



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: July 8, 2015

REPORT NO. HO 15-079

ATTENTION: Hearing Officer

SUBJECT: **35th STREET CONDO MAP WAIVER**
Project No. 374384.

LOCATION: 3860 35th Street

APPLICANT: Beth Reiter

SUMMARY

Issue(s): Should the Hearing Officer approve a Tentative Map Waiver to convert four residential dwelling units into condominiums with waiver of the overhead utility undergrounding requirement on a 7,000 square foot property located at 3860 35th Street in the CT-5-4 zone of the Central Urbanized Planned District in the Mid-City City Heights Community Plan area in Council District 9?

Staff Recommendation(s) - **Approve** Tentative Map Waiver No. 1326008.

Community Planning Group Recommendation – The City Heights Area Planning Committee has not provided a recommendation regarding this application prior to printing of this report. The applicant presented the project to the Committee on July 6, 2015 and will provide the action of the Committee to the Hearing Officer, if there is one.

Environmental Review - The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301(k) – Existing Facilities. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on February 27, 2015 and the opportunity to appeal that determination ended March 13, 2015.

BACKGROUND

The site is designated by the Mid-City City Heights Community Plan for Residential uses (Attachment 1). The Plan allows residential development at a density of 11-15 dwelling units per acre. The site is located at 3860 35th Street in the CT-5-4 zone of the Central Urbanized Planned District (Attachment 2). The site is developed with four existing apartments (Attachment 3). The existing apartments are currently occupied.

DISCUSSION

The site was legally subdivided as Lots 39 and 40, Block 191, City Heights, according to Map thereof No. 1007, filed October 3, 1906. The Tentative Map Waiver proposes to allow the consolidation of two existing lots for the creation of a four unit condominium and waive the undergrounding of existing overhead utilities on an approximately 0.16 acre lot (Attachment 4). There are existing overhead facilities on the opposite side of the abutting alley. The tentative map waiver qualifies for a waiver from the requirement to underground these facilities in accordance with San Diego Municipal Code Section 144.0242 in that 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 Mid-City City Heights Community Plan Land Use Map identifies the site for Residential uses at a density range of 11-15 dwelling units per acre. The site is developed with a four unit apartment building constructed in 1964 at a time when the applicable land use plan allowed a density greater than the current Mid-City City Heights Community Plan. The existing use is previously conforming as to density. The proposed tentative map waiver to create a four unit condominium is consistent with the applicable policies of the Mid-City City Heights Community Plan.

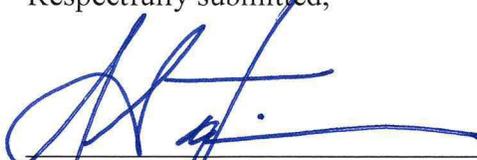
Conclusion

Staff has reviewed the proposed project and all issues identified through that review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings to support approval of the project (Attachment 5) and draft conditions of approval (Attachment 6). Staff recommends the Hearing Officer approve the project as proposed.

ALTERNATIVES

1. **Approve** Tentative Map Waiver No. 1326008, **with modifications.**
2. **Deny** Tentative Map Waiver No. 1326008, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

