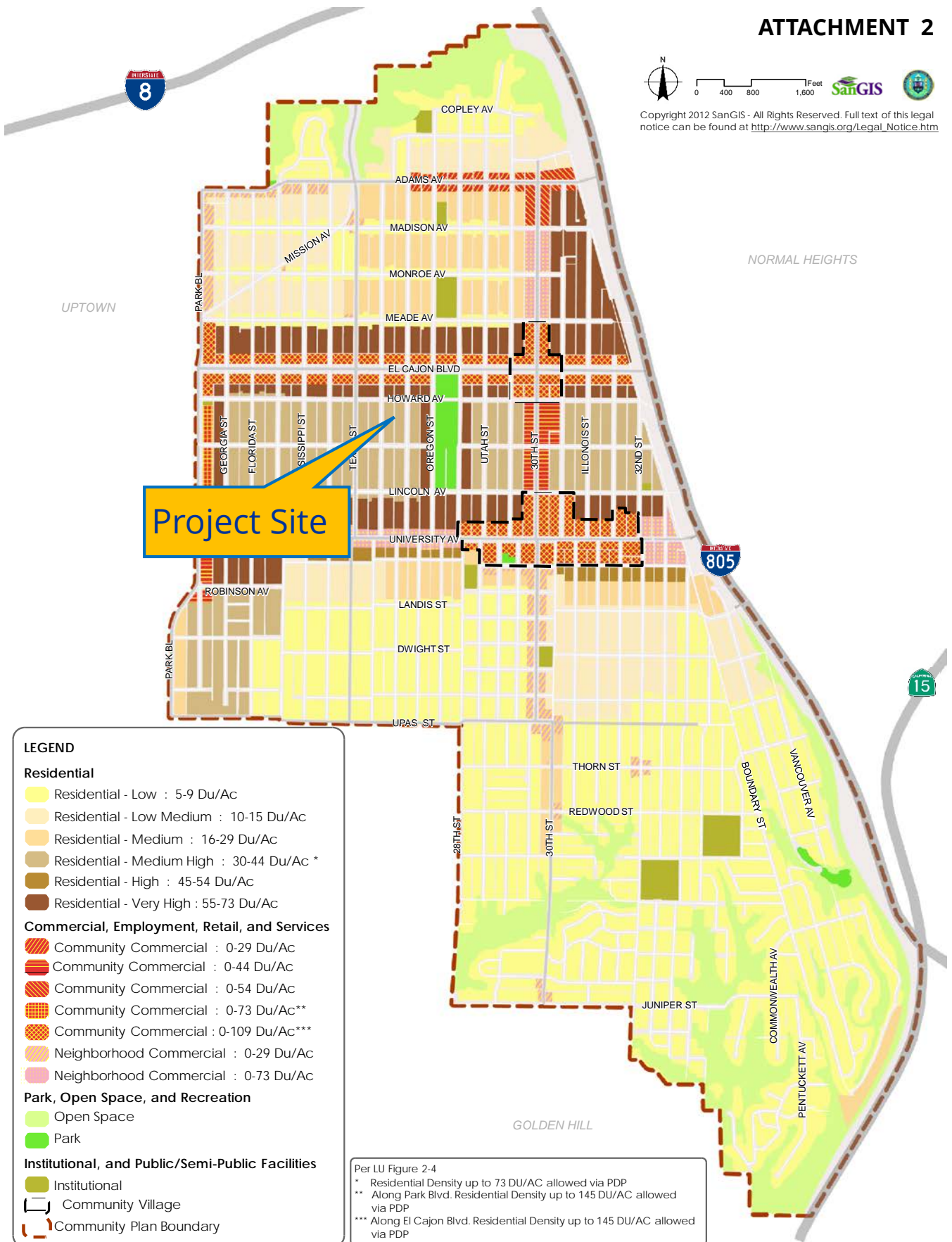
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. Environmental Exemption
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Map Exhibit - Map Waiver



Project Location Map

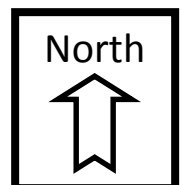
Hamilton III Map Waiver / 4174, 4176, 4178 Hamilton Street
PROJECT NO. 627462





Land Use Map

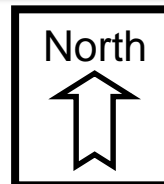
Hamilton III Map Waiver / 4174, 4176, 4178 Hamilton Street
 PROJECT NO. 627462





Aerial Photo

Hamilton III Map Waiver / 4174, 4176, 4178 Hamilton Street
PROJECT NO. 627462



RESOLUTION NO. _____
DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE HEARING OFFICER ADOPTING THE FINDINGS
AND APPROVING MAP WAIVER NO. 2248773 FOR
HAMILTON III MAP WAIVER - PROJECT NO. 627462

WHEREAS, JMCD Ventures, LLC, Subdivider, and San Diego Land Surveying & Engineering, Inc, Surveyor, submitted an application with the City of San Diego for Map Waiver No. 2248773, to waive the requirement for a Tentative Map and Parcel Map for the creation of two residential condominium units for a residential duplex over a three-car garage currently under construction, the conversion of one existing single-family dwelling with a detached garage to a condominium unit, and to waive the requirement to underground existing off-site overhead utilities. The project site is located at 4174, 4176 & 4178 Hamilton Street, north of Polk Avenue and south of Howard Avenue, in the RM-3-7 Base Zone, within the North Park Community Plan area. The property is legally described as Parcel 1 of Parcel Map No. 21630, in the City of San Diego, County of San Diego, State of California, according to the map thereof filed in the office of the County Recorder of San Diego County, November 7, 2018 as file no. 2018-7000438; and

WHEREAS, the Map proposes the subdivision of a 0.12-acre site into three residential condominium units; and

WHEREAS, on July 25, 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 Guidelines Section 15315; and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code section 112.0520;

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 project consists of two units under construction for which Certificates of Occupancy have not been issued and an existing single-family dwelling with a detached garage; 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 three units; 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)(1)(B) based on the project involving 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 September 18, 2019, the Hearing Officer of the City of San Diego considered Map Waiver No. 2248773, including the waiver of the requirement to underground existing off-site overhead utilities, and pursuant to section(s) 125.0122, 125.0440, 125.0444, and 144.0240 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. 2248773:

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 proposes to create two (2) residential condominium units for a duplex over a three-car garage currently under construction and to convert an existing single-family dwelling with a detached garage to a condominium unit; additionally, the project includes a waiver for the requirement to underground existing off-site overhead utilities. The 0.12-acre site is located at 4174, 4176 & 4178 Hamilton Street, north of Polk Avenue and south of Howard Avenue in the RM-3-7 Base Zone, within the North Park Community Plan area. The proposed Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use.

