



THE CITY OF SAN DIEGO

## REPORT TO THE HEARING OFFICER

HEARING DATE: August 12, 2015

REPORT NO. HO 15-096

ATTENTION: Hearing Officer

SUBJECT: BALBOA II MAP WAIVER  
PROJECT NUMBER: 414042

LOCATION: 301 - 319 Upas Street

APPLICANT: Adam Windham

### SUMMARY

Issue(s): Should the Hearing Officer approve a Map Waiver to create ten residential condominiums located at 301-319 Upas Street within the Uptown Community Plan area?

Staff Recommendation(s) – APPROVE Map Waiver No. 1452401.

Community Planning Group Recommendation - On June 2, 2015, the Uptown Planners voted 10-2-1 to recommend approval of the project (Attachment 7).

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15304 (Minor Alterations and Land Use Alterations). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on June 15, 2015 and the opportunity to appeal that determination ended June 29, 2015.

### BACKGROUND

The project proposes a Map Waiver to create ten residential condominiums currently under construction on a 0.34-acre site located at 301-319 Upas Street in the NP-2 zone of the Mid City Communities Planned District within the Uptown Community Plan Area. The site is adjacent to a mixture of commercial retail services and multi-family developments.

Prior to the submittal of the Map Waiver application, construction plans were reviewed and building permits were issued by the Development Services Department on November 6, 2014 under Project Number 351600, permitting the construction of ten residential units. The development included the construction of ten two-bedroom dwelling units ranging in size from 1,701 square feet to 1,576 square feet and two one bedroom units both 1,185 square feet.

A Map Waiver is required for the creation of ten residential condominium units on a single lot as defined in San Diego Municipal Code section 125.0120.

## DISCUSSION

The project proposes a Map Waiver to create ten residential condominium units on a site located at 301-319 Upas Street currently under construction. As a condition of the this subdivision the subdivider is required to construct public improvements as shown on approved civil drawing No. 348794-D, which includes a new curb ramp, curbs, gutters, sidewalks and driveway along Upas Street. The project has been reviewed and determined to be in compliance with the Municipal Code and Subdivision Map Act. An affordable housing fee was paid prior to the issuance of the building permit to comply with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, and Division 13, of the Land Development Code).

### Undergrounding of Existing Utilities

San Diego Municipal Code Section 144.0242 allows the subdivider to apply for a waiver from the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined the undergrounding waiver request qualifies under the guidelines under SDMC 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.

The applicant will be required to underground all existing service to the site per Condition No. 7 of the draft Map Waiver conditions (Attachment 6). The applicant would also be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 10 of the draft Map Waiver conditions (Attachment 6).

The neighborhood currently contains power poles and overhead utilities lines along Upas Street. The utility lines to these poles extend to other properties surrounding the site. The utilities poles are adjacent to the site. As indicated above, all utilities serving this property will be required to be undergrounded. The waiver is being requested for the requirement to underground adjacent utilities serving the surrounding properties. The City's Undergrounding Master Plan for Fiscal Year 2015 designates the site within Block 232, and the date for undergrounding has been established for the year 2045.

### Conclusion

Staff has determined that the project complies with the development regulations of all applicable sections of the Land Development Code, City Council policies, and the State Map Act as it regulates the creation of condominiums through a Map Waiver process. Staff recommends approval of the project as proposed.