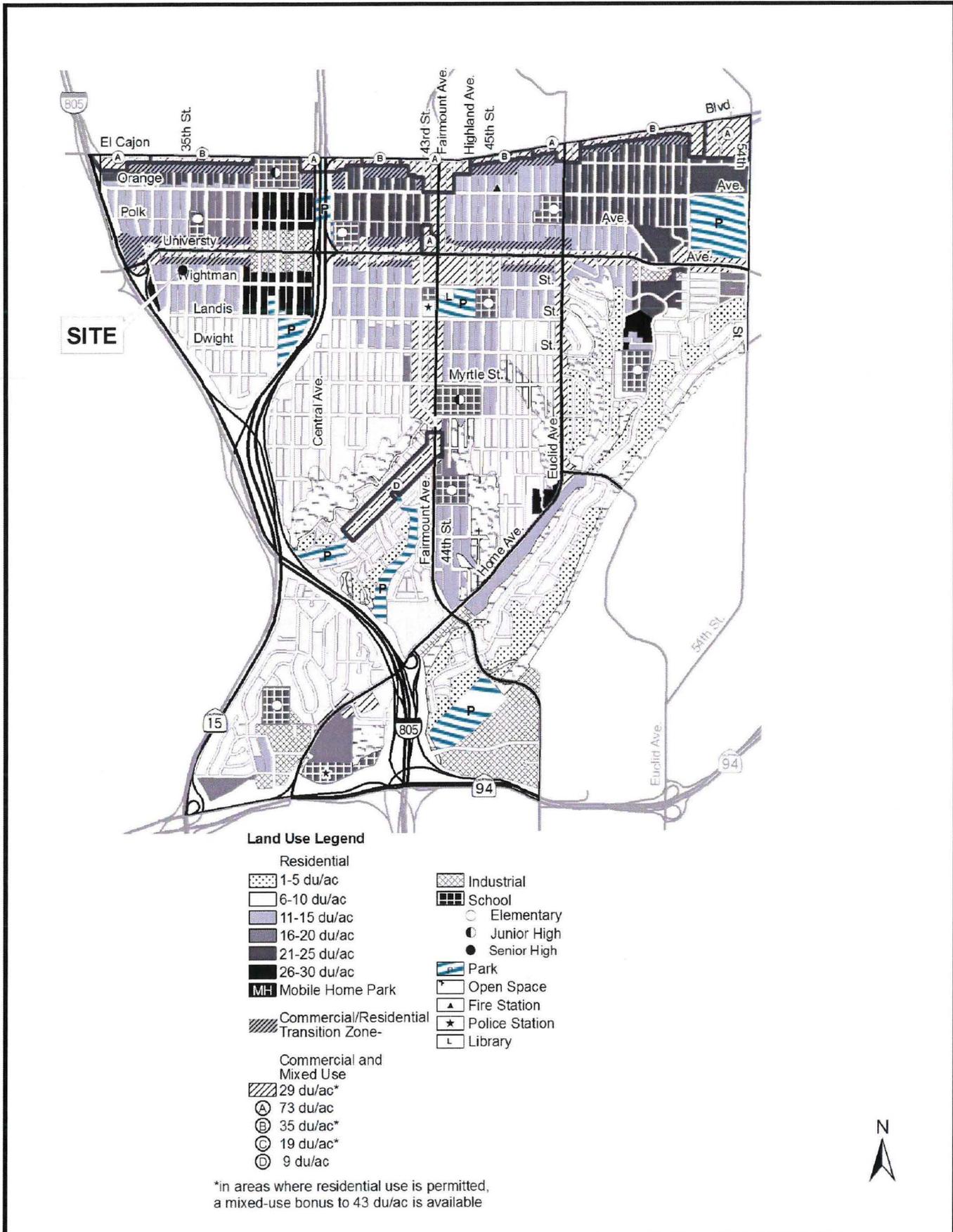


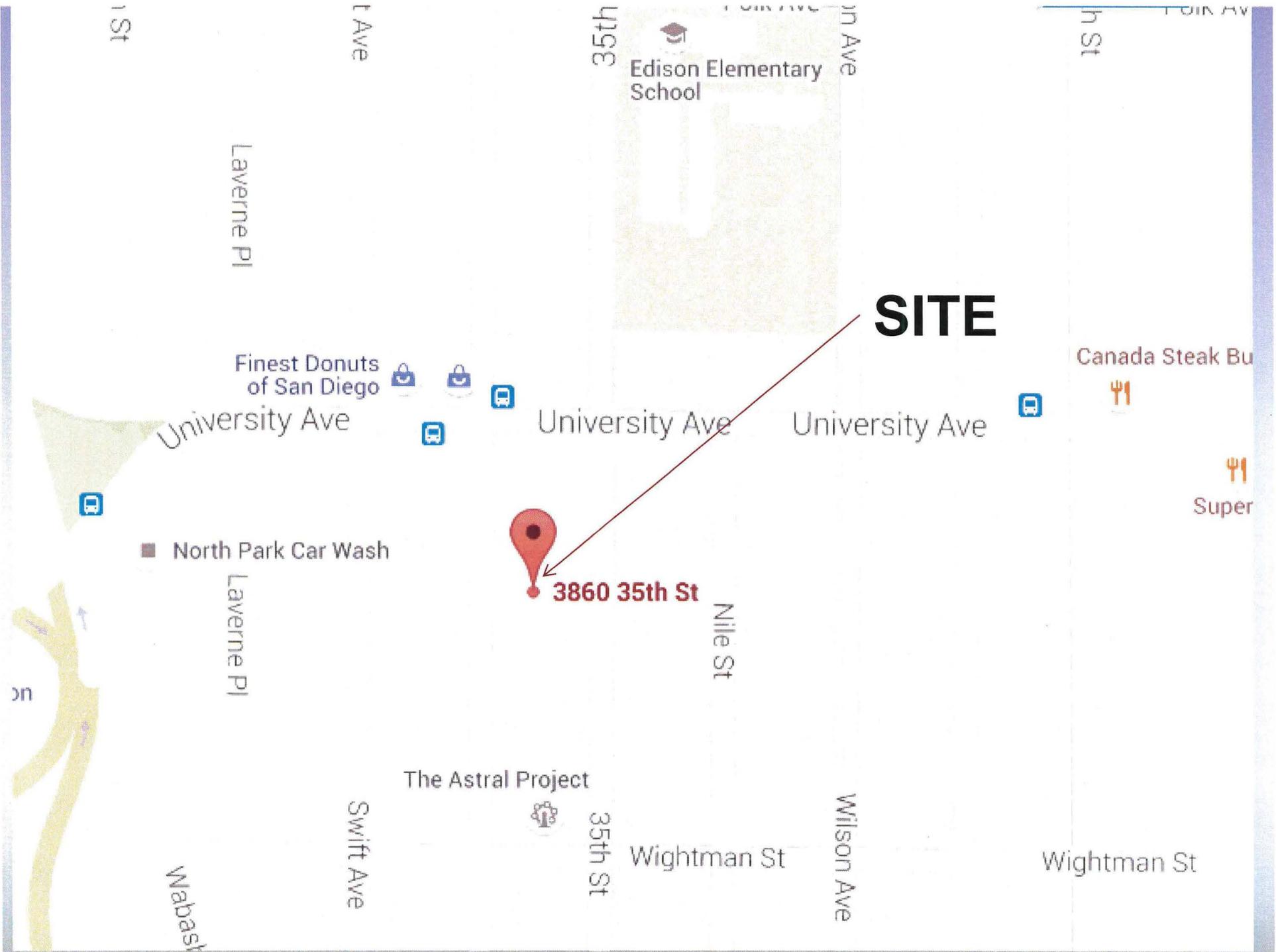
John S. Fisher
Development Project Manager

Attachments:

1. Community Plan Land Use Map
2. Project Location Map
3. Aerial Photograph
4. Map Waiver Exhibit
5. Draft Map Resolution
6. Draft Map Conditions
7. Environmental Exemption
8. Landscape Plans
9. Ownership Disclosure Statement