The proposed project is consistent with the land use residential designation of the North Park Community Plan. The Community Plan designates the project site for thirty (30) to forty-four (44) dwelling units per acre (North Park Community Plan, Table 2-4, pg. 16), or three to five units allowed on site. The density per the RM-3-7 base zone allows one dwelling unit per 1,000 square feet of lot area, or five dwellings onsite with no required minimum density. The proposed project is consistent with the North Park Community Plan, the base zone allowed density, the regulations of the Land Development Code, and development regulations per the San Diego Municipal Code (SDMC), including but not limited to height, setbacks, parking, landscape and floor area ratio. Therefore, 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 proposes to create two (2) residential condominium units for a duplex over a three-car garage currently under construction and to convert an existing single-family dwelling with a detached garage to a condominium unit; additionally, the project includes a waiver for the requirement to underground existing off-site overhead utilities. The 0.12-acre site is located at 4174, 4176 & 4178 Hamilton Street, north of Polk Avenue and south of Howard Avenue in the RM-3-7 Base Zone, within the North Park Community Plan area. The proposed Map Waiver is to create residential units for individual ownership with no enlargement or expansion of use. The project complies with the development regulations of the applicable RM-3-7 Base Zone, including, but not limited to, minimum lot size, setbacks, floor area ratio, and parking requirements.

The development includes an existing single-family dwelling with a detached garage built in 1928 and a duplex over a three-car garage currently being constructed by right in accordance with the base zone regulations of the San Diego Municipal Code. On July 13, 2017, the City of San Diego approved the ministerial construction permits under Project No. 509045 for the development of a residential duplex. During the ministerial review the project was determined to be in compliance with the underlying zone regulations including but not limited to height, floor area ratio, parking, setbacks, and landscaping and no deviations were proposed. The Map Waiver proposes condominiums compatible to uses

within the neighborhood and does not affect nor does it propose any deviations from the previously approved building permits.

The project site is currently served by overhead utility lines from poles located within the existing alley adjacent to the property. The City's Undergrounding Master Plan designates the site within North Park 06, funded surcharge with no estimated date of completion. The proposed project includes a waiver of the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public right-of-way. 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.

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 proposes to create two (2) residential condominium units for a duplex over a three-car garage currently under construction and to convert an existing single-family dwelling with a detached garage to a condominium unit; additionally, the project includes a waiver for the requirement to underground existing off-site overhead utilities. The 0.12-acre site is located at 4174, 4176 & 4178 Hamilton Street, north of Polk Avenue and south of Howard Avenue in the RM-3-7 Base Zone, within the North Park Community Plan area. The proposed map waiver is to create residential condominium units for individual ownership with no enlargement or expansion of use.

The project site is a developed site that slopes from east to west, the site is located in a developed urban neighborhood surrounded by similar development and is served by existing developed right-of-way improvements and existing public utilities. On July 13, 2017, the City of San Diego approved the ministerial construction permits under Project No. 509045 for the development of a residential duplex currently being constructed by right in accordance with the base zone regulations of the San Diego Municipal Code. The structure under construction is in compliance with geologic and engineering requirements per current applicable building code requirements.

The proposed subdivision is consistent with the North Park Community Plan, the base zone allowed density, the regulations of the Land Development Code, and development regulations per the San Diego Municipal Code (SDMC), including but not limited to height, setbacks, parking, landscape and floor area ratio. Therefore, the site as proposed in this subdivision 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 0.12-acre project site is located in a developed urban neighborhood in the North Park Community Plan area surrounded by similar development and is served by existing developed right-of-way improvements and public utilities. The site is not on nor is it

adjacent to any watercourses, sensitive biological resources, Multiple Habitat Planning area (MHPA) lands or Environmental Sensitive Land (ESL). The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Minor Land Divisions) of CEQA Guidelines. Therefore, the design of the subdivision or the type of improvements are not likely to cause environmental damage or injure fish, wildlife or their habitat in a substantial or avoidable manner.

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

The project proposes to create two (2) residential condominium units for a duplex over a three-car garage currently under construction and to convert an existing single-family dwelling with a detached garage to a condominium unit; additionally, the project includes a waiver for the requirement to underground existing off-site overhead utilities. The 0.12-acre site is located at 4174, 4176 & 4178 Hamilton Street, north of Polk Avenue and south of Howard Avenue in the RM-3-7 Base Zone, within the North Park Community Plan area. The proposed map waiver is to create residential condominium units for individual ownership with no enlargement or expansion of use.

The project has been reviewed and is in compliance with the Municipal Code and the Subdivision Map Act. The Map waiver includes conditions and corresponding exhibits of approvals relevant to adequate parking, public improvements, and paid an in-lieu fee to comply with the City's Affordable Housing Regulations. The proposed subdivision is consistent with development regulations of the underlying zone and the Land Development Code regulations and 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 project is located on a private lot with no existing public easements. The site has frontage on and is accessed from the existing developed Hamilton Street public right-of-way. The proposed project does not include any new easements with this application. Therefore, the design of the subdivision or the type of 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 project proposes to create two (2) residential condominium units for a duplex over a three-car garage currently under construction and to convert an existing single-family dwelling with a detached garage to a condominium unit. The 0.12-acre site is located at 4174, 4176 & 4178 Hamilton Street, north of Polk Avenue and south of Howard Avenue in the RM-3-7 Base Zone, within the North Park Community Plan area. The proposed map

waiver is to create residential condominium units for individual ownership with no enlargement or expansion of use.