ALTERNATIVES

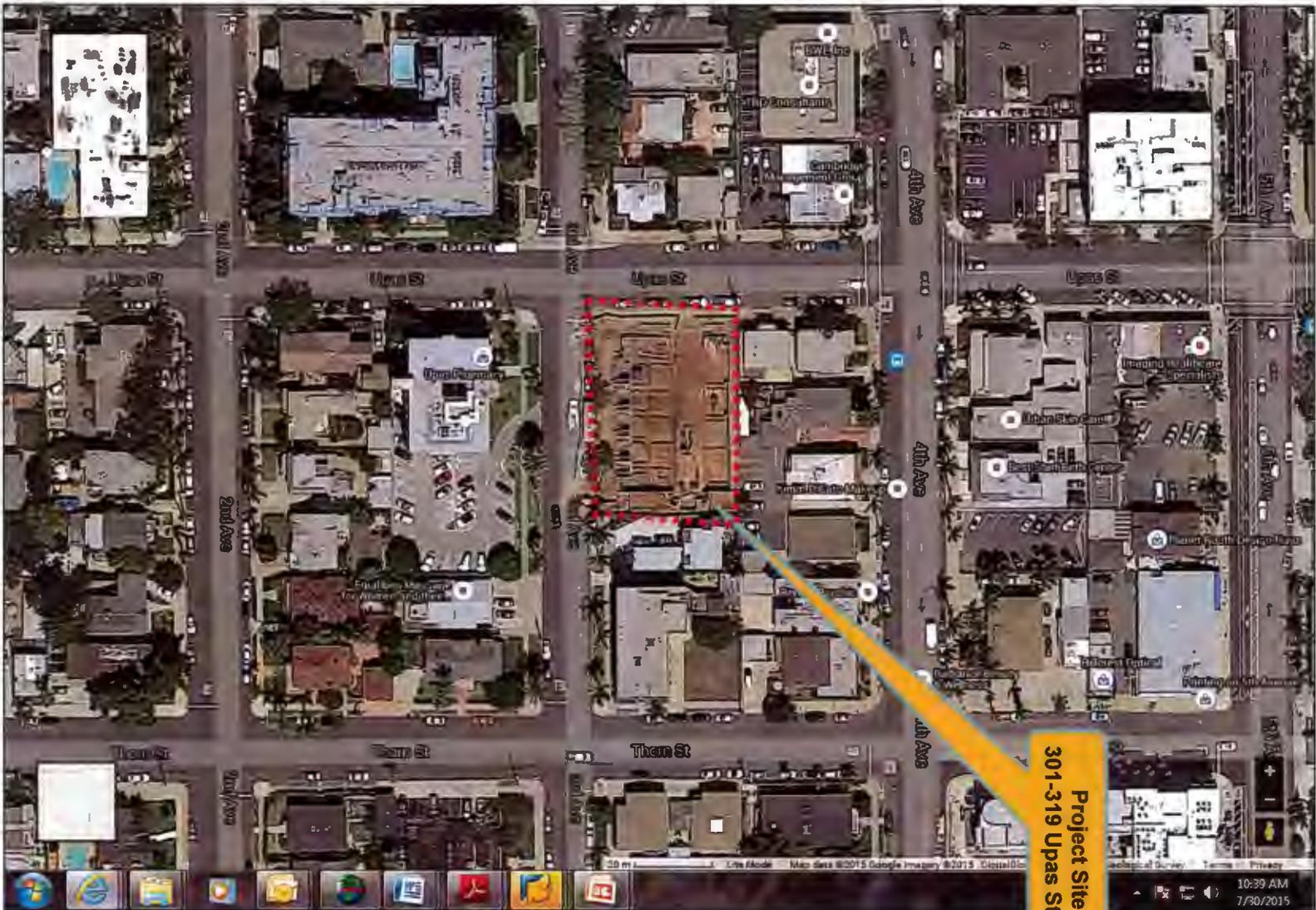
1. **Approve** Map Waiver No. 1452401 with modifications; or
2. **Deny** Map Waiver No. 1452401 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

  
William Zounes,  
Development Project Manager

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Map Waiver Resolution
6. Draft Map Waiver Conditions
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Project Plans



