

THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

DATE ISSUED: September 4, 2014 REPORT NO. PC-14-057

ATTENTION: Planning Commission, Agenda of September 11, 2014

SUBJECT: ZAPATA TOWNHOMES - PROJECT NO. 340829.  
PROCESS 4.

OWNER/  
APPLICANT: HPI Camino Village, L.P., Owner/Mark Brencick, Applicant  
(Attachment 12).

### SUMMARY

**Issue(s):** Should the Planning Commission grant approvals to subdivide a 3.66 acre site into two parcels, demolish existing commercial buildings, and construct 30 multi-family dwelling units at 11345 Zapata Avenue within the Mira Mesa Community Plan?

**Staff Recommendation(s) - Approve** Tentative Map No. 1192220, Planned Development Permit No. 1192219 and Neighborhood Development Permit No. 1312181.

**Community Planning Group Recommendation** - On September 16, 2013 the Mira Mesa Community Planning Group voted unanimously to recommend approval of the project.

**Environmental Review** - The project has been determined to be exempt from CEQA pursuant to Sections 15332 of CEQA Guidelines. Section 15332 applies to infill development that is consistent with the applicable general plan designation and applicable zoning regulations, is no more than 5 acres and substantially surrounded by urban uses, and would not result in any significant effects relating to sensitive habitat, traffic, noise, air quality, or water quality. None of the exceptions listed in CEQA Guidelines Section 15003.2 apply, therefore this exemption is applicable to the proposed project. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on July 18, 2014, and the opportunity to appeal that determination ended August 1, 2014.

**Fiscal Impact Statement** - No fiscal impact. All costs associated with the processing of the application are recovered through a deposit account funded by the applicant.

**Code Enforcement Impact** - None.

**Housing Impact Statement** - The Zapata Townhomes project site is designated for Medium Density Residential development at a density range of 15-30 dwelling units per acre by the Mira Mesa Community Plan. The proposed 30 multi-family dwelling units on the 1.76 acre residential lot is consistent with the residential density for the site. The project would comply with the City of San Diego's Inclusionary Affordable Housing Ordinance through payment of in-lieu fees.

**BACKGROUND**

The Zapata Townhomes project site is designated for neighborhood commercial development and medium density residential development by the Mira Mesa Community Plan Land Use map (Attachment 1). The project site is located at 11345 Zapata Avenue at intersection of Zapata Avenue and Camino Ruiz in the CN-1-2 zone of the Mira Mesa Community Plan (Attachment 2). The site is currently developed with commercial uses (Attachment 3). The site was developed in 1983 and additional improvements were made in 1985. The site currently contains four commercial buildings which total 34,602 square feet and include a mixture of convenience retail and personal service uses. These uses include retail shops, small restaurants, a market, a doctor's and a dentist's office, a laundry, a foot massage, a beauty shop and two vacancies. The surrounding land uses include residential to the north, east and west, and commercial and residential to the south.

**DISCUSSION**

**Required Approvals**

The Zapata Townhomes project (Project) requires the approval of a Tentative Map to subdivide the 3.66 acre site into two lots; one lot for the existing commercial development to remain and one condominium lot for thirty dwelling units. A Planned Development Permit is required for deviations to the underlying zone and a Neighborhood Development Permit for the proposed connection of the private storm drain to the public storm drain in Zapata Avenue.

**Project Description**

The Project proposes to subdivide a 3.66 acre property into two parcels, to demolish two of four existing commercial buildings, and to build thirty condominiums on one parcel and retain the two existing commercial buildings fronting Camino Ruiz on the second parcel. The Project would develop the thirty condominiums in eight residential structures. The buildings would be three stories in height. Minor remedial grading of the site would be required to prepare building pads for construction. Minor driveway and storm drain improvements in the public right-of-way would also be required (Attachment 4). Of the existing commercial space, 34,602 square feet, 22,456 square feet would remain in two of the four existing buildings. The third and fourth buildings would be demolished to allow for the construction of thirty townhomes.

## Deviations

The Project proposes two deviations from the development regulations of the CN-1-2 zone. Both deviations would apply to the construction of the residential buildings. The existing commercial development would not require any deviations and is allowed as previously conforming development constructed prior to the adoption of the current zoning regulations.