The existing single-family dwelling is a two-story structure with a detached garage built in 1928. The existing single-family dwelling and detached garage are designed with Spanish Colonial Revival Architectural features and techniques incorporated into the construction which include a stucco textured exterior finish, flat roof with parapets, east facing and west facing porches which provide seasonal shading during summer months and south facing windows that allow natural warming during winter months. Operable windows and door openings on all sides of the dwelling allow for cross ventilation and passive cooling. The existing flat roof has light colored roofing which has higher solar reflectance values thus moderating the roof temperature and the temperature of the building envelope. Additionally, flat roofs provide opportunities for the future installation of solar photovoltaic panels for conversion of usable electricity and solar thermal collector systems for water heating to reduce energy consumption. Exterior stucco walls are also painted with light color paint which has a higher solar reflectance values thus reducing heat gain and moderating the temperature of the building envelope.

The residential duplex over a three-car garage currently under construction is designed with Architectural features and techniques incorporated into the construction which include overhangs that provide seasonal shading during summer months. The multi-story floor plan has operable windows and sliding glass doors on the second and third floors which encourage passive cooling. Light colored roofing and insulation on the project provide additional energy conservation measures. Additionally, flat roofs provide opportunities for the future installation of solar photovoltaic panels for conversion of usable electricity and solar thermal collector systems for water heating to reduce energy consumption. 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 project proposes to create two (2) residential condominium units for a duplex over a three-car garage currently under construction and to convert an existing single-family dwelling with a detached garage to a condominium unit; additionally, the project includes a waiver for the requirement to underground existing off-site overhead utilities. The 0.12-acre site is located at 4174, 4176 & 4178 Hamilton Street, north of Polk Avenue and south of Howard Avenue in the RM-3-7 Base Zone, within the North Park Community Plan area. The proposed map waiver is to create residential condominium units for individual ownership with no enlargement or expansion of use.

All appropriate public services (including fire, police, schools, public parks, libraries and medical services) as well as necessary utilities such as electricity, water and sewer exist within the built out urbanized community and provide adequate services for the proposed subdivision. Other than the subdivision to allow for the creation of condominium units for individual ownership within a built out urbanized community with adequate existing

infrastructure, the project does not include additional development of the property and no other modifications to the site or structures are requested with this subdivision. The site consists of an existing single-family dwelling with a detached garage built in 1928 and a multi-family residential duplex over a 3-car garage which is currently under construction. On July 13, 2017, the City of San Diego approved the ministerial construction permits under Project No. 509045 for the development of a residential duplex currently being constructed by right in accordance with the base zone regulations of the San Diego Municipal Code. At the time of issuance of the ministerial construction permits under Project No. 509045 the applicant paid the Affordable Housing In-Lieu Fee for the duplex to comply with the Affordable Housing Regulations and paid the applicable Development Impact Fees for financing public facilities.

The project is consistent with the North Park Community Plan policies to provide a diverse mix of housing types, balancing new construction with the preservation of existing residential dwelling units, and developing within the vital central area located between El Cajon Boulevard and University Avenue which will promote pedestrian connectivity and access to existing transportation corridors. There are no significant impacts related to traffic, parking, noise, or other environmental impacts. Therefore, 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, Map Waiver No. 2248773, including the waiver of the requirement to underground existing off-site overhead utilities is hereby granted to JMCD Ventures, LLC, 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. 12002110

ATTACHMENT 5

HEARING OFFICER
CONDITIONS FOR MAP WAIVER NO. 2248773
HAMILTON III MAP WAIVER - PROJECT NO. 627462
ADOPTED BY RESOLUTION NO. _____ ON SEPTEMBER 18, 2019

GENERAL

1. This Map Waiver will expire October 3, 2022.
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 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.

Note - 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 submit evidence (e.g., filed bond letter or receipt from the Clerk of the Board) indicating the required tax bond amount has been paid or bonded prior to the recordation of the Certificate of Compliance.

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.

CONDOMINIUM CONVERSION

6. The Subdivider shall provide a Notice of Tenants Rights and Notices for Condominium Conversion, consistent with the Land Development Manual to be provided as follows:
 - a. For existing tenants, within 10 days of the project application for the condominium conversion being deemed complete; or
 - b. For prospective tenants, upon application for the rental of a unit in the proposed

ATTACHMENT 5

condominium conversion.

7. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the Subdivision Map Act.
8. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion in conformance with Subdivision Map Act section 66427.1(a)(2)(E). The provisions of this condition shall neither alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Civil Code sections 1941, 1941.1 and 1941.2.
9. The Subdivider shall provide the tenants of the proposed condominiums with written notification within 10 days after approval of a Certificate of Compliance for the proposed conversion, in conformance with Subdivision Map Act section 66427.1(a)(2)(D).
10. The Subdivider shall give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (San Diego Municipal Code § 125.0431(a)(4)).
11. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Subdivision Map Act section 66427.1(a)(2)(F) and San Diego Municipal Code section 125.0431(a)(5). The right shall commence on the date the subdivision public report is issued, as provided in section 11018.2 of the Business and Professions Code, and shall run for a period of not less than 90 days, unless the tenant gives prior written notice of his or her intention not to exercise the right. (San Diego Municipal Code § 125.0431(a)(5)).
12. The Subdivider shall provide a copy of the Building Conditions Report to a prospective purchaser prior to the opening of an escrow account. (San Diego Municipal Code § 144.0504(c)).
13. Prior to the recordation of the Certificate of Compliance, the Subdivider shall demonstrate conformance with the San Diego Municipal Code provisions for building and landscape improvements (San Diego Municipal Code § 144.0507), to the satisfaction of the City Engineer.

AFFORDABLE HOUSING

14. Prior to recordation of the Certificate of Compliance, the Subdivider shall enter into a written agreement with the San Diego Housing Commission to pay the condominium conversion inclusionary housing fee pursuant to the Inclusionary Affordable Housing Regulations (San Diego Municipal Code § 142.1301 *et seq.*).