# Attachment 1 Aerial Photograph of Site

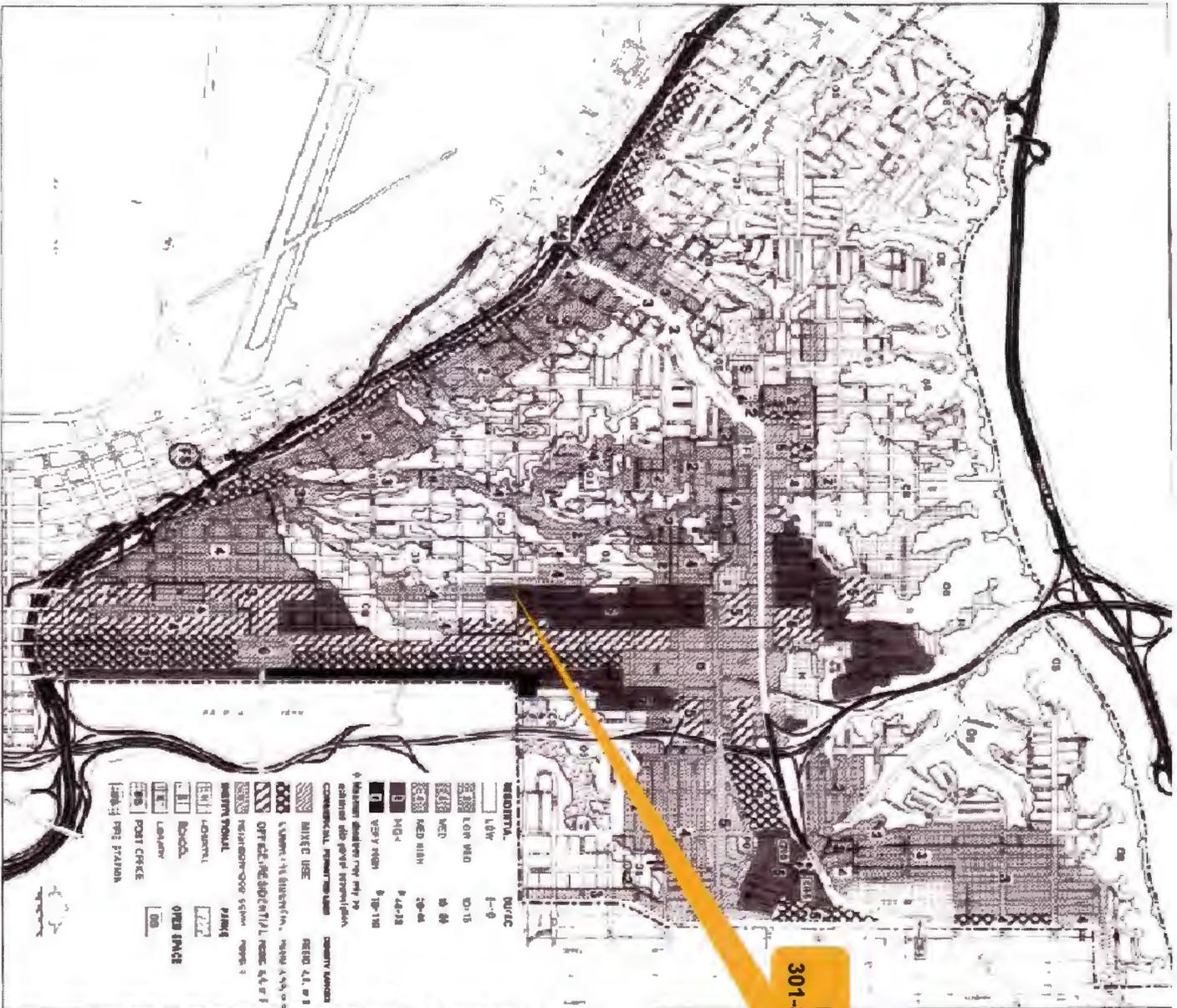


## Aerial Photograph (Birds Eye)

Balboa II Map Waiver Project No. 412042  
301-319 Upas Street



# Attachment 2 Community Plan Land Use Map



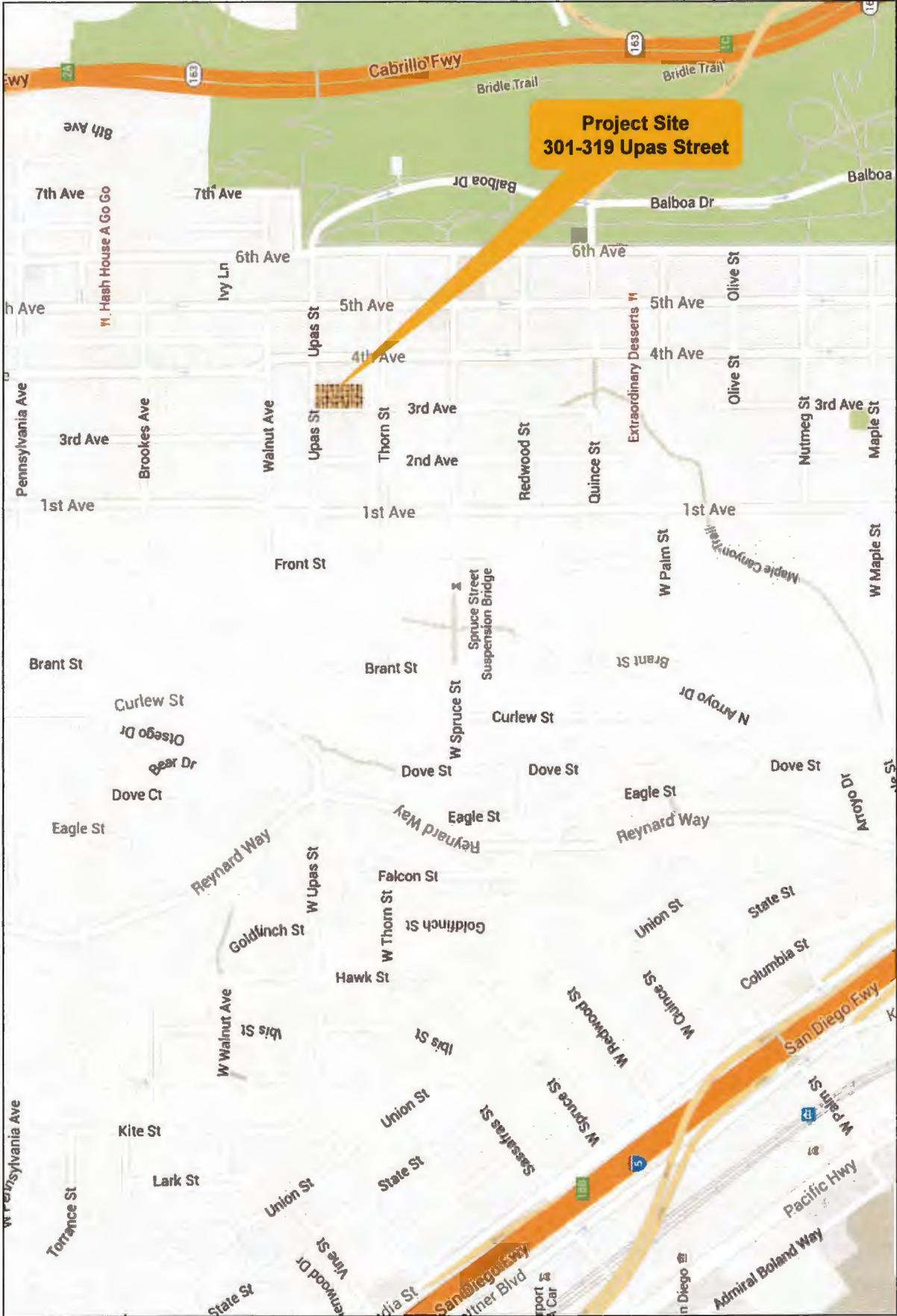
**Project Site**  
**301-319 Upas Street**