The first deviation would allow the applicant to construct the eight townhome buildings to a maximum height of thirty-six feet one inch where the zoning regulations limit the height to thirty feet. On the proposed residential portion of the property the maximum theoretical density would calculate fifty-one dwelling units, or one unit per 1,500 square feet of lot area. The Project proposes a maximum of thirty townhomes, each with a private two-car garage on the ground floor, which calculates to one unit per 2,558 square feet of lot area, lower than the maximum theoretical density. This lower density would allow the developer to provide more open space, common area and landscape on the site which in turn would create a more appealing project in the neighborhood, and be complementary to the existing surrounding residential development. The townhomes would range in size from 1,798 to 2,004 square feet and would include up to three bedrooms plus a den or four bedrooms. The design of the proposed townhomes is consistent with the surrounding residential area to the southeast which is zoned RM-2-5. The development regulations of the RM-2-5 zone allows buildings to be a maximum height of forty feet. Allowing the proposed deviation would support providing additional residential development on a vacant parcel and provide another residential type in the local market.

The second deviation would allow residential uses in the townhome buildings on the ground floor in the front half of the lot which is not permitted in the CN-1-2 zone. The existing residential neighborhood is composed of single family homes, condominiums and apartments. Allowing residential uses on the ground floor in the front half of lot would support providing a residential development on the site and a design compatible with the existing residential development of the neighborhood. The deviation would help to activate the streetscape on what is a predominantly residential street and would provide another market rate housing product type in the neighborhood.

Each of the two deviations would result in a more desirable project than would be achieved if the project were designed in strict conformance with the development regulations of the CN-1-2 zone. The proposed development will comply with all other applicable requirements including density, floor area ratio, street design, landscaping and other regulations of the CN-1-2 zone, as allowed through a Planned Development Permit, reflecting the goals and objectives for the site as described in the policy goals and objectives of the Mira Mesa Community Plan.

## Community Plan Analysis

The project site is designated Neighborhood Commercial and Medium Density Residential at a density range of 15-30 dwelling units per acre by the Mira Mesa Community Plan. The proposed 30 multi-family residential units would be located on the portion of the site designated Medium

Density Residential and is consistent with this designation. Although the underlying zone for the residential portion of the site is a commercial zone, it does allow residential development as part of a mixed-use project at the density proposed. However, because the residential portion of the site does not propose a commercial component in accordance with the CN-1-2 development regulations, deviations are required as discussed above.

The General Plan's Urban Design Element, Section UD-A.5 discusses architectural policies related to new development. The proposed design of the multi-family units should include several color and material palettes to avoid uniformity and create variation within the development. Materials will reinforce a sense of quality and performance. The architectural design of the residential structures include pitched roofs with overhangs which would create visual interest and provide shadowing on the building elevations. In addition the use of varying materials and color schemes helps to avoid monotonous wall elevations and to visually reduce the bulk of the structures, and recesses and pop-outs will also provide visual interest and harmony with the surrounding residential development.

The General Plan's Urban Design Element Policies UD-B.1(b) and UD-B.4(a-e) seek to create street frontages with architectural and landscape interest for both pedestrians and neighboring residents. The proposed landscaping along the project's frontage and combination wall consisting of split faced masonry walls with pilasters and tubular steel would provide a visually pleasing setting along Zapata Avenue for pedestrians and would allow views into and out of the project site. Raised enhanced paving from the project entry into the project site provides both a visually pleasing feature at the project entry and a clear path of travel for pedestrians to enhance safety for both pedestrians and vehicles.

### Conclusion

Staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings to support approval of the project (Attachments 5 and 6) and draft conditions of approval (Attachments 6 and 7). Staff recommends the Planning Commission approve the project as proposed.

### ALTERNATIVES

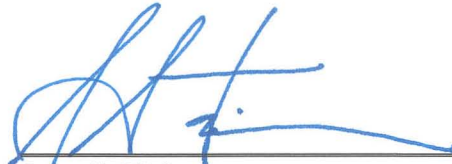
1. **Approve** Tentative Map No. 1192220, Planned Development Permit No. 1192219 and Neighborhood Development Permit No. 1312181, **with modifications.**
2. **Deny** Tentative Map No. 1192220, Planned Development Permit No. 1192219 and Neighborhood Development Permit No. 1312181, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



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Mike Westlake  
Assistant Deputy Director  
Development Services Department



