



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: July 3, 2008 **REPORT NO.** PC-08-066

ATTENTION: Planning Commission, Agenda of July 10, 2008

SUBJECT: 1020 DENNERY TENTATIVE MAP - PROJECT NO. 78473
PROCESS 4

**OWNER/
APPLICANT:** GL Genpar, LLC, General Partner (Attachment 8)
Kathy Corvin

SUMMARY

Issue(s): Should the Planning Commission approve a Tentative Map for the conversion of 346 existing residential units to condominiums within the Otay Mesa community planning area?

Staff Recommendation:

Approve Tentative Map No. 243888.

Community Planning Group Recommendation: The Otay Mesa Community Planning Committee voted 12-0-0 to recommend approval of the proposed project on March 19, 2007 with no conditions (Attachment 7).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to section 15301(k) on September 23, 2005, and the opportunity to appeal that determination ended October 2, 2005.

Fiscal Impact Statement: None with this action. All costs associated with the processing of this project are paid by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: With the proposed conversion of 246 existing apartments to condominiums, there would be a loss of 246 rental units and a gain of 246 for-sale units. This condominium conversion project was deemed complete on September 2, 2005 and is therefore subject to the regulations regarding Inclusionary housing and tenant relocation assistance. The proposed condominium conversion is required to set aside ten percent of the units for households with an income at or below 100 percent Area Medium Income (AMI).

BACKGROUND

This Tentative Map project is subject to the condominium conversion regulations effective June 13, 2006, with the exception of the parking regulations, based on the City Council's specific adoption language for the "new" condominium conversion regulations. At the June 13, 2006 hearing, the City Council adopted regulations for additional requirements for landscaping, a building conditions report, on-site inclusionary housing, noticing, and parking. Based on the adopted language and project timing, all of these new regulations apply to this project, with the exception of the parking regulations. Accordingly, this project has been reviewed against the new regulations.

The 15-acre project site is located at 1020-1276 Dennery Road in the RM-2-5 zone, within the Otay Mesa Community Planning area (Attachment 2). The site is presently developed with 17, two and three-story, multi-family buildings containing 346 apartment units. The units consist of 134 one-bedroom apartments ranging in size from 652 square feet to 731 square feet, 153 two bedroom units ranging in size from 1,038 to 1,097 square feet, and 59 three-bedroom units at 1,249 square feet each. The site provides 655 off-street parking spaces where 640 parking spaces are required. Existing parking includes 224 attached garages, 122 detached garages, 171 open spaces of which 8 are ADA accessible, and 130 tandem spaces. Access to the development is from Dennery Road with emergency access also available from Dennery Road. The development also provides a tot lot, fitness center, swimming pool, spa, clubhouse, and landscaped areas.

The site is bounded by a commercial retail establishment to the north, I-805 to the west, multi-family and light industrial developments to the south/southeast, and undeveloped land to the east.

The existing apartment complex was constructed in 2003 in accordance with the current zone of RM-2-5. The RM-2-5 Zone permits 435 units on the property. All utilities are currently underground. The development complied with the zoning and development regulations in effect at the time of construction and no Building or Zoning code violations have been recorded against the property.

DISCUSSION

Project Description:

The project proposes a Tentative Map for the subdivision of a 15 acre site to convert 346 existing dwelling units into condominiums (Attachment 5).

Section 125.0410 of the San Diego Municipal Code (SDMC) requires that a Tentative Map be processed for the subdivision of land. According to SDMC Sections 125.0440 and 125.0444, *Findings for Tentative Maps and for Condominium Conversions*, the decision maker may approve a Tentative Map for the purposes of the conversion of residential property into a condominium project if the decision maker finds that the proposed conversion complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed condominium conversion and determined that it complies with both the Subdivision Map Act and the San Diego Municipal Code.

Project-Related Issues

All condominium conversion projects not yet heard by July 25, 2006, must conform with the current regulations regarding: inclusionary housing, tenant relocation benefits, the provision of a building conditions report, conformance with landscape regulations, and conformance with noticing requirements. This project is not required to conform with the new parking regulations for condominium conversions, based on specific language adopted by the City Council.

The requested conversion of these residential units to condominiums represents primarily a change in ownership. The applicant has certified that the required 60-day Notices of Intent to Convert to Condominiums were provided to the tenants on September 16, 2005 (Attachment 10).

Inclusionary Housing Ordinance and Tenant Relocation Benefits Conformance:

The project has been conditioned to require the subdivider conform with the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code) and demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5) to the satisfaction of the City Manager and the Housing Commission, prior to the recordation of the Final Map.

The applicant is conditioned to sell ten percent of the units to households who earn 100 percent or less of the AMI to satisfy the Inclusionary Housing requirement, as allowed by the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).

Building Conditions Report and Landscape Requirements

In accordance with the current regulations, the applicant provided a Building Conditions Report and Landscape Concept Plan. Both of these documents have been reviewed for conformance with the applicable regulations within Land Development Code (Chapter 14, Article 4, Division 5) and have been accepted by staff as conforming to the regulations. The list of required improvements is attached (Attachment 13).

CONCLUSION:

Staff has reviewed the request for a Tentative Map for the conversion of 346 residential units into condominiums and has found the project to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps. Staff believes the requirement findings can be supported and recommends the Planning Commission approve the project as proposed.

ALTERNATIVES

1. **Approve Tentative Map No. 243888, with modifications.**
2. **Deny Tentative Map No. 243888, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