## Uptown Community Planning Area

Balboa II Map Waiver Project No. 412042  
301-319 Upas Street



# Attachment 3 Project Location Map



## Project Location Map

Balboa II Map Waiver Project No. 412042  
301-319 Upas Street



<b>PROJECT DATA SHEET</b>		
<b>PROJECT NAME:</b>	<b>Balboa II Map Waiver – Project 414042</b>	
<b>PROJECT DESCRIPTION:</b>	The project proposes a Map Waiver to create ten residential condominium units on a site located at 301-319 Upas Street currently under construction	
<b>COMMUNITY PLAN AREA:</b>	<b>Uptown</b>	
<b>DISCRETIONARY ACTIONS:</b>	<b>Map Waiver</b>	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Residential	
<b>ZONING INFORMATION:</b>		
<b>ZONE: NP-2</b>		
<b>HEIGHT LIMIT: N/A</b>		
<b>LOT SIZE: 0.34-acres</b>		
<b>FLOOR AREA RATIO: N/A</b>		
<b>FRONT SETBACK: 10 feet</b>		
<b>SIDE SETBACK: 6' + 3' for each story above the 2nd</b>		
<b>STREETSIDE SETBACK: 6'</b>		
<b>REAR SETBACK: 15 feet</b>		
<b>PARKING: 28 spaces required</b>		
<b>ADJACENT PROPERTIES:</b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Residential/NP-2	Multi Family/Commercial Services
<b>SOUTH:</b>	Residential/NP-2	Multi Family Homes/Commercial Services
<b>EAST:</b>	Residential/NP-2	Multi Family Homes/Commercial Services
<b>WEST:</b>	Residential/RS-1-7	Single/Multi-Family Hones
<b>DEVIATIONS OR VARIANCES REQUESTED:</b>	None	
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	On June 2, 2015, the Uptown Planners voted 10-2-1 to recommend approval of the project	

RESOLUTION NO. \_\_\_\_\_  
DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE HEARING OFFICER  
ADOPTING THE FINDINGS AND APPROVING MAP  
WAIVER NO. 1452401 FOR BALBOA II MAP WAIVER  
PROJECT NO. 414042

WHEREAS, Balboa Phase II, LLC, Hammer Commercial Ventures, and Brown Manager IV, LLC Subdividers, and William G. Mack, Engineer, submitted an application with the City of San Diego for Map Waiver No. 1452401, to waive the requirement for a Tentative Map to create ten residential condominiums under construction and to waive the requirement to underground existing offsite overhead utilities. The project site is located at 301 - 319 Upas Street within the NP-2 zone of the Mid City Communities Planned District within the Uptown Community Plan Area. The property is legally described as Parcel 1 of Parcel Map 21159, in the City of San Diego, County of San Diego, State of California, File No. 2014-0366437, filed in the Office of the County Recorder of San Diego County, August 26, 2014; and

WHEREAS, the Map proposes the subdivision of a 0.34-acre site into one (1) lot for a ten unit residential condominium creation, currently under construction; and

WHEREAS, on , 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 15304; 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 project consists of ten units under construction for which Certificates of Occupancy have not been issued; and

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 1351(f) and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is ten 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) based on The conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility; and

WHEREAS, on August 12, 2015, the Hearing Officer of the City of San Diego considered Map Waiver No. 1452401, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to sections 125.0122 (map waiver) and 144.0242 (underground) of the San Diego Municipal Code and Subdivision Map Act section 66428, received for its consideration written and oral presentations,

evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Hearing Officer having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Map Waiver No.1452401:

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

The proposed project is consistent with the land use residential designation of the Uptown Community Plan. The plan recommends that new multi-family residential developments retain the character of the existing neighborhoods, and that the design of new multi-family developments should provide offsetting building walls, screened or underground parking, minimal curb cuts, private open space and improved landscaping. Prior to the construction of the multi-family development the site served as a parking commercial parking lot. Currently the neighborhood consists of a mix of modern multi-family residential and commercial services building. The proposed condominium project will consist of eight two bedroom and two one-bedroom residential units. The project will incorporate design elements to include offsetting plans and private open space areas. Therefore, the proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (San Diego Municipal Code § 125.0440(a) and Subdivision Map Action §§ 66473.5, 66474(a), and 66474(b)).