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John S. Fisher  
Development Project Manager  
Development Services Department

VACCHI/JSF

Attachments:

1. Community Plan Land Use Map
2. Project Location Map
3. Aerial Photograph
4. Site Plan
5. Draft Permit Resolution with Findings
6. Draft Tentative Map Resolution with conditions
7. Draft Permit with Conditions
8. Environmental exemption
9. Remaining project plans
10. Project Data Sheet
11. Community Planning Group recommendation
12. Ownership Disclosure statement
13. Project Chronology













## Project Description:

Tentative map, Planned Development Permit, and Neighborhood Development Permit to subdivide 1 existing lot into 2 lots. Lot 1 proposes 30 condominium units, while lot 2 will remain as existing condition.

## Legal Description:

Lot 1 of Mira Mesa Plaza unit no. 1, in the City of San Diego, County of San Diego, State of California, according to map thereof no. 7421, filed in the office of the County Recorder of San Diego County on September 6, 1972.

## Mapping Note:

A final map will 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 final map and all property corners will be set on the final map.

## Condominium Note:

This is a condominium project as defined in section 1350 ET. Seq. of the Civil Code of the State of California and is filed pursuant to the Subdivision Map Act. Total number of residential units is 30.

## General Notes:

1. Project Name: Zapata Townhomes
2. APN: 309-260-01
3. Project Location: 11345 Zapata Avenue No. 47 San Diego, California
4. Gross Project Area: 3.66 Acres ±  
Net Project Area: 3.66 Acres ±
5. Proposed Units: 30 Condominium Units (3-Bedrooms)
6. Easements: Existing SDG&E 76-2999625 & 77-028106 (Not Plottable)
7. Proposed Lots: 1
8. Proposed Lots: 2
9. Zoning: Existing: CN-1-2  
Proposed: CN-1-2
10. Overlay Zones: Airport Influence Area - MCAS Miramar & Residential Tandem Parking Overlay Zone
11. Net Density: Allowed: 1/1500 s.f. (51 D.U.)  
Proposed: 1/2558 s.f. (30 D.U.)
12. Public Utilities And Districts:
  - Gas and Electricity: SDG&E
  - Telephone: AT&T
  - Fire and Police: City of San Diego
  - Area: San Diego School District
  - Water: City of San Diego
  - Sewer: City of San Diego
  - Storm Drain: City of San Diego
13. Topography Source: Aerial Survey, dated 09-2013; R.J. Lung & Associates.
14. NAD 27: 278-1726  
NAD 83: 1918-6287
15. Occupancy Type: R-3, U
16. Construction Type: V-B
17. Number of Stories: 3
18. Provide building address numbers, visible and legible from the street or road fronting the property per F.H.P.S Policy P-00-6 (U.F.C. 901.4.4)
19. Geologic Hazard Category: 52
20. An Affirmative Marketing Program is required in accordance with City Council Policy 600-20, prior to the recordation of the final map.
21. Landscape Area: 18,310 s.f.

## General Design Notes:

1. Proposed street design conforms to City of San Diego Street Standards.
2. Finish grades and pad limits shown hereon are approximate only and are subject to change in final engineering.
3. Easements will be provided as required by the city engineer.
4. All proposed utilities are to be underground.
5. Private drainage systems required to drain rear yards and other minor areas are not shown hereon but will be incorporated into the final design as required.
6. No overhead electric lines are located adjacent to the site.
7. All buildings in lot 1 to remain. Abandoned building on lot 2 to be demolished with all hardscape.
8. All existing sewer laterals for lot 2 will be abandoned in place and capped at the property line and all existing water services and laterals for lot 1 will be protected in place or replaced.
9. Proposed fire gates will have optical sensor with knock switch override.
10. There are no existing easements within the project boundary. All proposed easements are shown on the plan view.
11. One street light will be required on the Camino Ruiz frontage of the proposed subdivision and one street light will be required on the Zapata Avenue frontage at locations satisfactory to the civil engineer.
12. No trees or shrubs exceeding 3' in height at maturity shall be installed within 5' of any public water facilities or within 10' of any public sewer facilities.
13. If a 3" or larger meter is required for the lot being developed, the meter must be constructed in a public easement, above ground, onsite, and in a manner satisfactory to the Public

## Required Open Space Per 143.0420:

Required: 30 Units x 190 s.f. per = 5,700 s.f. of Usable Open Space  
Provided: 24,021 s.f. of Usable Open Space  
Note: Usable Open Space will consist of Common Open Space and Private Exterior Open Space.