ATTACHMENT 5

Note - The inclusionary affordable housing fee is paid directly to the Housing Commission at the close of escrow of the first condominium sold within the development. This fee can also be pre-paid to the Housing Commission.

15. Prior to the recordation of the Certificate of Compliance, the Subdivider shall demonstrate conformance with the San Diego Municipal Code provisions for Tenant Relocation Benefits (San Diego Municipal Code § 144.0505), to the satisfaction of the Development Services Department and the Housing Commission.

ENGINEERING

16. The Subdivider shall construct the required Public Improvements per approved Right of Way Permit No. 1909224, PTS 542901, including two (2) new 1" water services and the removal of existing brick pavers.
17. The Subdivider shall reconstruct the existing damaged driveway to current City Standards, adjacent to the site on Hamilton Street.
18. The Subdivider shall reconstruct the existing curb with City Standards curb and gutter, adjacent to the site on Hamilton Street.
19. The Subdivider shall reconstruct the existing alley full width to current City Standards in the alley adjacent to the site.
20. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement from the City Engineer for the non-standard/private improvements within the public right-of-way on Hamilton Street.
21. The Subdivider shall prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.
22. 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.
23. 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

24. "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).

ATTACHMENT 5

25. "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."
26. Every Certificate of Compliance 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.
27. Prior to the issuance of a Certificate of Compliance, City Staff will perform a field monument inspection to verify that all property corners are being marked with survey monuments. If any of the survey monuments are missing, it must be replaced with a new monument, and a Corner Record or Record of Survey (whichever is applicable) shall be filed with the County Recorder pursuant to the Professional Land Surveyors Act. A copy of the filed Corner Record or Record of Survey must be submitted to satisfy this requirement prior to the approval and recordation of the Certificate of Compliance.

INFORMATION:

- The approval of this Map Waiver by the Hearing Officer of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. § 1531 *et seq.*).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this 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

ATTACHMENT 5

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

DRAFT

NOTICE OF EXEMPTION**ATTACHMENT 6**

TO: X 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.: 627462

PROJECT TITLE: Hamilton III MW

PROJECT LOCATION-SPECIFIC: 4176 and 4178 Hamilton Street, San Diego, CA 92104

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

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: A Map Waiver to create three residential condominium units for a duplex currently under construction and an existing single-family dwelling. The 0.12-acre site is located in the RM-3-7 base zone, within the North Park Community Plan and Council District 3.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: JMCD, Ventures, 5013 McGill Way, San Diego, CA
92130; 858-945-4504.

EXEMPT STATUS: (CHECK ONE)

- ☐ MINISTERIAL
☐ DECLARED EMERGENCY
☐ EMERGENCY PROJECT
☒ CATEGORICAL EXEMPTION: SECTION 15315: MINOR LAND DIVISIONS

REASONS WHY PROJECT IS EXEMPT: The project has been determined to be exempt from CEQA pursuant to Section 15315 of CEQA Guidelines. Section 15315 applies to the division of property in urbanized areas zoned for residential use into 4 or fewer parcels when the division is in conformance with the General Plan and zoning, does not require a variance or exception, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a subdivision in the last 2 years, and the average slope of the property is not greater than 20%. 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

AUGUST 9, 2019
DATE

CHECK ONE:

- ☒ SIGNED BY LEAD AGENCY
☐ SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:



NORTH PARK PLANNING COMMITTEE (NPPC)

Draft Meeting Minutes

May 14, 2019; 6:30 pm (Special Date)

2901 North Park Way, 2nd Floor

www.northparkplanning.org
info@northparkplanning.org

Like us: [NorthParkPlanning](https://www.facebook.com/NorthParkPlanning) Follow us: [@NPPlanning](https://twitter.com/NPPlanning)

To receive NPPC Agendas & Announcements sign up at:

https://www.facebook.com/NorthParkPlanning/app_100265896690345

I. Parliamentary Items

1. Call to Order, Roll Call and Attendance Report

Member	Steve Billings	Steve Doster	Daniel Gebreselassie	Arash Kahvazadeh	Marc Gould	Sarah McAlear	Aria Pounaki	Jen Spencer	Chelsi Sparti	Melissa Stayner	Matt Stucky	Tim Taylor	Eduardo Velasquez	René Vidales	Randy Wilde
Attendance	1		2	3		4	5	6	7	8	9	10	11	12	13
Late															
Absences		1	1	1	1							1			

2. Modifications to the NPPC Agenda

- a. **Urgent Non-Agenda Action Items: MOTION: To move Action Items V.1 (Rock 'n' Roll Marathon Letter of Support) and V.3 (2018-2019 NPPC Annual Report) to the consent agenda. Wilde/Gebreseassie 13-0-0**

b. Consent Agenda Items:

- i. Urban Design/Project Review. Members present: Melissa Stayner, Aria Pounaki, Ernie Bonn, Peter Hill, Robb Steppke, Tim Taylor, René Vidales
 - 1) **Map Waiver at the Hamilton III Project (Process 3).** Map Waiver to create three (3) residential condominium units for a duplex currently under construction and existing detached single dwelling unit for a total of 2,745 sf of conversion located at 4174, 4176 & 4178 Hamilton St. The 0.12 acre site is located in the RM-3-7 Base Zone of the North Park Community Planning area. PTS 627462. Applicant: Robert J. Bateman. *SUBCOMMITTEE MOTION: To approve the Map Waiver for 4174, 4176 & 4178 Hamilton St. 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. Vidales/Taylor 5-2-0 (Bonn and Steppke voting no)*
 - 2) **Neighborhood Development Permit for the Lincoln Project (Process 2).** Neighborhood Development Permit for deviations to development standards related to the construction of a four level, 10,978 sf, 11-unit (including 1 affordable unit) apartment building with stacked parking at 3770 Alabama St. The 0.11-acre site is located in the RM-3-9 Zone in the North Park Community Planning Area. PTS 619766. Applicant: Francisco Garcia and Alex Ruezga. *SUBCOMMITTEE MOTION: To approve Neighborhood Development Permit for the Lincoln Project at 3770 Alabama St. including requested deviation for the omission of common open space. Taylor/Hill 7-0-0*

ii. Former Actions Items now part of the Consent Agenda

- 1) **Rock 'n Roll Marathon Letter of Support.** Request for a letter of support for Rock 'n' Roll San Diego Marathon and Half Marathon. Discussion of course that will take place in North Park during the upcoming Sunday, June 2nd race. Road closures will be in place between the hours of 5 am and 10:45 am, and will be lifted on a rolling basis. Course map and full list of road/ramp closures at <https://www.runrocknroll.com/san-diego/>. Lee Collenberg, Community Relations, Rock 'n' Roll Marathon Series.
- 2) **2018-2019 NPPC Annual Report.** Summary consisting of administrative issues, awards, historic districts, letters of support and special projects, summary of project review, and activities of associated community organizations along with approved meeting minutes from April 17, 2018 to March 19, 2019. The annual report is to be submitted to the City after approval from NPPC.