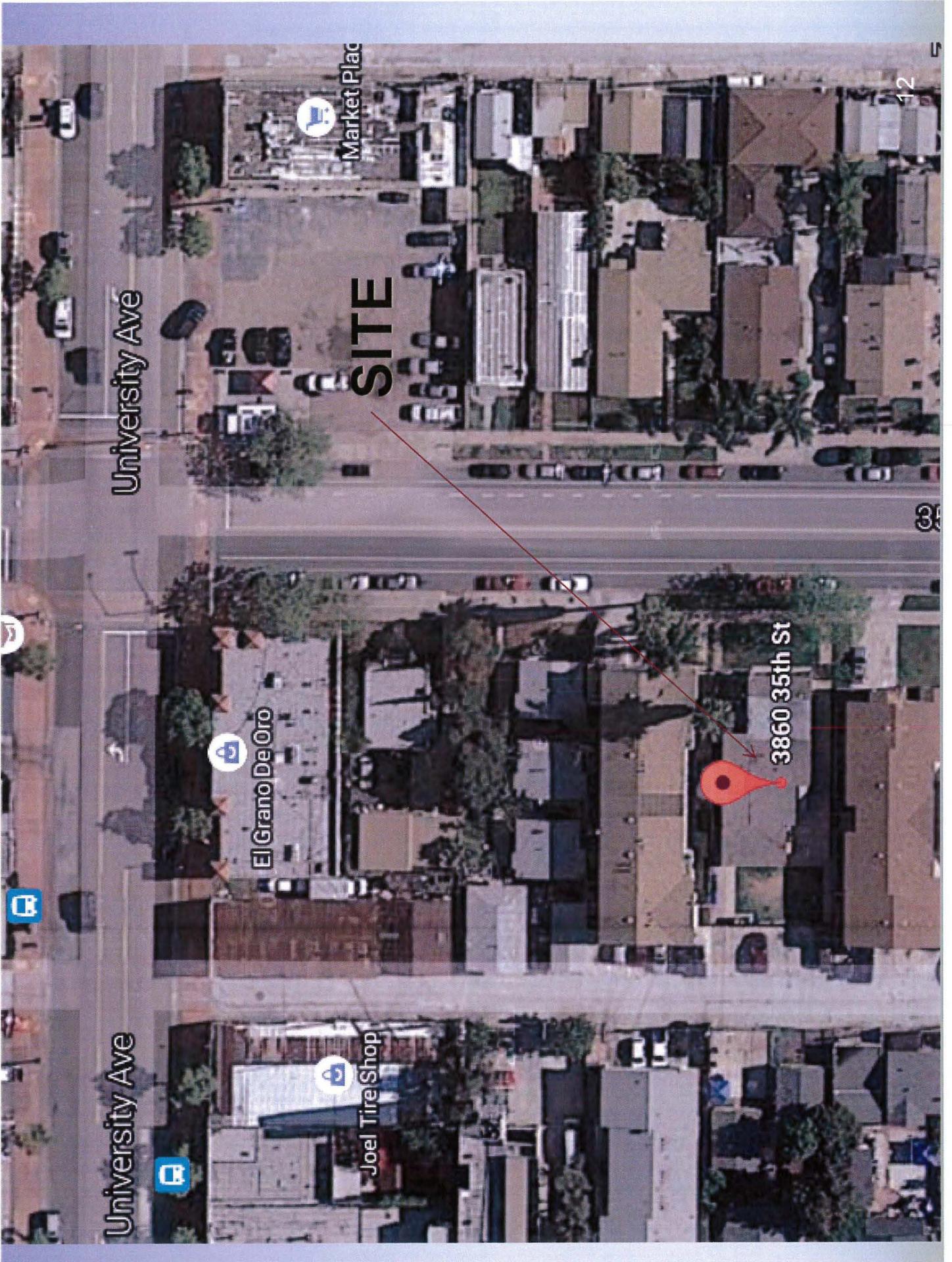
Figure 11
City Heights Community Plan Map