William Zoupes
Development Project Manager
Development Services Department

WESTLAKE/WJZ

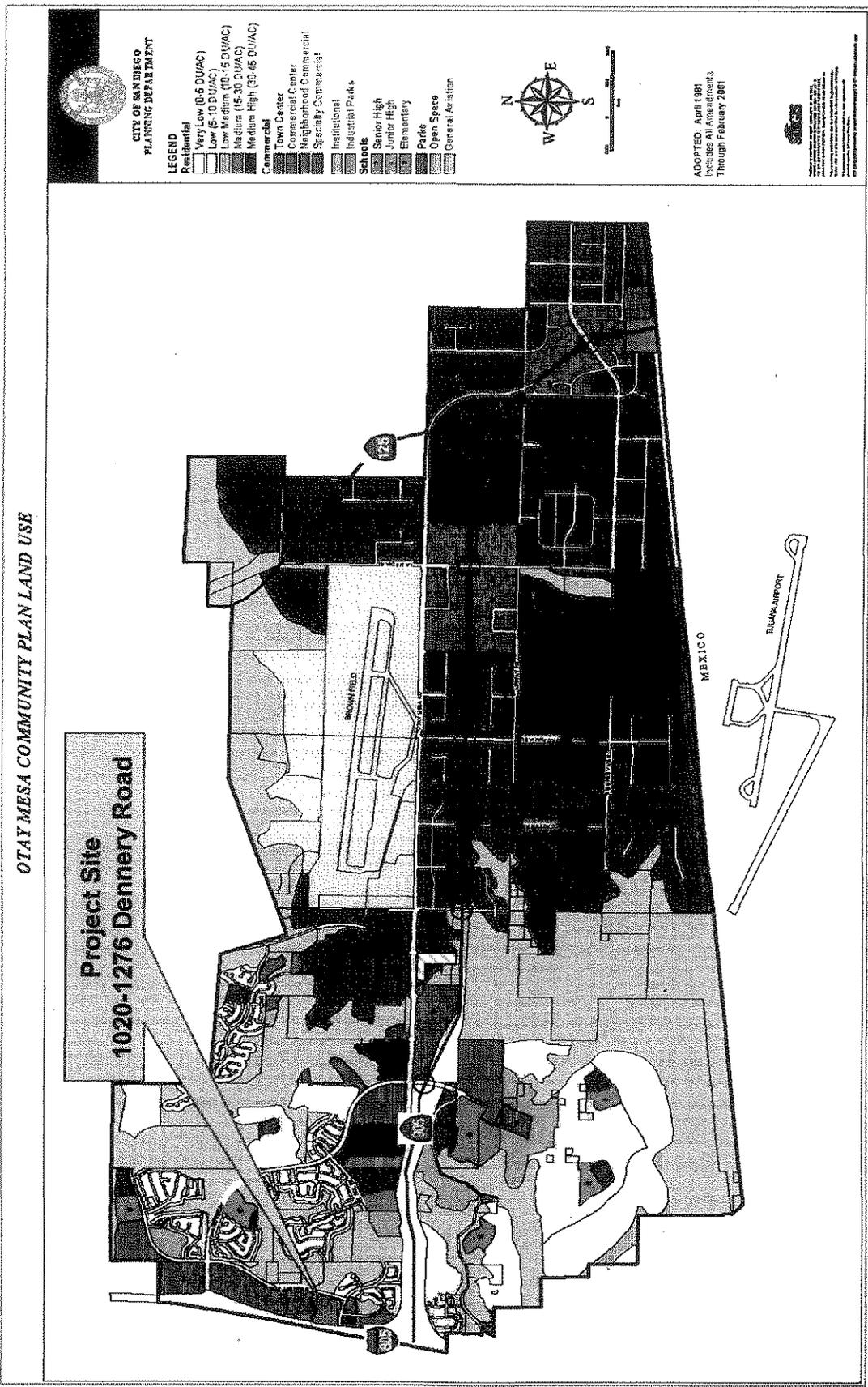
Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Tentative Map and Landscape Development Plan
6. Draft Map Conditions and Subdivision Resolution
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Project Chronology
10. Sample of 60-Day Notice of Intent to Convert
11. Photos of Existing Apartment Complex
12. Project Rendering
13. Building Conditions Report Project Summary
14. Building Conditions Report (under separate cover)