MOTION: To Approve Consent Agenda. Sparti/Wilde 13-0-0

3. **Agenda:** Adoption of the May 14, 2019 NPPC Agenda. **MOTION: To approve May 14, 2019 Agenda as modified. Velasquez/Gebreselassie 13-0-0**
4. **Minutes:** Approval of the April 16, 2019 Minutes. A member of the public requested that the statement in the minutes be re-written to specify how many members of the public spoke at last month's meeting in favor and against bike lanes. Two members of the board had taken a tally of the pro/con speakers, and those tallies will be added to the April 16 minutes. **MOTION: To approve April 16, 2019 Meeting Minutes, adding information on tally of pro/con speakers. Billings/Wilde 10-0-3 (Taylor, Gebreselassie, Kahvazadeh abstained as they were absent at last meeting)**
5. **Treasurer's Report:** Chelsi Sparti/Randy Wilde. NPPC account balance is \$1,050.26. **MOTION: To donate \$200 to church for allowing us to hold the NPPC meetings here each month. McAlear/Gebreselassie 13-0-0**

II. **Non-Agenda Public Comment**

1. Lee Collenberg, Rock 'n' Roll Marathon Community Relations. This will be 22nd year running, will be held June 2, 2019. Made map available to public at meeting. By 10 a.m. roads will reopen.
2. Matt Thompson. Encourages crowd to introduce yourselves and where you live during meeting when discussing one of the upcoming action items.
3. Bernardo Heime, business owner and resident. Wonders how to find out about items being heard at this meeting. Instructed to sign up for emails and check NPPC website.
4. Michael Bagnas. Pointed out to all members of the public present that they need to sign into this meeting in order to be eligible to vote in next NPPC election.

III. **Announcements**

1. **North Park Thursday Market (Farmers Market).** Every Thursday 3pm-7:30pm year-round. More info at: <https://northparkmainstreet.com/events/farmers-market/>
2. **Rock 'n' Roll Marathon.** Sunday, June 2. Covered under Non-Agenda Public Comment
3. **50th Annual San Diego Greek Festival.** Music, food and vendors. Friday, June 7 from 5 p.m. to 10 p.m., Saturday, June 8 from 11 a.m. to 10 p.m. and Sunday, June 9 from 11 a.m. to 8 p.m. Saint Spyridon Church at 3655 Park Blvd. <http://sdgreekfestival.com>
4. **Hess Fest – Hess Brewing Anniversary Party.** June 22, 11:30 a.m. to 5 p.m., Grim Ave. between University Ave. and North Park Way.
5. **First Annual Scoop San Diego Ice Cream Festival.** June 23, 11 a.m. to 4 p.m., North Park Way between Granada Ave. and 30th St.
6. **Bird Park Summer Concerts.** July 6 & 20, and August 3 & 17, 3-8 p.m. at the northeastern portion of Balboa Park. More info at: <http://www.northparksd.org>

IV. **Elected Official & Planner Reports:**

1. **Jawad Albaghdadi, Hon. Susan Davis, US Congress Dist. 53,** 619-208-5353, jawad.albaghdadi@mail.house.gov. Wounded warrior joined Davis's office with 2-year fellowship for veterans' issues. HR9 Paris Climate Accord passed the House, gone to Senate.
2. **Mathew Gordon, Hon. Todd Gloria, State Assembly Dist. 78,** 619-645-3090, Mathew.Gordon@asm.ca.gov. Provided report via email
3. **Toni Duran, Hon. Toni Atkins, State Senate Dist. 39,** 619-645-3133, Toni.Duran@sen.ca.gov. No update
4. **Tyler Renner, Hon. Chris Ward, City Council Dist. 3,** 619-236-6633 TRenner@sandiego.gov. Skipped update since he will be part of a presentation of an upcoming action item.
5. **Elizabeth Ocampo Vivero,** 619-236-6301, EOcampo@sandiego.gov. No update

V. Action Items:

1. **Proposal for the implementation of Bike Lanes along 30th Street from Howard Avenue to Juniper Street.**

The 30th Street Pipeline project, which will replace water pipelines from Polk Ave. to Juniper St. is currently underway and resurfacing presents an opportunity to add improved bike facilities. The pipeline construction timeline is from April 2018 to July 2020, and repaving will occur in phases after construction, beginning at Juniper St. and ending at Polk Ave.

- Segment 1: Howard Ave. to Upas St.
 - i. Option A: Cycle Tracks (No Parking). This option offers a Class IV protected bike lane on both sides of the street. This option maintains the center turn lane and removes on-street parking. Loss of 258 parking spaces
 - ii. Option B: Cycle Tracks (Floating Parking). This option offers a separated bike lane with 'floating' parking spots between the bike lane and travel lanes. This option removes the center turn lane and retains some on-street parking. Loss of 142 parking spaces
 - iii. Option C: Buffered Bike Lanes. This option offers a Class II separated, painted bicycle lane on both sides of the street. This option removes the center turn lane and retains most on-street parking. Loss of 111 parking spaces
- Segment 2: Upas St. to Juniper St.
 - i. Option A: Cycle Tracks (No Parking). This option offers a Class IV protected bike lane on both sides of the street. This option removes parking on both sides of the street. Loss of 162 parking spaces
 - ii. Option B: Bike Lane (uphill) / Shared Lane (downhill). This option offers a downhill shared bike lane and an uphill separated bike lane. This option removes parking on the uphill portion of the street. Loss of 74 parking spaces

See City Fact Sheet for street reconfiguration options. Everett Hauser, Mobility Program Manager at City of San Diego, Transportation & Storm Water Department 619-533-3012 erhauser@sandiego.gov

Public comment. The audience reception was mixed, with 27 attendees who spoke in favor and 31 against. Most of those who spoke in favor supported Option A, the fully protected bike lanes. Some speakers echoed other speakers, and this is not reflected in the comments below. Everett Hauser and Tyler Renner were instructed to save responses to the end of the public comment.