Any Common Open Space and/or Private Exterior Open Space that will be included as Usable Open Space to satisfy requirements per 143.0420 will meet the City's definition of Usable Open Space (100 s.f. area minimum with no dimension being less than 6 ft.)

## Fire Protection Note:

Parking permitted on the private street, red curbs or no parking signs required on those portions needed for fire protection services.

## Tabulation:

Site:  
Building Site Area = 1.53 Acres or 41% of Site  
Total Units On Site = 30 Units = 19.6 D.U. / Acre

Plan 1: 4 Bedrooms - 1,798 s.f. 14 Units  
Plan 2: 4 Bedrooms - 1,849 s.f. 8 Units  
Plan 3: 4 Bedrooms - 2,004 s.f. 8 Units

Proposed Building Data:  
Building 1: 3 Stories - 5,651 s.f. total - 2,374 s.f. footprint  
Building 2: 3 Stories - 5,651 s.f. total - 2,304 s.f. footprint  
Building 3: 3 Stories - 5,651 s.f. total - 2,374 s.f. footprint  
Building 4: 3 Stories - 5,651 s.f. total - 2,374 s.f. footprint  
Building 5: 3 Stories - 5,651 s.f. total - 2,304 s.f. footprint  
Building 6: 3 Stories - 5,651 s.f. total - 2,374 s.f. footprint  
Building 7: 3 Stories - 11,200 s.f. total - 4,608 s.f. footprint  
Building 8: 3 Stories - 11,200 s.f. total - 4,608 s.f. footprint

Total Proposed: - 56,306 s.f. - 23,320 s.f. footprint

Total Proposed Building Coverage Ratio: 34.9%

Parking:  
Lot 1  
Required: 22,630 Property s.f. x 5 Spaces / 1,000 s.f. = 113 Spaces

Provided: 135 Spaces Total (123 Available For Commercial Parking, 12 Reserved For Residential Guest Parking).

Lot 2  
Required: Standard Spaces: 30 Units x 2.25 Per = 68 Spaces  
Van Accessible: 30 Units x .02 = 1 Van  
Van Accessible Spaces  
Guest Spaces: 68 Spaces x .20 = 14 Spaces  
Guest Accessible: 14 Spaces x .05 = 1 Van  
Accessible Space  
Motorcycle Spaces: 30 Units x .10 = 3 Motorcycle Spaces

Provided: 68 Standard + 14 Guest + 3 Motorcycle Spaces  
+ 2 Van Accessible:  
30 x 2-Car Garage = 60 Standard Spaces  
+ 8 On Site Standard Spaces  
+ 12 Offsite Guest Parking Spaces  
+ 2 On Site Guest Parking Spaces  
+ 2 On Site Van Accessible Spaces

Landscape Area:  
Proposed Landscape: 20,850 s.f.

## Grading Tabulation:

Total amount of site to be graded: 1.53 acres or 41% of site

Earthwork:  
Cut (C.Y.) = 1,590 c.y. @ 30' max. depth  
Fill (C.Y.) = 1,590 c.y. @ 30' max. depth  
Export/Import = 0 c.y.  
Max. Height of cut slope: None Proposed  
Max. Height of fill slope: 4:1 @ 2:1  
Note: No slopes over 25% exist onsite

Retaining Walls:  
Max. Height = None Proposed  
Length = None Proposed

## Benchmark:

The City of San Diego Vertical Control Southwest Brass Plug on Zapata Avenue at Camino Viejo  
Elevation: 422.585 M.S.L. Datum

## Setbacks:

Proposed Buildings:  
Front: 0' required/26' min. proposed  
Side: 10' or 0' required/22' min. proposed  
Rear: 0' required/25' min. proposed

Existing Building:  
Front: 0' required/10' min. existing  
Street Side: 0' required/9' min. existing  
Side: 10' or 0' required/46' min. existing  
Rear: 0' required/19' min. existing

## Paving And Concrete Legend:

Proposed AC (25,141 s.f.)  
Proposed Sidewalk (6,508 s.f.)  
Proposed Pervious Pavers (16,000 s.f.)  
Proposed Planted Area (20,850 s.f.)