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

The proposed condominiums are currently under construction through Building Permit No. 1230055 issued on November 6, 2014. The development included the construction of eight two-bedroom dwelling units ranging in size from 1,701 square feet to 1,576 square feet and two one bedroom units both 1,185 square feet. The construction was determined to be consistent with the development regulations of the NP-2 zone to include height, setbacks, floor area ratio, landscaping and architectural design. The project does not include deviations from the regulations.

San Diego Municipal Code Section 144.0242 allows the subdivider to apply for a waiver from the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined

**Attachment 5  
Draft Map Waiver Resolution**

the undergrounding waiver request qualifies under the guidelines under SDMC 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.

The Subdivider will be required to underground all existing service to the site per Condition No. 7 of the draft Map Waiver conditions. The Subdivider would also be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 10 of the draft Map Waiver conditions.

The neighborhood currently contains power poles and overhead utilities lines along Upas Street. The utility lines to these poles extend to other properties surrounding the site. The utilities poles are adjacent to the site. As indicated above, all utilities serving this property will be required to be undergrounded. The waiver is being requested for the requirement to underground adjacent utilities serving the surrounding properties. The City's Undergrounding Master Plan for Fiscal Year 2015 designates the site within Block 232, and the date for undergrounding has been established for the year 2045. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code.

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

The proposed condominiums are currently under construction on a relatively flat site. The site fronts Upas Street and Third Avenue. The NP-2 zone allows one dwelling unit for every 600 square feet of site area. The existing site is 14,810 square feet which will accommodate 10 dwelling units. The Uptown Community Plan designates the site as residential. The creation of ten residential condominiums is consistent with the community plan's land use designation and within the NP-2 zone density range. Therefore, the site is physically suitable for the type and density of the development.

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

The project is located within an urbanized and built-out environment where there are no watercourses or environmentally sensitive lands harboring fish or wildlife on or adjacent to the site. Therefore, the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

Site infrastructure and public improvements are required with this Map Waiver to include the construction of new sidewalk, driveway, water services and sewer lateral in

accordance with civil drawing D-348794. The project has been reviewed and determined to be in compliance with the Municipal Code and Subdivision Map Act. The Map Waiver includes conditions and corresponding exhibits relevant to obtaining permits for the work within the public right-of-way and paying applicable taxes in order to achieve compliance with the regulations of the San Diego Municipal Code. The proposed sidewalk improvements should further improve safety conditions by providing an easier path of travel for pedestrians through these areas. 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 subdivision will not conflict with existing public easements as there are none on the site. The site has frontage on Upas Street and Third Avenue which are dedicated public rights-of-way. Additionally, general utilities run along the public rights-of-ways and not through the existing project site. The subdivision proposes public improvements to include a new sidewalk, driveway, water services and sewer lateral. Therefore, the design of the subdivision and proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

The potential and opportunity exists to implement sustainable building techniques that utilize photovoltaic systems (solar panels) to generate a certain percentage of the project's energy needs. The ten units incorporate roofs which may facilitate solar panels in the future and the units face the southwest, conducive to effective solar utilization. Additionally, the project has been designed to meet Cal Green, Title 24 requirements and the City's storm water requirements. Thermally Low-E glass dual glazed windows along with Sun shading structures are installed throughout the development which will help reduce solar heat gain within the units. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

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

The decision maker has reviewed the administrative record including the project plans and environmental documentation to determine the effects of the proposed subdivision on the housing needs of the region. With the proposed creation of ten residential

**Attachment 5**  
**Draft Map Waiver Resolution**

condominiums, there would be a loss of ten rental units and a gain of ten for-sale units. The ten residential units are within a built out urbanized community with adequate infrastructure. The decision maker has determined that the available fiscal and environmental resources are balanced by adequate public transit in the immediate area, the proximity of shopping, and essential services and recreation in the nearby developed urban area. The project is within a block from public transit and retail services and sales. In addition, Balboa Park is located within blocks from the site. Therefore, the housing needs of the region are balanced against the needs for public services and the available fiscal and environmental resources.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Map Waiver No. 1452401; is hereby granted to Balboa Phase II, LLC subject to the attached conditions which are made a part of this resolution by this reference.