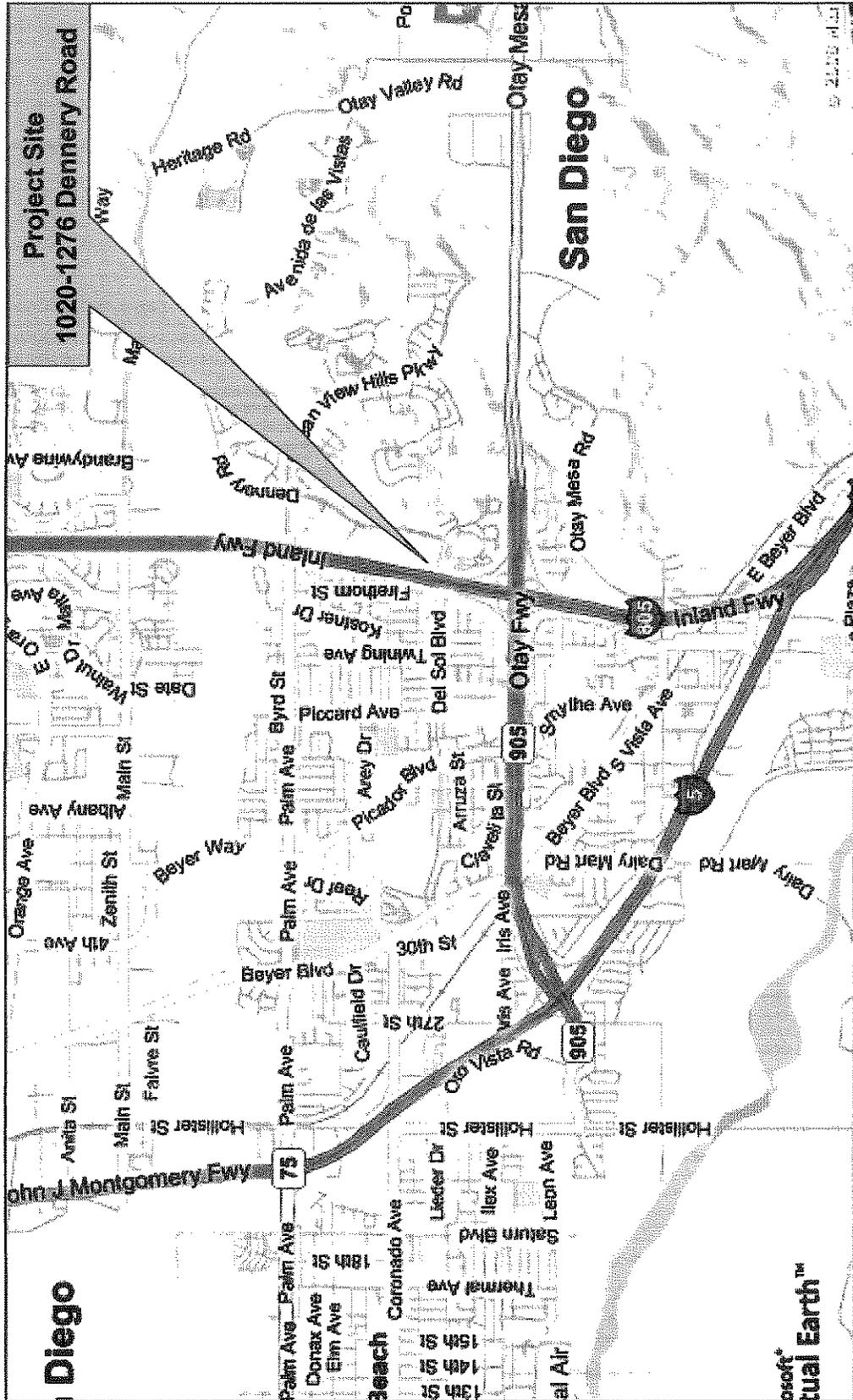
Attachment 1 Aerial Photograph of Site



Attachment 2 Community Plan Land Use Map



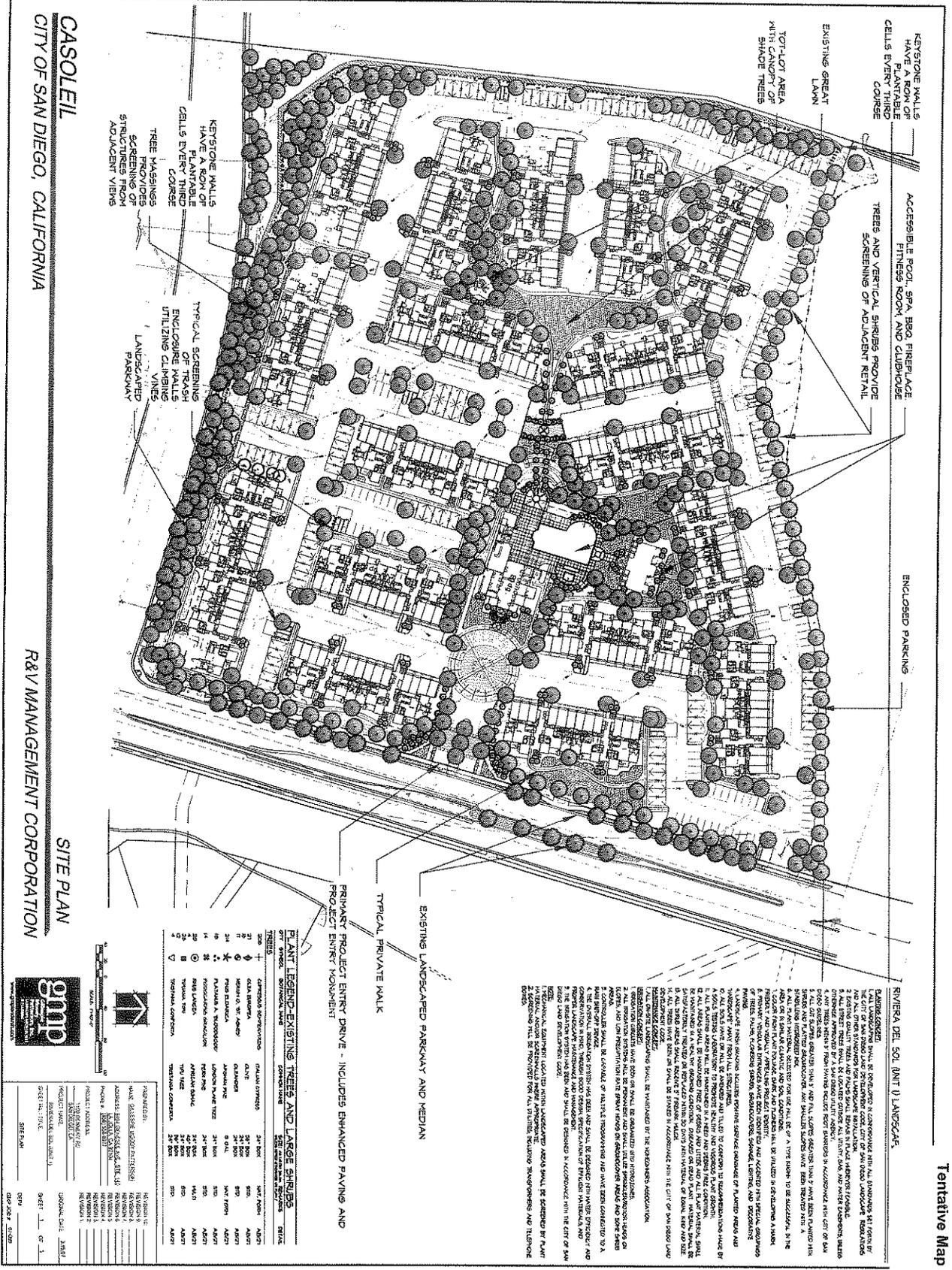
Attachment 3 Project Location Map



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PROJECT DATA SHEET FOR CONDOMINIUM CONVERSIONS

PROJECT NAME:	1020 DENNERY TENTATIVE MAP	
PROJECT DESCRIPTION:	Tentative Map for the conversion of 346 existing residential units to condominiums	
COMMUNITY PLAN AREA:	Otay Mesa	
DISCRETIONARY ACTIONS:	Tentative Map	
COMMUNITY PLAN LAND USE DESIGNATION:	Medium density 15-30 dwelling units per acre	
<u>CURRENT ZONING INFORMATION:</u> ZONE: RM-2-5: A multi-unit residential zone DENSITY: one dwelling unit per 1,500 sf of lot area. HEIGHT LIMIT: 40-Foot maximum height limit. LOT SIZE: 6,000 square-foot minimum lot size. FLOOR AREA RATIO: 1.35 maximum. FRONT SETBACK: 15/20 feet. SIDE SETBACK: 5 feet. STREETSIDE SETBACK: 10 feet. REAR SETBACK: 15 feet PARKING: 640 spaces required	<u>CONSTRUCTED:</u> RM-2-5 1:1,500 lot area 40 feet 649,044 square feet 1.35 15/20 5 feet 10 feet 15 feet 655 spaces	
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Commercial Town Center; CC-1-3	Commercial Retail (Home Depot)
SOUTH:	Residential/Industrial Park; IL-3-1/RM-2-5	Multi-Family Development/Light Industrial
EAST:	Residential/Open Space	Single Family/Undeveloped Land
WEST:	I-805	I-805
DEVIATIONS OR VARIANCES REQUESTED:	none	
COMMUNITY PLANNING GROUP RECOMMENDATION:	The Otay Mesa Community Planning Committee voted 12-0-0 to recommend approval of the proposed project on March 19, 2007	