## Refuse &amp; Recyclable Material:

Refuse & Recyclable Material Storage:  
Required: 96 s.f. For Refuse Storage  
96 s.f. For Recyclable Material Storage  
192 s.f. Total Storage  
Provided: 120 s.f. = 2 x 60 s.f. For Refuse Storage  
120 s.f. = 2 x 60 s.f. For Recyclable Material Storage  
240 s.f. Total Storage

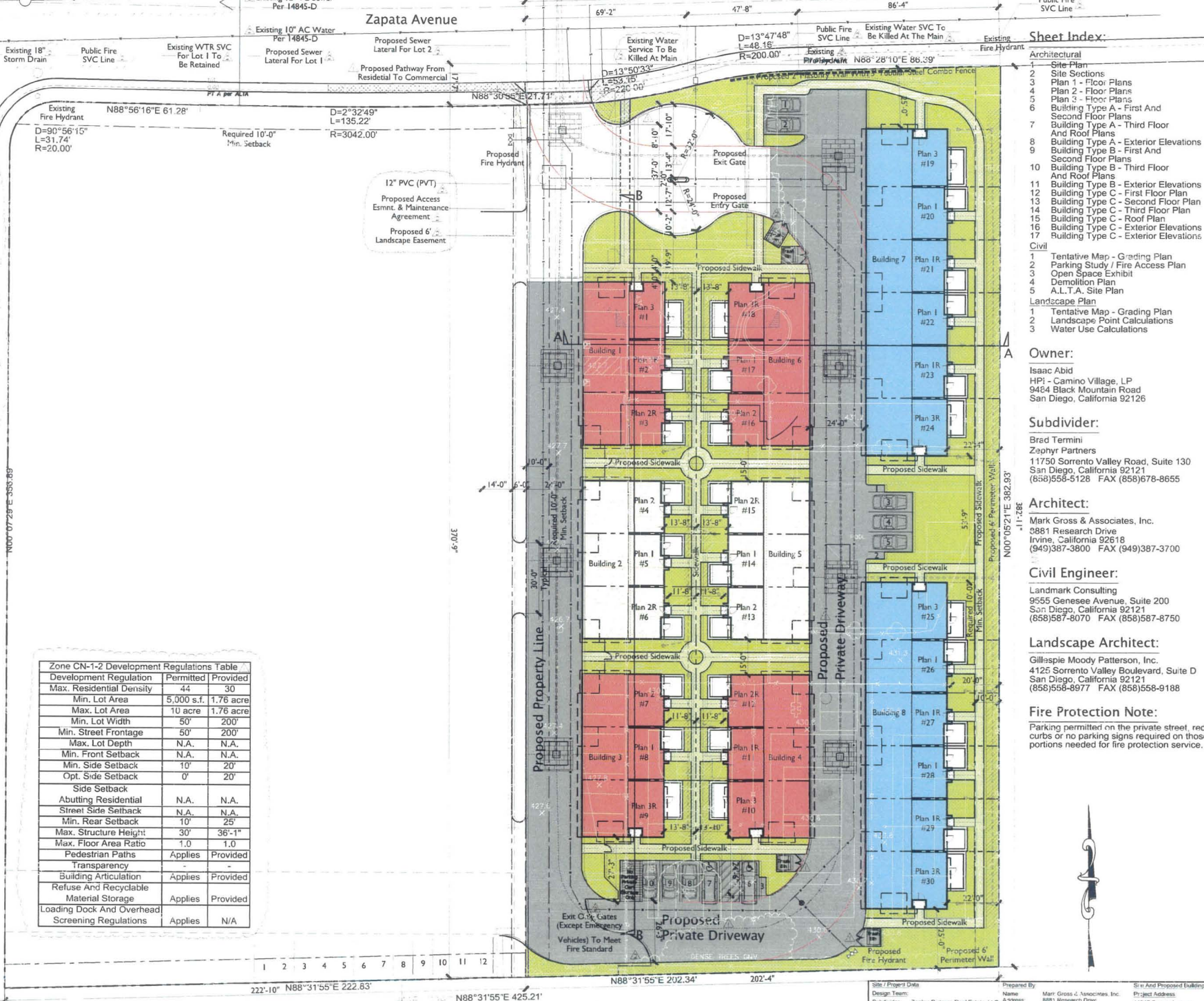
## Open Space Legend:

Common Open Space  
Private Exterior Open Space  
Required Open Space:  
Common: 300 s.f. < 25 s.f. x 30 = 750 s.f.  
Private Exterior: 75% x 30 = 22.5 x 60 s.f. = 1,350 s.f.  
Provided Open Space:  
Common: 23,214 s.f.  
Private Exterior: 3,126 s.f.