By \_\_\_\_\_  
William Zounes  
Development Project Manager  
Development Services Department

ATTACHMENT: Map Waiver Conditions  
Internal Order No. 24005688

HEARING OFFICER  
CONDITIONS FOR MAP WAIVER NO. 1452401  
BALBOA II MAP WAIVER- **PROJECT NO. 414042**  
ADOPTED BY RESOLUTION NO. \_\_\_\_\_ ON AUGUST 12, 2015

**GENERAL**

1. This Map Waiver will expire on August 26, 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 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.
5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify the Subdivider of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not be required to pay or perform any settlement unless such settlement is approved by the Subdivider.

**ENGINEERING**

6. The Subdivider shall construct the required Public Improvements, as shown on the approved drawing 348794-D, which included new curb ramp, curbs, gutters, sidewalks and driveway.

**Attachment 6**  
**Draft Map Waiver Conditions**

7. 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.
8. 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.
9. The subdivider shall provide a letter, agreeing to 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.
10. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
11. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
12. The Subdivider shall comply with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980. Only those exceptions to the General Conditions which are shown on the Map Waiver and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

**MAPPING**

13. Prior to the issuance of a Certificate of Compliance, City staff will perform a field site visit to verify that all property corners, or property corner offsets have been set. If any property corners are missing, they must be set 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 Record of Survey or Corner Record shall be provided to the City.
14. A certificate of compliance shall be requested once the items of the approved tentative map waiver and resolution have been satisfied.

**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 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. 24005688

**Attachment 7**  
**Community Planning Group Recommendation**

At our June 2nd meeting the Uptown Planners board voted to recommend approval on the below referenced project. The vote was 10-2-1 in favor.

Let me know if you need anything further,

Michael

On Jun 19, 2015, at 2:47 PM, James Mellos <[uptownplannerschair2015@gmail.com](mailto:uptownplannerschair2015@gmail.com)> wrote:

Michael, can you please handle this? Thank you!

**J. Demetrios Mellos III**

Chair

Uptown Planners

Tel: 619-696-3600 x1

e-mail: [UptownPlannersChair2015@gmail.com](mailto:UptownPlannersChair2015@gmail.com)

Project Title: \_\_\_\_\_

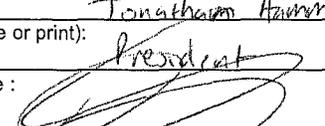
**Part II - To be completed when property is held by a corporation or partnership**

**Legal Status (please check):**

Corporation  Limited Liability -or-  General) What State? DE Corporate Identification No. 461570102  
 Partnership

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 names, titles 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 corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. 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. **Additional pages attached**  Yes  No

Corporate/Partnership Name (type or print): Balboa Phase II, LLC  
 Owner  Tenant/Lessee  
 Street Address: 2445 Fifth Ave suite 420  
 City/State/Zip: San Diego CA 92103  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Name of Corporate Officer/Partner (type or print): Jonathan Hammer  
 Title (type or print): President  
 Signature:  Date: 3.5.2015

Corporate/Partnership Name (type or print): Hammer Commercial Ventury  
 Owner  Tenant/Lessee  
 Street Address: 2445 5th Ave  
 City/State/Zip: San Diego, CA 92103  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Name of Corporate Officer/Partner (type or print): Jonathan Hammer  
 Title (type or print): President  
 Signature:  Date: 3.5.2015

Corporate/Partnership Name (type or print): Brown Manager IV, LLC  
 Owner  Tenant/Lessee  
 Street Address: registered office: 1201 Orange Street  
 City/State/Zip: Wilmington, DE 19801  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Name of Corporate Officer/Partner (type or print): \_\_\_\_\_  
 Title (type or print): \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Corporate/Partnership Name (type or print): \_\_\_\_\_  
 Owner  Tenant/Lessee  
 Street Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Name of Corporate Officer/Partner (type or print): \_\_\_\_\_  
 Title (type or print): \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Corporate/Partnership Name (type or print): \_\_\_\_\_  
 Owner  Tenant/Lessee  
 Street Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Name of Corporate Officer/Partner (type or print): \_\_\_\_\_  
 Title (type or print): \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Corporate/Partnership Name (type or print): \_\_\_\_\_  
 Owner  Tenant/Lessee  
 Street Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Name of Corporate Officer/Partner (type or print): \_\_\_\_\_  
 Title (type or print): \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# BALBOA II AT 3RD AVENUE AND UPAS STREET MAP WAIVER APPROVAL #1452401