CASOLEIL
 CITY OF SAN DIEGO, CALIFORNIA

SITE PLAN
 R&V MANAGEMENT CORPORATION



PROJECT NAME	CASOLEIL
PROJECT LOCATION	10000 CASOLEIL DRIVE, SAN DIEGO, CA 92121
DATE	08/11/11
SHEET NO.	1 OF 1
DATE	08/11/11
DESIGNER	GANNETT FLEMING
SCALE	AS SHOWN

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
1	EXISTING TREE	10	PLANT LEGEND
2	EXISTING TREE	11	PLANT LEGEND
3	EXISTING TREE	12	PLANT LEGEND
4	EXISTING TREE	13	PLANT LEGEND
5	EXISTING TREE	14	PLANT LEGEND
6	EXISTING TREE	15	PLANT LEGEND
7	EXISTING TREE	16	PLANT LEGEND
8	EXISTING TREE	17	PLANT LEGEND
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91	EXISTING TREE	100	PLANT LEGEND

PLANT LEGEND EXISTING TREES AND LARGE SHRUBS

1. ALL LANDSCAPING SHALL BE PERFORMED IN COMPLIANCE WITH ALL APPLICABLE CITY ORDINANCES, LOCAL ORDINANCES, AND THE CITY OF SAN DIEGO LANDSCAPE REGULATIONS. A QUALITY CONTROL PLAN SHALL BE SUBMITTED TO THE CITY OF SAN DIEGO FOR REVIEW AND APPROVAL PRIOR TO THE START OF CONSTRUCTION. THE QUALITY CONTROL PLAN SHALL BE REVIEWED BY THE CITY OF SAN DIEGO AND APPROVED BY THE CITY ENGINEER. THE QUALITY CONTROL PLAN SHALL BE REVIEWED BY THE CITY OF SAN DIEGO AND APPROVED BY THE CITY ENGINEER. THE QUALITY CONTROL PLAN SHALL BE REVIEWED BY THE CITY OF SAN DIEGO AND APPROVED BY THE CITY ENGINEER.

2. ALL TREES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. ANY TREES THAT ARE DAMAGED OR REMOVED SHALL BE REPLACED WITH TREES OF EQUAL OR GREATER SIZE AND SPECIES. THE REPLACEMENT TREES SHALL BE PLANTED WITHIN SIX MONTHS OF THE DATE OF REMOVAL. THE REPLACEMENT TREES SHALL BE PLANTED WITHIN SIX MONTHS OF THE DATE OF REMOVAL. THE REPLACEMENT TREES SHALL BE PLANTED WITHIN SIX MONTHS OF THE DATE OF REMOVAL.

3. ALL TREES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. ANY TREES THAT ARE DAMAGED OR REMOVED SHALL BE REPLACED WITH TREES OF EQUAL OR GREATER SIZE AND SPECIES. THE REPLACEMENT TREES SHALL BE PLANTED WITHIN SIX MONTHS OF THE DATE OF REMOVAL. THE REPLACEMENT TREES SHALL BE PLANTED WITHIN SIX MONTHS OF THE DATE OF REMOVAL. THE REPLACEMENT TREES SHALL BE PLANTED WITHIN SIX MONTHS OF THE DATE OF REMOVAL.

4. ALL TREES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. ANY TREES THAT ARE DAMAGED OR REMOVED SHALL BE REPLACED WITH TREES OF EQUAL OR GREATER SIZE AND SPECIES. THE REPLACEMENT TREES SHALL BE PLANTED WITHIN SIX MONTHS OF THE DATE OF REMOVAL. THE REPLACEMENT TREES SHALL BE PLANTED WITHIN SIX MONTHS OF THE DATE OF REMOVAL. THE REPLACEMENT TREES SHALL BE PLANTED WITHIN SIX MONTHS OF THE DATE OF REMOVAL.

Draft Conditions and Subdivision Resolution

PLANNING COMMISSION
RESOLUTION NO. XXXXXX
TENTATIVE MAP NO. 243888
1020 DENNERY TENTATIVE MAP - **PROJECT NO. 78473**
DRAFT

WHEREAS, CASOLEIL, LP, Applicant/Subdivider, and WALTER T. SCHWERIN, engineer, submitted an application with the City of San Diego for a Tentative Map, No. 243888, for the conversion of 346 for rent apartment units into condominiums. The project site is located at 1020 Dennery Road in the RM-2-5 Zone within the Otay Mesa Community Plan; and

WHEREAS, the Map proposes the subdivision of a 15 acre site into one (1) lot for a 346 unit residential condominium conversion; and

WHEREAS, the project is exempt from environmental review pursuant to 15301 of the California Environmental Quality Act (CEQA) on the basis that the facilities are existing; and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineer pursuant to the Subdivision Map Act and Section 144.0220 of the Municipal Code of the City of San Diego; and

WHEREAS, the subdivision is a condominium project as defined in Section 1350 et seq. of the Civil Code of the State of California and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is 346 ; and

WHEREAS, on July 10, 2008, the Planning Commission of the City of San Diego considered Tentative Map No. 243888, and pursuant to Sections 125.0440 (tentative map) and 125.0444 (condo conversion) of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same;

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 243888:

1. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 125.0440.b).
2. 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 (Land Development Code Section 125.0440.h and State Map Act Section 66412.3).