Comments in support:

- Representative from BikeSD. Reducing greenhouse gases is imperative to future
- People's lives more important than convenience of parking
- Support of Option A
- Have to support cycling and pedestrians otherwise our City will be left behind
- Uptown Planners have already approved bike lanes making it safer for pedestrians and cyclists encourage us to do the same.
- White striped lines do not keep bikers safe, need barriers
- Successful shopping areas are pleasant for pedestrians and cyclists
- Option A provides safety for families
- The American Disabilities Act (ADA) was not passed to benefit the majority, but rather the disadvantaged minority
- People are currently scared to bike, need safe bike lanes
- Andy Hanshaw from SD Bike Coalition. Supporting Option A. This will help businesses.
- Do not design cities for cars, design them for bikes and people
- Option B provides a happy medium to support bikes and pedestrians.

Comments against:

- N/S lanes already on Utah St.; do not need additional lanes on 30th St.
- Seniors need more areas to park.
- Current bike lanes are not used
- Cannot safely park 3 blocks away for work (speaker is a jeweler who often carries fine jewelry)
- Several speakers expressed concerns for safety for residents (women) of NP (cannot park near their homes)
- Need neighborhood permitted parking for residents so there will be enough spaces for residents to park.
- Use less trafficked streets

- 420 parking spaces lost if Option A is approved
- No bike lanes; expand FRED (Downtown shuttle that picks up people up for free) so people would not need to bike.
- Vernita Gutierrez from SoNo Neighborhood Alliance. Use side streets instead of 30th St.

Questions:

- Why was a 'No Project Alternative' not considered?
- What happens to handicap parking?
- What happens to loading zones?

Responses by Everett Hauser and Tyler Renner

- Residents can oppose head-in angled parking if enough decide they do not want it. The City does not currently allow that for bike lanes.
- The reason an alternative to Utah St. was deemed necessary is that Utah St. does not go through to South Park, and there are blocks in the center portions of Utah St. that are not protected.
- There are current projects such as SANDAG Pershing Bikeway and the SANDAG Landis and Howard Bikeways. 30th St. would connect all of those projects.
- Studies show that people want to connect to businesses and South Park, this is why 30th St. was chosen. That is why the 'No Project Alternative' was not considered.
- Handicap and loading zones will be evaluated by Everett Hauser's division individually
- Residential Permit Parking is not an option. City Council Policy says they are only available near hospitals, colleges, or facilities driving a lot of parking.
- With Option A, approximately 400 spaces will be lost from Howard to Juniper- this includes the side street conversions.
- With Option B, approximately 50% of parking remains.

Board Discussion. The following are comments from different board members.

- Opportunity for NP to integrate bike lanes.
- Studies show that removing parking can help businesses.
- NP Main Street voted for Option B.
- Help to move scooters off sidewalks into bike lanes.
- Just because you do not presently see cyclists, it does not mean there is not a demand for it. It is just not safe with the limited bikeways we presently have, which only have small sections that are protected.
- According to NP Community Plan, a goal is to increase safe bikeways for all ages and abilities.
- Legally mandated increase mode share for bikes.
- Drivers and cars are favored right now over people outside of vehicles like bikes and pedestrians who are at a severe safety disadvantage.
- This proposal would result in only 1.6 miles of protected bike lanes in NP. That is not too much to ask.
- Cannot support Option A due to parking loss; cannot support Option B due to lack of safety.
- There is currently less and less parking available and more and more people want to live here, and property values keep going up.
- Support the Vision Zero plan.
- The NP Garage needs to be marketed more.
- Handicap parking solutions need to be made a priority.
- Construction of the I-805 in the 60s & 70s displaced many, and construction of CA 15 north of I-8 decades later displaced many more; this was done through eminent domain to benefit the entire region
- North Park is part of a region that needs to be connected, it does not exist in a vacuum. What we recommend here has impacts on other communities.
- The 30th St. Bike Lanes project has been previously discussed and listed in the October 2013 & July 2017 Capital Improvement Program priorities for North Park. It has also been discussed at the March Public Facilities subcommittee meeting and the April NPPC meeting, in addition to three North Park Main Street meetings.
- The goal is to reduce fatalities by preventing collisions between cars with pedestrians and bikes. Even one fatality is too much.
- This project complies with many goals and policies of the Mobility Element of the 2016 North Park Community Plan.

- Regardless of what option the board chooses, there should be some conditions attached with the approval of this project.

After board discussion the following motion was made:

MOTION: To recommend Option B for Segment 1 and Option A for Segment 2. Taylor/Billings 5-8-0 (Motion Fails)

Since the motion failed, after further board discussion the following motions were made:

MOTION 1: To approve Option A (fully protected bike lanes) for Segment 1 (30th St. from Howard Ave. to Upas St.) and Option A (fully protected bike lanes) for Segment 2 (30th St. from Upas St. to Juniper St.). Velasquez/Spencer 7-6-0 (Voting No: Billings, Gebreselassie, Kahvazadeh, Stayner, Taylor, Vidales)

MOTION 2: The Planning Committee makes the following recommendations with the implementation of bike lanes on 30th Street from Howard Ave. to Juniper St.