**OWNER/DEVELOPER:**

BALBOA PHASE II, LLC  
C/O HAMMER VENTURES  
2121 5TH AVENUE, SUITE 210  
SAN DIEGO, CA 92101  
(619) 362-2608

**ENGINEER OF WORK:**

PASCO LARET SUITER & ASSOCIATES  
535 NORTH HIGHWAY 101, SUITE A  
SOLANA BEACH, CA 92075  
858-259-8212



JONATHAN HAMMER DATE

WILLIAM G. MACK  
RCE NO. 73620  
REGISTRATION EXPIRES 12-31-16

**STRUCTURE**

STORIES: 2 + GARAGE PARKING  
TOTAL SQ. FOOTAGE: 15,651 SF

UNIT 301	SQ. FOOTAGE: 1,612 SF	BEDROOMS: 2
UNIT 303	SQ. FOOTAGE: 1,701 SF	BEDROOMS: 2
UNIT 305	SQ. FOOTAGE: 1,701 SF	BEDROOMS: 2
UNIT 307	SQ. FOOTAGE: 1,701 SF	BEDROOMS: 2
UNIT 309	SQ. FOOTAGE: 1,701 SF	BEDROOMS: 2
UNIT 311	SQ. FOOTAGE: 1,612 SF	BEDROOMS: 2
UNIT 313	SQ. FOOTAGE: 1,576 SF	BEDROOMS: 2
UNIT 315	SQ. FOOTAGE: 1,185 SF	BEDROOMS: 1
UNIT 317	SQ. FOOTAGE: 1,185 SF	BEDROOMS: 1
UNIT 319	SQ. FOOTAGE: 1,689 SF	BEDROOMS: 2

PARKING SQ. FOOTAGE: 4,443 SF  
DATE OF CONSTRUCTION 2015

**PARKING NOTES:**

PARKING GARAGES ARE LOCATED AT GROUND LEVEL OF BUILDING WITH ACCESS FROM UPAS STREET.

REQUIRED:	PROVIDED:
2 1 BEDROOM UNITS @1.25/UNIT = 3	3
2 2 BEDROOM UNITS @1.75/UNIT = 13	14
1 2 BEDROOM UNIT @2/UNIT = 2	2
ADDITIONAL STREET TOTAL = 10	10
MOTORCYCLE = 1	30

**NOTES:**

- NO EXISTING OR PROPOSED EASEMENTS WITHIN PROPERTY.
- FRONT YARD SETBACK: 10'
- SIDE YARD SETBACK: 6' + 3" FOR EACH STORY ABOVE 2ND
- REAR YARD SETBACK: 15'
- STREET SIDE YARD SETBACK: 6'
- THIS PLAN REQUESTS A WAIVER OF THE REQUIREMENT TO FILE A TENTATIVE MAP AND FINAL MAP.
- SEE IMPROVEMENT PLAN 37823-D FOR CONSTRUCTION OF IMPROVEMENTS WITHIN RIGHT-OF-WAY.

**BASIS OF BEARINGS**

THE WESTERLY LINE OF PARCEL 1 AS SHOWN ON PARCEL MAP NUMBER 211569 IN THE STATE OF CALIFORNIA, COUNTY OF SAN DIEGO, CITY OF SAN DIEGO AS FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY I.E. NORTH 00°05'51" EAST.

**BENCHMARK**

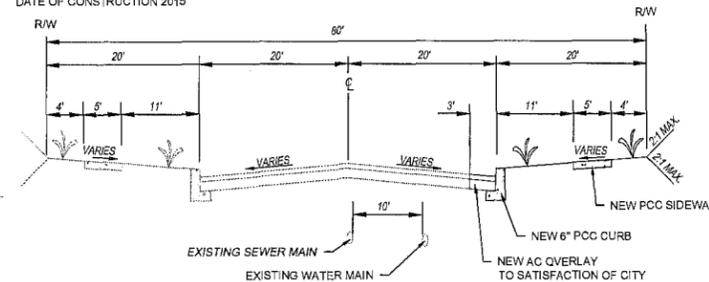
A BRASS PLUG AT THE NORTHWEST CORNER RETURN AT THE INTERSECTION OF THORN AND 3RD AVENUE PER CITY OF SAN DIEGO VERTICAL CONTROL BENCHMARK, ELEVATION = 287.06 FEET (CITY OF SAN DIEGO DATUM)

**TOPOGRAPHIC INFORMATION**

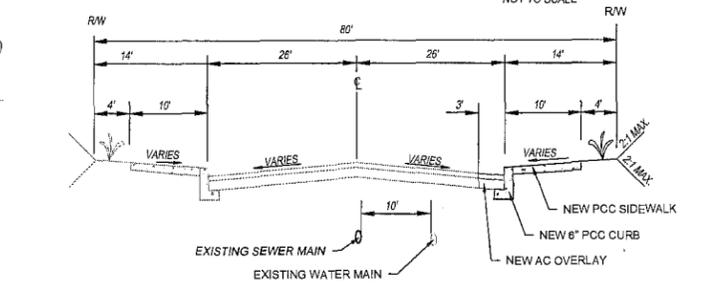
TOPOGRAPHIC SURVEY FIELD WORK WAS COMPLETED ON AUGUST 29, 2015 BY PASCO LARET SUITER & ASSOCIATES