Attachment 6
Draft Conditions and Subdivision Resolution

3. Each of the tenants of the proposed condominium project has received, pursuant to State Map Action Section 66452.9, written notification of intention to convert at least 60 days prior to the filing of a tentative map (Land Development Code 125.0444 and State Map Act Section 66427.1(a)).
4. The project has been conditioned that the Subdivider will give 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 State Map Act (Land Development Code Section 125.0444 and State Map Act Section 66427.1(a)).
5. The project has been conditioned that the Subdivider will give each tenant 10 days' written notification that an application for a public report will be, or has been, submitted to the Department of Real Estate, and that such report will be available on request (Land Development Code Section 125.0444 and State Map Act Section 66427.1(a)).
6. The project has been conditioned that the Subdivider will give each tenant of the proposed condominium project written notification within 10 days of approval of a final map for the proposed conversion (Land Development Code Section 125.0444 and State Map Act Section 66427.1(b)). If the subdivider chooses to provide affordable housing units, the subdivider shall enter into an affordable housing agreement with the Housing Commission, prior to recordation of the Final Map.
7. The project has been conditioned that the Subdivider will give each of the tenants of the proposed condominium project 180 days' written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion (Land Development Code Section 125.0444 and State Map Act Section 66427.1(c)).
8. The project has been conditioned that the Subdivider will give each of the tenants of the proposed condominium project notice of an 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, which notice shall be provided within 5 working days of the issuance of the Subdivision Public Report.. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right (Land Development Code Section 125.0444 and State Map Act Section 66427.1(d)).

Attachment 6
Draft Conditions and Subdivision Resolution

9. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing (Land Development Code Section 125.0444.b).
10. For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed (Land Development Code Section 125.0444.c).
11. Each of the tenants of the proposed condominium project has received written notification of the project application for the condominium conversion within 10 days after the application was deemed complete (Land Development Code 125.0431(a)(3)).
12. The project has been conditioned that the subdivider will give each person applying for the rental of a unit in such residential real property written notification that the project application for the condominium conversion was deemed complete (Land Development Code 125.0431(a)(3)).
13. The project has been conditioned that the subdivider will give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (Land Development Code Section 125.0431(a)(4)).
14. A Building Conditions Report has been prepared in accordance with the Land Development Manual by a registered architect or engineer licensed by the State of California (Land Development Code Section 144.0504(b)).
15. The project has been conditioned that the subdivider will provide to a prospective purchaser a copy of the Building Conditions Report prior to the opening of an escrow account. (Land Development Code Section 144.0504(c)).
16. The project has been conditioned that the subdivider will provide a relocation assistance payment to all tenants of the project whose tenancy has terminated due to the condominium conversion. (Land Development Code Section 144.0505).
17. The project has been conditioned for the subdivider to complete the physical improvements as outlined in Land Development Code Section 144.0507, to the satisfaction of the City Engineer prior to final map approval.
18. The project has been conditioned for the subdivider to satisfy the inclusionary housing requirements on-site in accordance with Land Development Code Section 142.1306. (Land Development Code Section 144.0508).

Attachment 6
Draft Conditions and Subdivision Resolution

19. 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 Planning Commission, Tentative Map No. 243888, is hereby granted to CASOLEIL, LP, Applicant/Subdivider, subject to the following conditions:

GENERAL

1. This Tentative Map will expire on July 10, 2011.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the issuance of the Final Map taxes must be paid on this property pursuant to section 66492 of the Subdivision Map Act. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition
4. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, including, but not limited to, any to any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant
5. 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

Attachment 6
Draft Conditions and Subdivision Resolution

- b. For prospective tenants, upon application for the rental of a unit in the proposed *condominium conversion*.
6. 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 State Map Act.
 7. The Subdivider shall provide the tenants a Notice of Application for a Public Report at least 10 days prior to the submittal to the Department of Real Estate (DRB), pursuant to Section 66427.1(a) of 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 Section 66427.1(c) of the Subdivision Map Act. The provisions of this subdivision shall not 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 Sections 1941, 1941.1 and 1941.2 of the Civil Code.
 9. 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 Section 66427.1(d) of the State Map Act. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report, pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.
 10. The Subdivider shall provide the tenants of the proposed condominiums with written notification within 10 days or approval of a Final Map for the proposed conversion, in conformance with Section 66427.1(b) of the Subdivision Map Act.

AFFORDABLE HOUSING

11. Prior to the recordation of the Final Map, the subdivider shall enter into an affordable housing agreement with the Housing Commission to provide affordable housing units (10 percent required) in compliance with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).
12. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits

Attachment 6
Draft Conditions and Subdivision Resolution

(Chapter 14, Article 4, Division 5), to the satisfaction of the Development Services Department and the Housing Commission.

13. The subdivider will give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (Land Development Code Section 125.0431(a)(4)).
14. The subdivider will provide to a prospective purchaser a copy of the Building Conditions Report prior to the opening of an escrow account. (Land Development Code Section 144.0504(c)).

ENGINEERING

15. Prior to the issuance of a Final Map, the subdivider shall reconstruct the curb ramp at the corner of Del Sol Boulevard and Dennery Road to current City standards.
16. Prior to the issuance of a Final Map, the subdivider shall obtain an Encroachment Maintenance and Removal Agreement, for landscaping in Dennery Road and Del Sol Boulevard.
17. The Subdivider shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.
18. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
19. 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.
20. Pursuant to City Council Policy 600-20, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.
21. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for building and landscape improvements (Land Development Code Sections 144.0507), to the satisfaction of the City Engineer. The parking requirements in Land Development Code

Attachment 6
Draft Conditions and Subdivision Resolution

Sections 144.0507 and 142.0525.a do not apply, since this project was deemed complete prior to the effective date of this ordinance (July 27, 2006).

22. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the tentative map 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

23. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
24. "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."
25. The Final 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 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 Third Order accuracy or better. 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.

SEWER AND WATER

26. The subdivider shall install appropriate private back flow prevention devices on all existing and proposed water services (domestic, irrigation, and fire) adjacent to the project site in a manner satisfactory to the Water Department Director.
27. 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.

INFORMATION:

- The approval of this Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
- If the subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then 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 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, may protest the imposition within 90 days of the approval of this Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.
- Where in the course of development of private property, public facilities are damaged or removed the property owner 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. Municipal Code Section 142.0607.

Attachment 6
Draft Conditions and Subdivision Resolution

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF
SAN DIEGO, CALIFORNIA, ON JULY 10, 2008.

By

William Zounes
Development Project Manager
Development Services Department

Job Order No. 424907

OTAY MESA PLANNING GROUP
MINUTES
Wednesday, March 19, 2007

- I. **EAST OTAY MESA PROPERTY OWNERS' ASSOCIATION UPDATE – ROB HIXSON.**
Meeting on March 20th. Both Senators from California have asked Condoleezza Rice to obtain the signature from the President for Otay II.