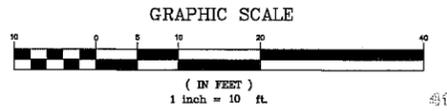


SITE

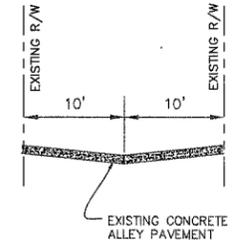
3860 35th St



3860 35TH STREET CONDOMINIUM PROJECT

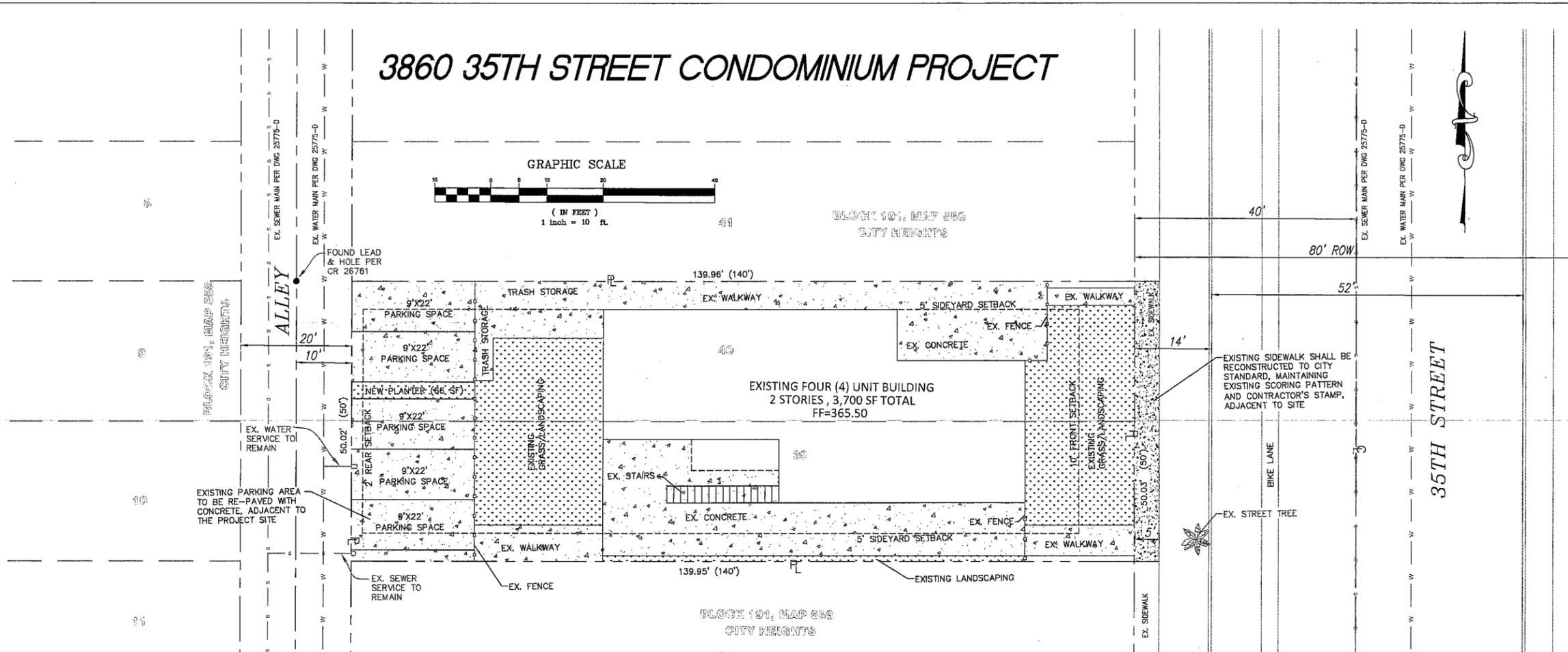


BLOCK 101, MAP 886
CITY HEIGHTS



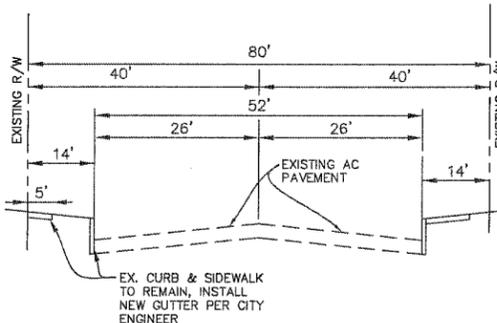
TYPICAL ALLEY SECTION
NOT TO SCALE

ON-SITE UTILITY TABLE	
UTILITY	LOCATION
ELECTRICAL	UNDERGROUND
GAS	UNDERGROUND
WATER/SEWER	UNDERGROUND
TELEPHONE	UNDERGROUND
CABLE	UNDERGROUND



EXISTING SIDEWALK SHALL BE RECONSTRUCTED TO CITY STANDARD, MAINTAINING EXISTING SCORING PATTERN AND CONTRACTOR'S STAMP, ADJACENT TO SITE

EXISTING PARKING AREA TO BE RE-PAVED WITH CONCRETE, ADJACENT TO THE PROJECT SITE



TYPICAL STREET SECTION - 35TH STREET
NOT TO SCALE

LEGEND:

SYMBOL	ITEM
x 93.5	EXISTING SPOT ELEVATION
- - - - -	TENTATIVE MAP BOUNDARY
- - - - -	EXISTING LOT LINE
FF	FINISH FLOOR
FG	FINISH GRADE
TC	TOP OF CURB
FL	GUTTER FLOW LINE

GENERAL NOTES:

- EXISTING ZONING: CUPD-CT-5-4, TRANSIT AREA OVERLAY ZONE, SAN DIEGO INTERNATIONAL AIRPORT INFLUENCE ZONE
- COMMUNITY PLAN: MID-CITY COMMUNITY PLAN: CITY HEIGHTS
- PROPOSED ZONING: SAME AS EXISTING
- EXISTING LOTS: 2, PROPOSED LOTS: 1
- SEWER SERVICE: CITY OF SAN DIEGO
- WATER SERVICE: CITY OF SAN DIEGO
- FIRE PROTECTION: CITY OF SAN DIEGO
- GAS AND ELECTRIC: SAN DIEGO GAS & ELECTRIC COMPANY
- TELEPHONE SERVICE: PACIFIC BELL
- TOTAL SITE AREA: 7,000 SF (0.161 AC)
- SQUARE FEET PER DWELLING UNIT:
 - UNIT 1: 1,100 SF - 3 BEDROOM
 - UNIT 2: 865 SF - 2 BEDROOM
 - UNIT 3: 865 SF - 2 BEDROOM
 - UNIT 4: 865 SF - 2 BEDROOM

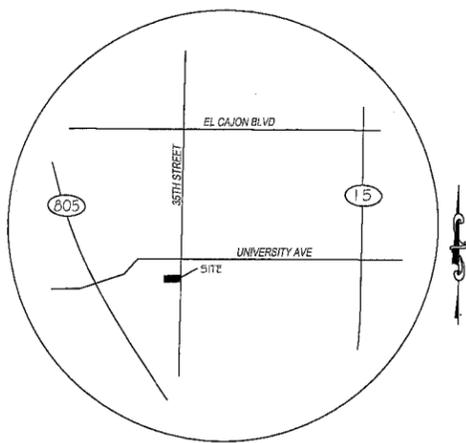
LEGAL DESCRIPTION:

LOTS 39 & 40, BLOCK 191 OF CITY HEIGHTS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO 1007, FILED IN THE OFFICE OF THE COUNTY RECORDER ON OCTOBER 3, 1906