1. Conduct a search for parking opportunities and implement angle parking at adjacent side streets and nearby parallel streets to the 30th Street corridor from Howard Ave. to Juniper St and consider implementation of Residential Permit Parking.
 2. Provide enhanced bollards with a type that is easy to replace where bollards are proposed
 3. Preserve the Parklet at 3933 30th St.
 4. Relocate any displaced parking meters to a suitable location.
 5. Provide annual reporting to the NPPC on bicycle counts, similar to how traffic counts for vehicles are gathered within the 30th St. corridor from Howard Ave. to Juniper St. The bicycle counts survey should be taken before project implementation, and annually after project implementation. Bicycle Counts Annual reporting for the 30th St. corridor should be part of the Climate Action Plan Annual Report.
 6. Provide annual reporting to the NPPC on the number of bicycle and pedestrian accidents with vehicles including fatalities by vehicles encountered within the 30th St. corridor from Howard Ave. to Juniper St. Annual reporting on accidents for the 30th St. corridor should be part of the Vision Zero component of the Climate Action Plan Annual Report.
 7. If results from reports from items 5 and 6 do not show an improvement in both an increase in the number of users and a decrease in the number of fatalities/injuries 1 year after project implementation, then the project should be re-evaluated at a future time by the City of San Diego, NPPC and other stakeholder groups.
 8. Evaluate impacts on businesses through tax revenues along 30th St. yearly after project implementation
 9. Evaluate Utah St. for the floating parking option before it gets resurfaced
 10. The City is asked to consider extending the bike lanes on 30th north of this project.
- Vidales/Kahvazadeh 13-0-0

- 2) **Right-of-Way Vacation and Neighborhood Development Permit for the Wilshire Terrace Development (Process 5).** Right-of-Way Vacation and Neighborhood Development Permit (NDP) for portion of Myrtle Avenue Map No. 526 located at 3605 Wilshire Terrace. The 0.14 site is in the RM-3-7 Base Zone of the North Park Community Planning Area. PTS 611694. Applicant: Shahriar Afshar. Due to time constraints, this item was not able to be heard.

VI. **Adjournment.** **MOTION:** To hear the Right-of-Way Vacation item during the June NPPC meeting and adjourn the May NPPC meeting. Gebreselassie/Sparti 13-0-0. Meeting adjourned at 9:20 p.m.

Meeting Minutes submitted by Melissa Stayner



**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: Hamilton III

Project No. For City Use Only: 627462

Project Address: 4174, 4176 & 4178 Hamilton Street

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

☒ Corporation ☒ Limited Liability -or- ☐ General - What State? CA Corporate Identification No. 201721510742

☐ 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: JMCD Ventures LLC ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 5013 McGill Way

City: San Diego State: CA Zip: 92130

Phone No.: 858-945-4504 Fax No.: _____ Email: johncarson.jmcd@gmail.com

Signature: John Carson Date: 16 January 2019

Additional pages Attached: ☐ Yes ☒ No

Applicant

Name of Individual: JMCD Ventures LLC ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 5013 McGill Way

City: San Diego State: CA Zip: 92130

Phone No.: 858-945-4504 Fax No.: _____ Email: johncarson.jmcd@gmail.com

Signature: John Carson Date: 16 January 2019

Additional pages Attached: ☐ Yes ☒ No

Other Financially Interested Persons

Name of Individual: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: _____

City: _____ State: _____ Zip: _____

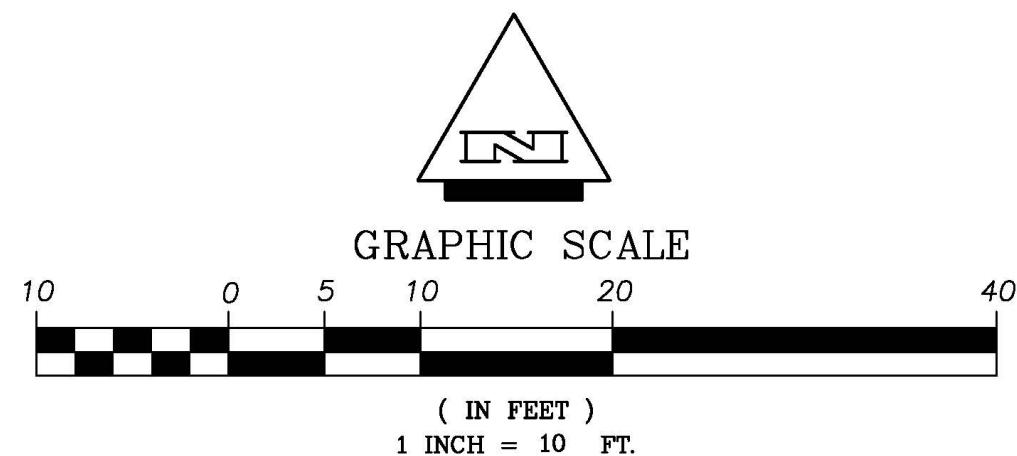
Phone No.: _____ Fax No.: _____ Email: _____

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.

4174, 4176, & 4178 HAMILTON STREET
Tentative Map Waiver No. 2248773, Project No. 627462



LEGEND:

- FOUND LEAD & DISC LS 7046 IN CONCRETE, EXCEPT AS NOTED.
- FOUND 3/4" IRON PIPE LS 6165 PER R OF S 17473.
- INDICATES WATER METER
- INDICATES WALL
- INDICATES PARKING SPACE
- INDICATES SEWER MAIN
- INDICATES WATER MAIN
- INDICATES BRICK SURFACE
- INDICATES PROPERTY LINE/TENTATIVE MAP WAIVER BOUNDARY

UTILITY TABLE:

UTILITY	OVERHEAD	UNDERGROUND
CATV	X	
ELECTRIC	X	
GAS		X
TELEPHONE	X	

PROFESSIONAL LAND SURVEYOR:

SAN DIEGO LAND SURVEYING & ENGINEERING, INC.
9665 CHESAPEAKE DRIVE, SUITE 445
SAN DIEGO, CALIFORNIA 92123 (858) 565-8362
DRAWING NO. Hamilton St 4174 Tentative Map.dwg