9.- **ACTION ITEMS**

A Condominium conversion of 346 units on Dennerly Road – Kathy Corvin, Schwering & Associates - Showing the front elevation of the 346 units Mr. Walter Schwering informed the group that conversion has a number of amenities, the breakdown is 134 1-bedrooms; 153 2-bedrooms; and 59 3-bedrooms an 655 parking stalls with is almost 2/1000. The project is under 5 years old and will not suffer any structural changes other than the strobe lights and smoke detectors. The conversion started 2 years ago and is located south of the Home Deport between Del Sol and Dennerly Road, but is still not eminent. There are covered trash enclosures through out the site and is private trash collection on private roads. Mel Ingalls commented that he would like to see this project go, so he made a motion to support it. Joe Street seconded it and it passed unanimously.

B T-Mobile Project, City No. 145603, T-Mobile, Sea Drift Row – Jim Kennedy, Wireless T-Mobile – T-Mobile is doing coverage gaps and are addressing the residential area. They are proposing 35' telecommunications poles and equipment cabinets looking like light poles. There were various questions asked, from why they couldn't look like palm trees instead, how much damage would be done to the new streets, if they would repair the street to City standards and why they couldn't be installed underground or moved from the residential area up the 905 and Ocean View Hills Blvd. towards the commercial area. All questions were addressed by Mr. Kennedy. There was a motion by Pepper Coffey to have T-Mobile investigate if they can make the poles resemble life-like palm trees and vaulting the equipment. The motion was seconded by Joe Street. Mike Murphy commented that it shouldn't be investigated but actually done. The motion was re-phrased to actually put in life-like palm trees and vaulting the equipment. The Group agreed except for Lisa Golden that thought the palm trees would look too fake. (11 to 1)

C Ocean View Hills Parkway and the installation of trucking signs – Julio Fuentes, City of San Diego – The Transportation and Engineering of the City of San Diego received a request to install truck prohibition signs from Dennerly Road to Otay Mesa Road, since it is about to be opened. The City wants the Group's comments as to what type of signs or fines should be used. The signs would say "truck prohibited with the red line across it" and the wording "10,000 lbs., 15,000 lbs. or 5 ton trucks". Joe Street motioned to support the signs with the provision that they bring the signs back for ultimate approval. Mike Murphy seconded that motion and it passed unanimously.

D Affordable Housing Fund and proposed used of the funds in FY2009- Lisa Wolf, from the San Diego Housing Commission, distributed the Annual Plan for the year 2009 and asked the members of comments so they could be incorporated to the report to the City and the Housing Commission.

10.- **INFORMATION ITEMS**

March Elections: Chair Hixson reported that the CPC that the Group had to go by the former by-laws and use the original forms as before. Chair Hixson distributed the ballots for voting. Steve Gross commented that he thought it irregular to have a voting session without notifying the general membership of the incoming elections. Lisa Golden commented that Nici Boon was not yet officially a tenant so she thought it premature to be able to vote for her. Chair Hixson said he would check with Theresa, he also added that in the next meeting the Group would talk

Ownership Disclosure Statement



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

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

Project No. For City Use Only

RIVIERA DEL SOL (UNIT 1)

Project Address:

1100 DENNERY RD, SAN DIEGO, CA 92154

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):

Name of Individual (type or print):

Owner Tenant/Lessee Redevelopment Agency

Owner Tenant/Lessee Redevelopment Agency

Street Address:

Street Address:

City/State/Zip:

City/State/Zip:

Phone No:

Fax No:

Phone No:

Fax No:

Signature :

Date:

Signature :

Date:

Name of Individual (type or print):

Name of Individual (type or print):

Owner Tenant/Lessee Redevelopment Agency

Owner Tenant/Lessee Redevelopment Agency

Street Address:

Street Address:

City/State/Zip:

City/State/Zip:

Phone No:

Fax No:

Phone No:

Fax No:

Signature :

Date:

Signature :

Date:

CASOLEIL - LIST OF ALL PARTNERS

General Partner - CL Genpar, LLC

Paul & Alexia Anas
Scott Dale
Richard & Joanee Elliott
G.A. Ranglas
Carol Vassiliadis

Limited Partners

Edward J. & Kathleen A. Andrews	Theodore & Mary Phillips
George N. & Genevieve F. Apostolopoulos	John P. & Nuri B. Pierce
Delta M. Collins	Margo & John Prokos
John Constantine	Athan Ranglas
George Matina Dale	Alexis Ranglas
Scott Dale	G.A. Ranglas
Del Rio Casoleil	Daniel Ranglos
Arthur F. & Marylou Deluca	Clem Samouris
James & Nancy Demos	Angie Savvas
John Demos	Minas Savvas
Dwight H. DeSantis	Douglas P. Schnorr
Dimitra Deveros	John M. & Helen P. Seelig
Elizabeth Famelis	Spire Crest, L.P.
Evelyn Famelis	Douglas & Katherine Stewart
Athanasios J. & Katherine L. Foster	Christina Vasiliadis
Robert & Marion Gail	Kyriaki Vasiliadis
Angela Golfinos	Andrew A. Vassiliadis
John S. & Irene Marie Grevas	Carol Vassiliadis
Jack Hatounian	Melissa C. Vassiliadis
Waidron & Oakley Hooper	Donald Weintraub
Madelyn Jones	Carl J. Wiesner
Tasos S. & Julie Vaia Karagianides	Demitri N. Zambus
Isabel Keljikian	Zeus Partners, L.P.
Michael Kouvavas	
Pete N. & Elaine P. Kozis	
Elfie Lutes	
John C. Malugen	
Martin & Catherine Meagher	
Thomas G. & Marilyn A. Morton	
Raymond J. & Leslie C. Moshy	
Alexander & Irene Eva Nemeth	
Andrea V. Pappas	
George C. Pappas	
Frank L. & Madeleine Pavel	