- NAD 27 (LAMBERT) COORDINATE INDEX: 212-1731
- NAD 83 COORDINATE INDEX: 1852-6292
- ON-SITE EASEMENTS: NONE EXISTING PER TITLE REPORT.
- THIS IS A MAP OF A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4125 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS PURSUANT TO THE SUBDIVISION MAP ACT. THE TOTAL NUMBER OF CONDOMINIUM UNITS IS 4.
- A PARCEL MAP SHALL BE FILED AT THE COUNTY RECORDER'S OFFICE PRIOR TO THE EXPIRATION OF THE TENTATIVE MAP. A DETAILED PROCEDURE OF SURVEY WILL BE SHOWN ON THE PARCEL MAP AND ALL PROPERTY CORNERS WILL BE SET.
- STREET LIGHTS: ONE EXISTING STREET LIGHT IS LOCATED 100' SOUTH OF THE PROJECT SITE, AND TWO EXISTING STREET LIGHTS ARE LOCATED AT THE INTERSECTION OF 35TH STREET AND UNIVERSITY, APPROXIMATELY 200' NORTH OF THE PROJECT SITE.

TRANSPORTATION:

PER TABLE 142-05C OF THE SAN DIEGO MUNICIPAL CODE, THE RECOMMENDED PARKING REQUIREMENT FOR THIS PROJECT IS 1.0 PARKING SPACES PER 2-BEDROOM, AND 1.25 PARKING SPACES PER 3-BEDROOM UNIT, OR 4 REQUIRED PARKING SPACES. THE PROJECT PROPOSES 5 UNCOVERED PARKING SPACES FOR A TOTAL OF 5 PROVIDED PARKING SPACES.



VICINITY MAP
NO SCALE

ASSESSOR'S PARCEL NUMBER: 447-452-26-00
PROJECT ADDRESS: 3860 35TH STREET, SAN DIEGO, CA

BENCHMARK: SEBP @ UNIVERSITY AVENUE & SWIFT AVENUE, ELEV: 364.857 MSL

DECLARATION OF RESPONSIBLE CHARGE:
I HEREBY DECLARE THAT I AM THE ENGINEER OF WORK FOR THIS PROJECT, THAT I HAVE EXERCISED RESPONSIBLE CHARGE OVER THE DESIGN OF THE PROJECT AS DEFINED IN SECTION 6703 OF THE BUSINESS AND PROFESSIONS CODE, AND THAT THE DESIGN IS CONSISTENT WITH CURRENT STANDARDS.

I UNDERSTAND THAT THE CHECK OF PROJECT DRAWINGS AND SPECIFICATIONS BY THE CITY OF SAN DIEGO IS CONFINED TO A REVIEW ONLY AND DOES NOT RELIEVE ME, AS ENGINEER OF WORK, OF MY RESPONSIBILITIES FOR PROJECT DESIGN.

REFERENCE DRAWINGS: MAP NO. 1007, CR 4131, CR 26781

MINIMUM SETBACKS:
FRONT 10' FROM PL
SIDEYARD 5' FROM PL
REAR 2' FROM PL

OWNER: MICHAEL MAZZOTTA, 8400 JUNIPER CREEK LN #101, SAN DIEGO, CA 92126

NAME: RICHARD E. MATTER, JR. R.C.E. NO. 68281 EXP. 09-30-13 DATE: _____
MICHAEL MAZZOTTA DATE: _____

VON REITER GROUP
Civil Engineering Consultants
11110 megley avenue
san diego, ca 92131
www.vonreiter.com
phone (858) 232-4580
fax (619) 568-3770



Revision 3: _____
Revision 2: 01/26/2015
Revision 1: 08/15/2014

PTS #374384 IO# 24004774
MAP WAIVER
SHEET 1 OF 1 CREATED 06/03/14

RESOLUTION NO. HO-(TO BE FILLED IN)
DATE OF FINAL PASSAGE JULY 8, 2015

A RESOLUTION OF THE HEARING OFFICER
ADOPTING THE FINDINGS AND APPROVING
TENTATIVE MAP WAIVER NO. 1326008

35th STREET CONDO MAP WAIVER

PROJECT NO. 374384

WHEREAS, Michael Mazzotta, Subdivider, and Richard E. Matter, Jr., Engineer, submitted an application with the City of San Diego for Map Waiver No. 1326008, to waive the requirement for a Tentative Map by a tentative map waiver to allow the consolidation of two lots into one lot to create four residential condominium units and waive the undergrounding of existing overhead utilities. The project site is located at 3860 35th Street in the CT-5-4 zone of the Central Urbanized Planned District in the Mid-City City Heights Community Plan area. The property is legally described as Lots 39 and 40, Block 191, City Heights, according to Map thereof No. 1007, filed October 3, 1906, and

WHEREAS, the map proposes the subdivision of a 0.161 acre site into one lot for a four unit residential condominium conversion; and

WHEREAS, on February 27, 2015, 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 15301(k); 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 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) 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; and

WHEREAS, on July 8, 2015, the Hearing Officer of the City of San Diego considered Tentative Map Waiver No. 1326008, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to sections 125.0122, 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 Tentative Map Waiver No. 1326008:

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

The Mid-City City Heights Community Plan Land Use Map identifies the site for Residential uses at a density range of 11-15 dwelling units per acre. The site is developed with a four unit apartment building constructed in 1964 at a time when the applicable land use plan allowed a density greater than the current Mid-City City Heights Community Plan. The existing use is previously conforming as to density. The proposed tentative map waiver to create a four unit condominium is consistent with the applicable, relevant policies, goals, and objectives of the Mid-City City Heights Community 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 35th Street Condo Map Waiver project proposes the consolidation of two lots into one lot for a four unit residential condominium conversion on a 0.16 acre site. No development will result from the subdivision of the site. The site is developed with four apartments in one building and all improvements have been made to the site. The site is zoned CT-5-4 zone of the Central Urbanized Planned District. The proposed tentative map is consistent with all the development regulations of the CT-5-4 zone of the Central Urbanized Planned District. No deviations are proposed or required to approve the tentative map waiver.