Private Exterior Open Space Notes:  
1. At least 75% of the dwelling units shall be provided with at least 60 s.f. of usable, private, exterior open space abutting the unit with a minimum dimension of 6'-0".  
2. The open space may be located in the required front and rear yards, but shall be no closer than 9'-0" to the front property line.

## Common Open Space Notes:

1. The Common Open Space area shall be at least 300 s.f., or 25 s.f. per dwelling unit, whichever is greater.
2. At least one area of Common Open Space shall be provided with a minimum dimension of 12'-0" x 15'-0". This space shall be improved as a usable area with lawn or recreational facilities.
3. Roofed structures may occupy a maximum of 50% of the Common Open Space area. No enclosed buildings are permitted in the Common Open Space area.
4. Common Open Space may be provided in the required side and rear yards.
5. Common Open Space shall be landscaped or improved with outdoor recreational facilities available only to the residents and guests of the development.



## Planning Department Note:

No trees or shrubs exceeding three feet in height shall be installed within five feet of any public water facilities or within ten feet of any public sewer facilities.

## Building Type Color Legend:

Building Type A  
Building Type B  
Building Type C

## Sheet Index:

1. Site Plan
2. Site Sections
3. Plan 1 - Floor Plans
4. Plan 2 - Floor Plans
5. Plan 3 - Floor Plans
6. Building Type A - First And Second Floor Plans
7. Building Type A - Third Floor And Roof Plans
8. Building Type A - Exterior Elevations
9. Building Type B - First And Second Floor Plans
10. Building Type B - Third Floor And Roof Plans
11. Building Type B - Exterior Elevations
12. Building Type C - First Floor Plan
13. Building Type C - Second Floor Plan
14. Building Type C - Third Floor Plan
15. Building Type C - Roof Plan
16. Building Type C - Exterior Elevations
17. Building Type C - Exterior Elevations

## Owner:

Isaac Abid  
HPI - Camino Village, LP  
9484 Black Mountain Road  
San Diego, California 92126

## Subdivider:

Brad Termini  
Zephyr Partners  
11750 Sorrento Valley Road, Suite 130  
San Diego, California 92121  
(658)558-5128 FAX (658)678-8655

## Architect:

Mark Gross & Associates, Inc.  
881 Research Drive  
Irvine, California 92618  
(949)387-3800 FAX (949)387-3700

## Civil Engineer:

Landmark Consulting  
9555 Genesee Avenue, Suite 200  
San Diego, California 92121  
(658)587-8070 FAX (658)587-8750

## Landscape Architect:

Gillaspie Moody Patterson, Inc.  
4125 Sorrento Valley Boulevard, Suite D  
San Diego, California 92121  
(658)558-8977 FAX (658)558-9188

## Fire Protection Note:

Parking permitted on the private street, red curbs or no parking signs required on those portions needed for fire protection service.

Site / Project Data  
Design Team:  
Subdivider: Zephyr Partners-Real Estate, LLC  
Civil Engineer: Landmark Consulting  
Architect: Mark Gross & Associates, Inc.  
Landscape: Gillaspie Moody Patterson, Inc.  
Legal Description: Lot 1 of Mira Mesa Plaza unit no. 1, in the City of San Diego, County of San Diego, State of California, according to map thereof no. 7421, filed in the office of the County Recorder of San Diego County on September 6, 1972.  
Assessor's Parcel Number: APN: 309-260-01

Prepared By: Mark Gross & Associates, Inc.  
Address: 881 Research Drive  
Irvine, California 92618  
Phone No.: (949)387-3800  
Zoning Designation: CN-1-2 & RM-2-6  
Evaluating: City of San Diego  
Project Description: Tentative map, Planned Development Permit to subdivide 1 existing lot into 2 lots. Lot 1 proposes 30 condominium units, while lot 2 will remain as existing condition.