**DEVELOPMENT SERVICES
1020 Dennerly Tentative Map
PROJECT NO. 79752**

Date	Action	Description	City Review Time	Applicant Response
9/2/05	First Full Submittal	Project Deemed Complete & distributed		
9/23/05	First Submittal Assessment Letter out		18 days	
12/7/05	Second Full submittal In			75 days from first Assessment Letter
1/4/06	Second Full Submittal Assessment Letter out		28 days	
12/6/07	Third Full Submittal In			701 days from second Assessment Letter
1/17/08	Third Full Submittal Assessment Letter out		42 days	
5/1/08	Fourth Full Submittal In			105days from third Assessment Letter
5/15/08	Fourth Full Submittal Assessment Letter out		14 days	
7/10/08	Planning Commission Public Hearing		56 days	
TOTAL STAFF TIME**			5 months 8 days	
TOTAL APPLICANT TIME**				29 month 11 days
TOTAL PROJECT RUNNING TIME**		From Deemed Complete to PC Hearing	34 months, 19 days	

**Based on 30 days equals to one month.

60 Day Notice of Filing Tentative Map for Conversion

September 16, 2005

Re: Casoleil Apartments

Dear Resident,

The owner of the buildings located at 1020-1276 Dennery Road, San Diego, California intends to file a Tentative Map with the County of San Diego to convert these buildings to a condominium project. You shall be given notice of each hearing for which notice is required pursuant to Sections 66451.3 and 66452.5 of the Government Code, and you have the right to appear and the right to be heard at any such hearing.

Should the condominium conversion project be approved, tenants may be required to vacate the premises. This notice is only a warning of a possible conversion and not a notice to vacate the premises.

Casoleil, L.P., Owner

By R&V Management Corporation, Agent

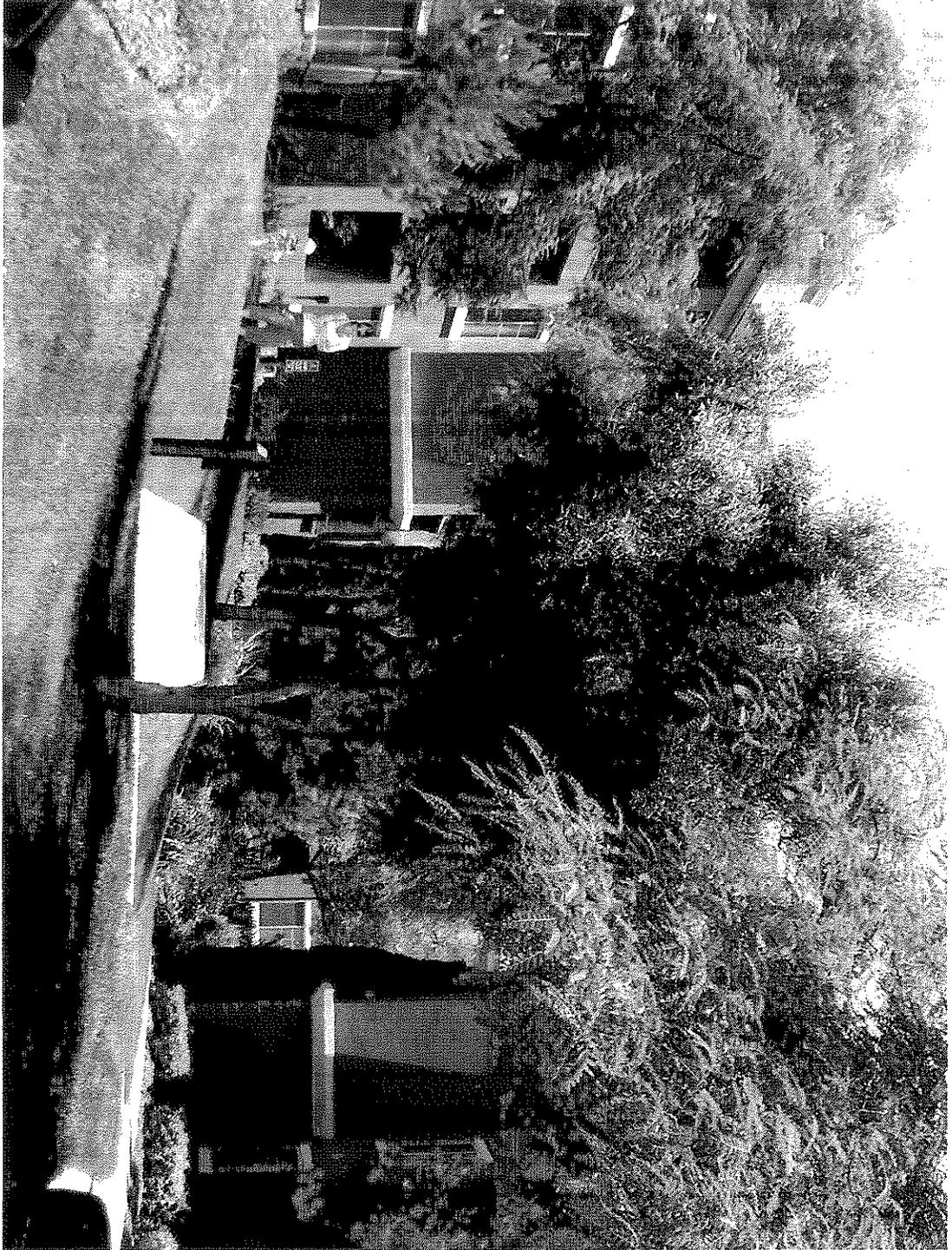
By: Paul T. Anas
Paul T. Anas, Vice President