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

The 35th Street Condo Map Waiver project proposes to consolidate a 0.16 acre site into one parcel for a four unit condominium. No development will result from the subdivision of the site. The site is developed with a four unit apartment building constructed in 1964 and all improvements have been made to the site. The site is within an urbanized portion of the City developed since the early 1900's with residential uses and no new development is proposed. The site was developed in 1964 at a time when the applicable land use plan allowed a density greater than the current Mid-City City Heights Community Plan. The existing use is previously conforming as to density. Therefore, the site 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 35th Street Condo Map Waiver project proposes to consolidate a 0.16 acre site into one parcel for a four unit condominium. No development will result from the subdivision of the site. The site is developed with four apartments in one building and all improvements have been made to the site. The site is within an urbanized portion of the City developed since the early 1900's with residential uses and no new development is

proposed. The tentative map waiver will have no impact which would cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat as sensitive environmental resources do not exist on the site.

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

The 35th Street Condo Map Waiver project proposes to consolidate a 0.16 acre site into one parcel for a four unit condominium. No development will result from the subdivision of the site. The site is developed with four apartments in one building and all improvements have been made to the site. The site is within an urbanized portion of the City developed since the early 1900's with residential uses and no new development is proposed. The subdivision will be required to comply with existing standards related to the California Uniform Plumbing Code for the installation of backflow protection to protect the local water supply. 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 35th Street Condo Map Waiver project proposes to consolidate a 0.16 acre site into one parcel for a four unit condominium. No development will result from the subdivision of the site. The site is developed with four apartments in one building and all improvements have been made to the site. The site is within an urbanized portion of the City developed since the early 1900's with residential uses and no new development is proposed. The Project site contains no public easements for access or use of the property, therefore the design of the subdivision will not conflict with any easements acquired by the public at large for access through or use of property within the proposed subdivision as none exist.

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

The 35th Street Condo Map Waiver project proposes to consolidate a 0.16 acre site into one parcel for a four unit condominium. No development will result from the subdivision of the site. The site is developed with four apartments in one building and all improvements have been made to the site. The site is within an urbanized portion of the City developed since the early 1900's with residential uses and no new development is proposed. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in that no development will result from the subdivision of the site, yet future improvement to the existing structures could result in additional passive or natural heating and or cooling modalities and technologies.

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 35th Street Condo Map Waiver project proposes to consolidate a 0.16 acre site into one parcel for a four unit condominium. No development will result from the subdivision of the site. The site is developed with four apartments in one building constructed in 1964 and all improvements have been made to the site. The site is within an urbanized portion of the City developed since the early 1900's with residential uses and no new development is proposed. In that no development will result from the tentative map waiver, the proposed subdivision will have no effect on the housing needs of the region, the needs for public services and the available fiscal and/or environmental resources. All public services necessary for supporting the community are existing, the subdivision will have a positive impact upon the available fiscal resources through the increase in property taxes collected from the owner, and there are no environmental resources present on the site.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Tentative Map Waiver No. 1326008; is hereby granted to Michael Mazzotta subject to the attached conditions which are made a part of this resolution by this reference.

By

John S. Fisher
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Waiver Conditions

Internal Order No. 24004774

HEARING OFFICER
CONDITIONS FOR MAP WAIVER NO. 1326008
35th STREET CONDO MAP WAIVER - PROJECT NO. 374384
ADOPTED BY RESOLUTION NO. _____ ON JULY 8, 2015

GENERAL

1. This Map Waiver will expire July 23, 2018.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map unless otherwise noted.
3. Prior to the Map Waiver expiration date, a Parcel Map to consolidate the existing lots into one lot shall be recorded in the Office of the San Diego County Recorder.
4. Prior to the recordation of the Parcel Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify the Subdivider of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not be required to pay or perform any settlement unless such settlement is approved by the Subdivider.

AFFORDABLE HOUSING

6. Prior to the recordation of the Parcel Map, 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

7. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
8. 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.
9. 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.
10. A Parcel Map to consolidate the existing lots into one lot shall be recorded in the Office of the County Recorder, prior to the Map Waiver expiration date.
11. The Subdivider shall reconstruct the sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractor's stamp, adjacent to the site on 35th Street, satisfactory to the City Engineer.
12. The Subdivider shall reconstruct all parking spaces adjacent to the alley with concrete, satisfactory to the City Engineer.
13. The Subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

LANDSCAPE

14. Prior to recordation of the Parcel Map, the Subdivider shall plant new trees and demonstrate existing landscaping has been maintained on the subject property and abutting public right-of-way, which shall be in substantial conformance with Exhibit "A," on file in the Development Services Department.

MAPPING

15. A consolidation Parcel Map will be required as a condition of the waiver.

16. "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).
17. "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."
18. Every Parcel Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true 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 distances shall be shown on the map.