**MONUMENTATION NOTE:**

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



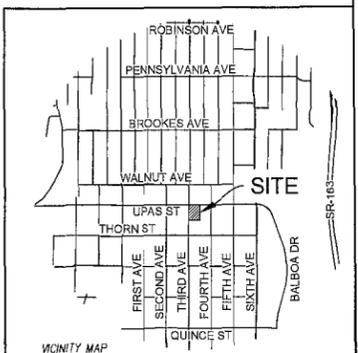
TYPICAL SECTION: 3RD AVENUE (PUBLIC)



TYPICAL SECTION: UPAS STREET (PUBLIC)

**LEGEND:**

- SURVEY BOUNDARY
- RIGHT-OF-WAY LINE
- CENTER LINE
- ADJOINING PROPERTY LINE
- NEW WATER LINE
- NEW SEWER LINE
- NEW STORM DRAIN
- NEW 1ST FLOOR OUTLINE
- NEW 2ND FLOOR OVERHANG
- NEW PCC PAVEMENT
- NEW DRIVEABLE PLANTER AREAS
- NEW PAVER AREA
- NEW RETAINING WALL
- NEW TRANSFORMER (PER SDG&E WORK ORDER #062241)
- NEW STORM DRAIN SUMP PUMP
- NEW TRAFFIC RATED STORM DRAIN INLET
- NEW AREA DRAIN
- NEW SEWER CLEANOUT
- EXISTING WALL
- EXISTING CONTOUR LINE
- NEW STREET TREE
- FOUND 1/2" DIA. LEAD AND BRASS DISK IN CONCRETE PER CR 16919 UNLESS OTHERWISE NOTED
- SET 3/4" LEAD AND DISK LS 8486 IN CONCRETE
- FOUND LEAD AND 3/4" BRASS DISK IN CONCRETE LS 2813 PER CORNER RECORD 16919
- SET 3/4" IRON PIPE LS 8486



**PASCO LARET SUITER & ASSOCIATES**  
535 North Highway 101, Ste A, Solana Beach, CA 92075  
ph 858.259.8212 | fx 858.259.4812 | plsaengineering.com

**CONSULTANTS:**  
CIVIL ENGINEER  
PASCO LARET SUITER & ASSOCIATES  
535 NORTH HWY 101, SUITE A  
SOLANA BEACH, CA 92075  
858-259-8212

**BUILDING DATA:**  
301, 303, 305, 307, 309, 311, 313, 315, 317, 319 UPAS ST.  
SAN DIEGO, CA 92103  
YEAR BUILT 2015

**PROJECT DATA:**  
PROPOSED USE: 10 RESIDENTIAL UNITS  
10 PRIVATE GARAGES  
EXISTING USE: PARKING LOT

**EXISTING AND PROPOSED ZONE:** NP-2  
OVERLAY ZONES: MID-CITY COMMUNITIES PLANNED DISTRICT  
UPDOWN COMMUNITY TRANSIT OVERLAY, TANDEN PARKING OVERLAY,  
SAN DIEGO INTERNATIONAL AIRPORT INFLUENCE AREA

APN: 452-554-23  
SITE AREA: 0.34 AC  
GRADING: 0 FILL 0 CUT 0 IMPORT

**UTILITIES:**  
WATER & SEWER CITY OF SAN DIEGO  
SDG&E GAS & ELECTRIC  
COX CABLE AND PHONE  
AT&T CABLE AND PHONE

**PROJECT ADDRESS:** BALBOA PHASE II, LLC  
C/O HAMMER VENTURES  
2445 5TH AVENUE, SUITE 210  
SAN DIEGO, CA 92103

**LAMBERT COORDINATES:** 208-1719  
CCS83: 1648-6279

**LEGAL DESCRIPTION:**  
PARCEL 1 OF PARCEL MAP 211569, IN THE CITY OF SAN DIEGO,  
COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILE NO.  
2014-0366437, FILED IN THE OFFICE OF THE COUNTY  
RECORDER OF SAN DIEGO COUNTY, AUGUST 26TH, 2014.

NUMBER OF EXISTING LOTS: 1  
NUMBER OF PROPOSED LOTS: 1

THIS IS A MAP OF A CONDOMINIUM PROJECT AS  
DEFINED IN SECTION 4125 ET SEQ OF THE CIVIL  
CODE OF THE STATE OF CALIFORNIA AND IS FILED  
PURSUANT TO THE SUBDIVISION MAP ACT. THE  
TOTAL NUMBER OF RESIDENTIAL UNITS IS 10.

**PROJECT NAME:** BALBOA II  
PTS #: 414042  
I.O. #: 24005688

SCALE 1"=10'  
ORIGINAL DATE: 03/18/15  
REVISION DATE: 05/26/15