Attachment 11
Photos of Existing Apartment Complex
Page 1 of 3



Front view of complex as seen from entrance

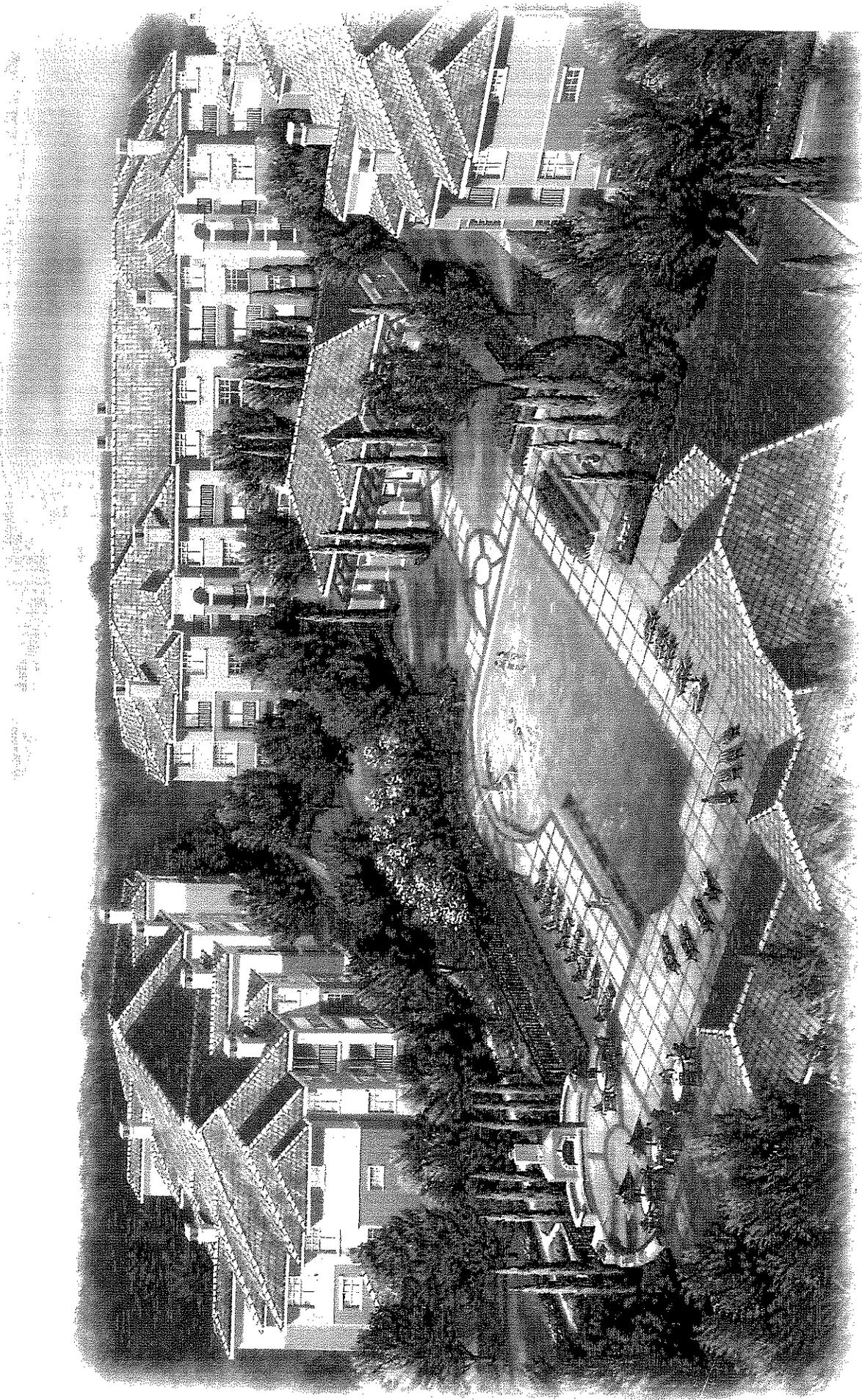
Interior view of complex: Landscape area between structures



Attachment 11
Photos of Existing Apartment Complex
Page 3 of 3



Typical view of one of the 17 apartment buildings



PROJECT SUMMARY

All items listed in chart below with associated costs have less than 5 years remaining useful life. If it has less than 5 years remaining useful life it is Listed in Table 1 in the back of this report. All other items have an estimated remaining useful life of more than 5 years or is a routine maintenance item.

Item	Excellent	Good	Fair	Poor	Action*	Immediate and Recommended prior to marketing Needs These items are identified in Table 1 and have less than 5 years estimated useful life or are safety issues
SITE IMPROVEMENTS						
Topography		X			NM	
Storm Drain System		X			NM	
Parking Pavement, Curbs & Gutters		X	X		PM	\$10,000
Sidewalks		X	X	X	IR	\$25,000
Utilities		X			NM	
Landscaping / Fencing		X			PM	
Solid Waste Dumpster		X			NA	
Site Lighting		X			PM	
Site & Building Signage		X			NM	
Recreational Facilities/Amenities					NA	
STRUCTURAL SYSTEMS AND BUILDING ENVELOPE						
Foundations			X		NM	
Structural System including Floors			X		NM	
Exterior Walls, Patch & Paint		X			NM	
Windows & Frames		X			NM	
Exterior Doors & Frames		X			NM	
Stairs (Interior & Exterior)		X			NM	
Patios					NA	
Balconies		X			NM	
Upper Floor Walkways/Railings		X			NM	
Roof Coverings		X			NM	
Roof Drainage		X			NM	
MECHANICAL, ELECTRICAL & PLUMBING SYSTEMS						
HVAC		X			NM	
Electrical		X			IR/NM	\$0
Emergency Generator					NA	
Hot & Cold Water Distribution System		X			NM	
Water Heaters		X			NM	
Gas Distribution System		X			NM	
VERTICAL TRANSPORTATION CONVEYING SYSTEMS						
Elevators/ Escalators					NA	
FIRE/ LIFE SAFETY						
Fire Suppression Systems		X	X		IR	\$173,000
Security Alarm Systems					NA	
INTERIOR ELEMENTS						
Common Area Finishes / Appliances		X			NA	
Tenant Area Finishes (Walls, Floors, Ceilings, Etc.)		X	X		IR/PM	\$329,700
Tenant Appliances/Cabinets		X	X		PM	
Interior Doors & Frames		X			NM	
"BARRIER FREE" ACCESSIBILITY (ADA)						
Parking, Signage & Ramps		X			NA	
Common Area Accessibility Including Restrooms		X			NA	

*Action: NM = Normal Maintenance, IR = Immediate Repair/Replacement, PM = Recommend to cost
 Applicable. **Un-inflated Values, NA=Not Applicable

Immediate and Prior to Marketing Summary	Term (yrs)	Uninflated Cost	Inflated Cost	Uninflated \$/Unit/Yr.	Inflated \$/Unit/Yr.	Report Section
Recommended prior to marketing Expenditures		\$338,700	NA	NA	NA	Table 1
Immediate Repair and Deferred/Maintenance	0-1	\$199,000	NA	NA	NA	Table 1

This table displays the estimated costs. The estimated costs are preliminary and are based upon LAC's experience in conducting similar projects. The actual cost will be affected by factors such as project duration, site access, market conditions, and other contingencies applied by the owner. This project summary is not to be used alone. The attached report is intended to be read in its entirety.