INFORMATION:

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

- Subsequent applications related to this Tentative Map Waiver will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map Waiver, may protest the imposition within 90 days of the approval of this 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. 24004774

NOTICE OF EXEMPTION

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.: 374384

Project Title: **35th Street Condo Map Waiver**

Project Location-Specific: 3860 35th Street, San Diego, California 92104

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

Description of nature and purpose of the Project: Tentative Map Waiver (TMW) to allow the conversion of four residential dwelling units into condominiums within an existing 2-story building, and a request to waive the requirement to underground existing overhead utilities, on a 7,000 square-foot property.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Michael Mazzotta (Owner), 2233 Ebers Street, San Diego, California 92107, (858) 525-3022

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: CEQA Exemption 15301 (k)-(Existing Facilities)
 Statutory Exemptions:

Reasons why project is exempt: The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15301(k) which allows the division of existing multiple family or single-family residences into a common-interest ownership, where no physical changes occur which are not otherwise exempt. In addition; the exceptions listed in CEQA Section 15300.2 would not apply.

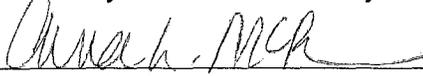
Lead Agency Contact Person: Rhonda Benally

Telephone: (619) 446-5468

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


Signature/Title

February 27, 2015
Date

Check One:

- Signed By Lead Agency
 Signed by Applicant

Date Received for Filing with County Clerk or OPR:

3860 35TH STREET CONDOMINIUM PROJECT

TREE SEPARATION NOTES:
 MINIMUM TREE SEPARATION DISTANCES FROM IMPROVEMENTS LISTED BELOW ARE AS FOLLOWS:
 TRAFFIC SIGNAL, STOP SIGN - 20 FEET
 UNDERGROUND UTILITY LINES (EXCEPT SEWER) - 5 FT
 SEWER LINES - 10 FEET
 ABOVE GROUND UTILITY STRUCTURES (TRANSFORMERS, HYDRANTS, UTILITY POLES, ETC.) - 10 FT
 DRIVEWAYS - 10 FT
 INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS) - 25 FT

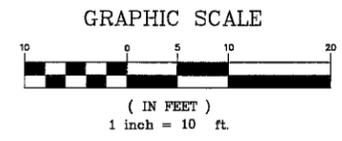
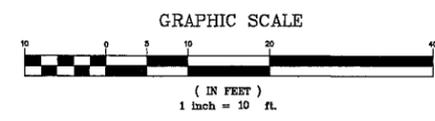
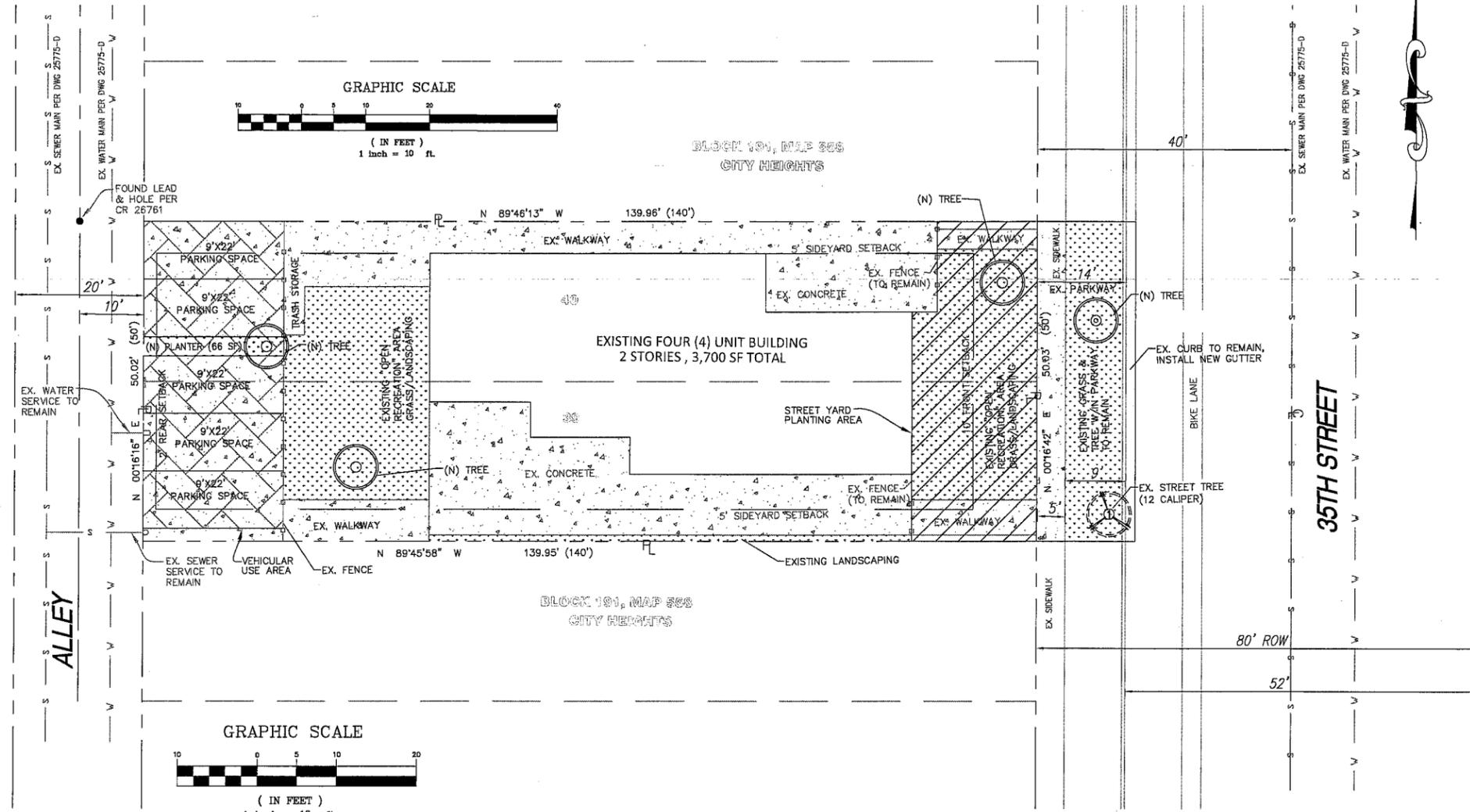
PLANT LEGEND