Robert J. Bateman 08/09/2019
ROBERT J. BATEMAN, P.L.S. 7046 DATE



CITY OF SAN DIEGO
DEVELOPMENT SUMMARY

- SUMMARY OF REQUEST:
CONVERT 1 EXISTING UNIT & CREATE 2 NEW RESIDENTIAL CONDOMINIUM UNITS & FILE CERTIFICATE OF COMPLIANCE
- STREET ADDRESS: 4174-4178 HAMILTON ST.
N S E W SIDE
BETWEEN POLK AVENUE AND HOWARD AVENUE
- SITE AREA:
TOTAL SITE AREA (GROSS): (5,247 SF) (0.120 AC.)
NET SITE AREA: (5,247 SF) (0.120 AC.)
- DENSITY: (RESIDENTIAL)
MAXIMUM NO. DWELLING UNITS ALLOWED PER ZONE: 3
NUMBER OF EXISTING UNITS TO REMAIN ON SITE: 3
NUMBER OF PROPOSED DWELLING UNITS ON SITE: 0
TOTAL NUMBER OF UNITS PROVIDED ON THE SITE: 3
- YARD/SETBACK:
INTERIOR SIDE YARD: 4'
REAR SETBACK: 1'
- PARKING:
PARKING CRITERIA:
RESIDENTIAL COMMERCIAL INDUSTRIAL
MIXED USE OTHER

TYPE OF UNIT	NUMBER OF TYPE	PARKING REQUIRED PER UNIT	TOTAL PER TYPE
1 BR UNIT	1	0.75	1
2 BR UNIT	1	1.0	1
3 BR UNIT	1	1.25	1
TOTAL REQUIRED BY ZONE			3
TOTAL PROVIDED ON-SITE			4

UNIT AREAS

TYPE OF UNIT	NUMBER OF TYPE	SQUARE FOOTAGE PER UNIT	TOTAL PER TYPE
1 BR UNIT	1	1,267	1,267
2 BR UNIT	1	1,478	1,478
3 BR UNIT	1	1,231	1,231
TOTAL	-	-	3,976

ZONING INFORMATION

EXISTING AND PROPOSED ZONE: MR-1250B
COMMUNITY PLAN NAME: UPTOWN
OVERLAY ZONES: TRANSIT AREA

MONUMENTATION & MAPPING

ALL MONUMENTS HAVE BEEN FOUND PER PARCEL MAP NO. 21630. A CERTIFICATE OF COMPLIANCE WILL BE FILED AFTER MAP WAIVER APPROVAL. ANY MONUMENTS DESTROYED BY CONSTRUCTION WILL BE REPLACED AND A CORNER RECORD OR RECORD OF SURVEY WILL BE FILED.

EXISTING IMPROVEMENTS

SEWER DRAWING NO. 14561-9-D
WATER DRAWING NO. 36709-2-D

EXISTING & PROPOSED EASEMENTS:

NONE

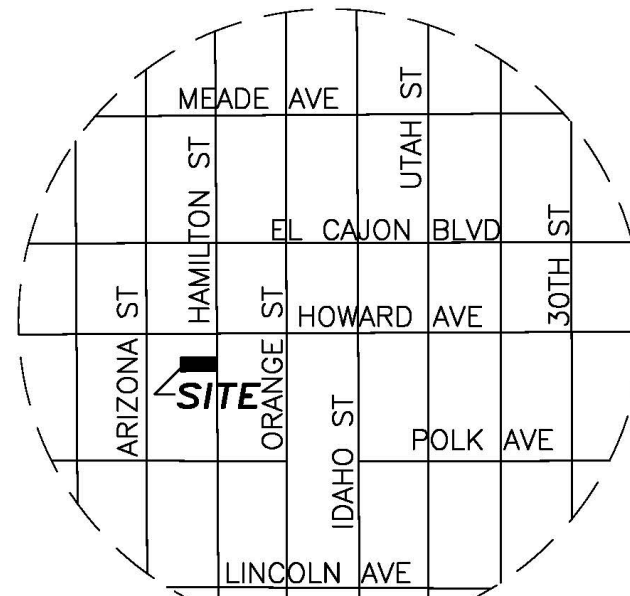
DEVELOPMENT NOTES:

- 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. TOTAL NUMBER OF CONDOMINIUM DWELLING UNITS IS 3.
- NUMBER OF EXISTING LOTS = 1
NUMBER OF PROPOSED LOTS = 1
- THERE ARE NO EXISTING OR PROPOSED TRANSIT STOPS ADJACENT TO SUBJECT PROPERTY.
- PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONT THE PROPERTY PER FHPS POLICY P-00-6 (UFC 901.4.4).
- PRIOR TO THE RECORDATION OF THE PARCEL MAP, THE SUBDIVIDER SHALL PROVIDE CC&Rs FOR THE OPERATION AND MAINTENANCE OF ALL PRIVATE WATER AND SEWER FACILITIES IN A MANNER SATISFACTORY TO THE PUBLIC UTILITIES DIRECTOR AND THE CITY ENGINEER.

OWNER/DEVELOPER:

JMCD VENTURES LLC
5013 MCGILL WAY
SAN DIEGO, CALIFORNIA 92130

JOHN CARSON, MANAGER



VICINITY MAP
NO SCALE

Project Soil Condition: Existing developed site.

Source of Topography:
Field survey by San Diego Land Surveying on 2-21-2018

Project Permits Required:
Map Waiver
Certificate of Compliance

Project Data:

Number of Stories: 3
Proposed use: Residential
Existing use: Residential
Zone Designation: MR-1250B
Year of Construction (4174 Hamilton): 1928
(4176 & 4178 Hamilton): Under Construction

LAMBERT COORDINATES:

NAD 27 = 214-1727 NAD 83 = 1854-6287

A.P.N. : 445-532-27

Project Name:
HAMILTON ST III

Sheet Title:
MAP WAIVER No. 2248773
Project No. 627462

Project Address:
4174-4178 Hamilton St
San Diego, CA 92104

Project Owner:
JMCD Ventures LLC
5013 McGill Way
San Diego, CA 92130

Scale: 1" = 10'
Original Date: January 18, 2019
Revised: May 6, 2019
Revised: August 9, 2019

Sheet 1 of 1