PROPOSED ON-SITE TREES/PALMS						
QTY.	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	FORM/FUNCTION	POINTS
3		LIRIODENDRON TULIPIFERA	TULIP TREE	24" BOX	LARGE CANOPY	180 POINTS

EXISTING ON-SITE SHRUBS/GROUND COVERS						
QTY.	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	FORM/FUNCTION	POINTS
1544 SF		TURF	TALL FESCUE	GROUND COVER	SPREADING/GROUND COVER	0 POINTS

EXISTING STREET TREES					
QTY.	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	FORM/FUNCTION
1		LIQUIDAMBAR STYRACIFLUA	SWEET GUM	12" CALIPER	PYRAMIDIAL/SHADE

PROPOSED STREET TREES					
QTY.	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	FORM/FUNCTION
1		ARBUTUS MENZESII	MADRONA	24" BOX	LARGE CANOPY



GENERAL NOTES:

- ALL LANDSCAPING SHOWN IS EXISTING, TO REMAIN UNLESS OTHERWISE SPECIFIED.
 - STREET TREE REQUIREMENTS - 1-24" BOX PER 30' OF STREET FRONTAGE. ONE STREET TREE IS REQUIRED, ONE IS PROVIDED.
 - STREET YARD AREA: 944 SF. REQUIRED PLANTING AREA: 472 SF. REQUIRED POINTS IN STREET YARD: 47.2. POINTS PROVIDED IN STREET YARD: 60.
- DENOTES STREET YARD AREA PER SDMC 113.0267
 DENOTES VEHICULAR USE AREA
- ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE STANDARDS OF THE CITY-WIDE LANDSCAPE REGULATIONS AND THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL LANDSCAPE STANDARDS AND ALL OTHER LANDSCAPE RELATED CITY AND REGIONAL STANDARDS.

IRRIGATION NOTE

ALL EXISTING ON-SITE PLANTING AREAS ARE IRRIGATED W/A FULLY AUTOMATIC IRRIGATION SYSTEM, TYP.

MAINTENANCE NOTES

ALL LANDSCAPING, IRRIGATION, FENCES, WALLS, ETC. ON THE SITE, ADJOINING PUBLIC RIGHT OF WAY SHALL BE PERMANENTLY AND CONTINUOUSLY MAINTAINED. THE MAINTENANCE PROGRAM SHALL INCLUDE NORMAL CARE AND IRRIGATION OF THE LANDSCAPING, REPAIR AND REPLACEMENT OF PLANT MATERIALS, IRRIGATION SYSTEMS AS NECESSARY, AND GENERAL CLEANUP OF THE LANDSCAPED AND OPEN AREAS, PARKING AREAS AND WALKWAYS, WALLS.

MAINTENANCE: ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE HOA. LANDSCAPE & IRRIGATION AREAS IN THE PUBLIC RIGHT-OF-WAY SHALL BE MAINTAINED BY THE HOA & THE CITY.

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 Civil Engineering Consultants

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 Development Services
 222 First Ave., 15th Fl.
 San Diego, CA 92101-2154
 (619) 441-2626

Landscape Calculations Worksheet
 Multiple Dwelling Unit Development in All Zones

Provide the following information on the Landscape Plans. The Landscape Calculations determine the planting area and points required by the Landscape Regulations, Chapter 14 Article 2, Division 4 of the Land Development Code.

STREET YARD

* A minimum 40 sq. ft. planting area shall be provided for all trees, with no dimension less than 5 ft.
 * At least one-half of the required planting points shall be achieved with trees.

Planting Area Required [142.0404]	Planting Area Provided	Excess Area Provided
Total Area 944 sq. ft. x 50% = 472 sq. ft.	740 sq. ft.	268 sq. ft.

Planting Points Required [142.0403]	Plant Points Provided	Excess Points Provided
Total Area 944 sq. ft. x 0.05 = 47.2 points	60 points	12.8 points

Points achieved with trees: 60 points

Planting Area allowable as landscape or unattached unit yards [142.0406(B)] [1/3]	Provided
Total Area 944 sq. ft. x 10% = 94.4 sq. ft.	157.25 sq. ft.

REMAINING YARD - 32 Dwelling Units

Plant Points Required	Plant Points Provided	Points Achieved with trees (at least 50%)
60 points in the remaining yard	points	Points

REMAINING YARD - 32 Dwelling Units

Plant Points Required	Plant Points Provided	Points Achieved with trees (at least 50%)
60 points x 1 # of buildings	60 points	60 Points

VEHICULAR USE AREA (VUA) - See separate worksheet (DS-5)

ADDITIONAL YARD PLANTING AREA AND POINT REQUIREMENTS

If any of the requirements of Landscape Regulations, Section 142.0405 (a) 1, 2, or 3 apply to your project, provide a written summary explaining how requirements are being met.

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.
 DS-003 (03-09)

PTS #374384 IO #24004774

LANDSCAPE DEVELOPMENT PLAN
 SHEET 1 OF 1



City of San Diego
 Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 448-5000

Ownership Disclosure Statement

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: 3800 35th St Condos Project No. For City Use Only: 374384

Project Address: 3800 35th

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, 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) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. 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.

Additional pages attached Yes No

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

Name of Individual (type or print): Michael Mazzotta
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: ~~3800 35th~~ 3535 Monroe Ave #110
 City/State/Zip: SD, CA 92110
 Phone No: _____ Fax No: _____
 Signature: [Signature] Date: 9/24/14

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____