City Project No.: 340629  
City File No.: 276-172  
City File No.: 1916-4096  
Carter / Developer: Isaac Abid  
HPI - Camino Village, LP  
9484 Black Mountain Road  
San Diego, California 92126

## SITE PLAN

Mark Gross & Associates, Inc.  
881 Research Drive  
Irvine, California 92618  
Phone No.: (949)387-3800 FAX (949)387-3700

"ZAPATA TOWNHOMES"  
MIRA MESA, CALIFORNIA  
ZEPHYR PARTNERS  
11750 SORRENTO VALLEY ROAD, SUITE 130  
SAN DIEGO, CALIFORNIA 92121  
(658)558-5128 FAX (658)678-8655

SITE PLAN

REVISIONS

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ALL DIMENSIONS AND CONDITIONS ARE TO BE SHOWN ON THE DRAWING OR PLANS ARE TO BE REPRODUCED, TRANSMITTED OR COPIED WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION OF MARK GROSS & ASSOCIATES, INC.  
DESIGNED BY: [Signature]  
CHECKED BY: [Signature]  
DATE: OCTOBER 24, 2013  
SHEET NO: 1 of 17  
1



PLANNING COMMISSION RESOLUTION NO. PC-XX-XXX  
PLANNED DEVELOPMENT PERMIT NO. 1192219 and  
NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1212181  
**ZAPATA TOWNHOMES PROJECT NO. 340829**

WHEREAS, HPI CAMINO VILLAGE, L.P., a California limited partnership, Owner, and ZEPHYR PARTNERS, LLC, a California limited liability company, Permittee, filed an application with the City of San Diego for a permit to demolish the existing commercial buildings and build thirty condominiums on one parcel and retain the existing commercial buildings fronting Camino Ruiz on the second parcel and to connect a private storm drain to the public storm drain system in Zapata Avenue (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1192219 and 1212181), on portions of a 3.66 acre site;

WHEREAS, the project site is located at 11345 Zapata Avenue in the CN-1-2 zone of the Mira Mesa Community Plan;

WHEREAS, the project site is legally described as Lot 1 of Mira Mesa Plaza Unit 1, according to Map thereof No. 7421, filed September 6, 1972;

WHEREAS, on V13 - DATE, the Planning Commission of the City of San Diego considered Planned Development Permit No. 1192219 and Neighborhood Development Permit No. 1312181 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on July 18, 2014, 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 Guideline Section 15332; and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated V19 - DATE.

FINDINGS:

**Planned Development Permit - Section 126.0604**

**1. The proposed development will not adversely affect the applicable land use plan.** The Zapata Townhomes project (Project) proposes to subdivide a 3.66 acre property into two parcels and to demolish the existing commercial buildings and build thirty condominiums on one parcel and retain the existing commercial buildings fronting Camino Ruiz on the second parcel located at 11345 Zapata Avenue and to connect a private storm drain to the public storm drain system in Zapata Avenue.

The project site is designated Neighborhood Commercial and Medium Density Residential at a density range of 15-30 dwelling units per acre by the Mira Mesa Community Plan. The proposed thirty condominiums units would be located on the portion of the site designated Medium Density Residential and the proposed residential development is consistent with this designation. Although the underlying zone for the residential portion of the site is a commercial zone, it does allow residential development as part of a mixed-use project at the density proposed. However, because the residential portion of the site does not propose a commercial component in accordance with the CN-1-2 development regulations, deviations are required.

The General Plan's Urban Design Element, Section UD-A.5 discusses architectural policies related to new development. The proposed design of the multi-family units should include several color and material palettes to avoid uniformity and create variation within the development. Materials will reinforce a sense of quality and performance. The architectural design of the residential structures include pitched roofs with overhangs which would create visual interest and provide shadowing on the building elevations. In addition the use of varying materials and color schemes helps to avoid monotonous wall elevations and to visually reduce the bulk of the structures, and recesses and pop-outs will also provide visual interest and harmony with the surrounding residential development.

The General Plan's Urban Design Element Policies UD-B.1(b) and UD-B.4(a-e) seek to create street frontages with architectural and landscape interest for both pedestrians and neighboring residents. The proposed landscaping along the project's frontage and combination wall consisting of split faced masonry walls with pilasters and tubular steel would provide a visually pleasing setting along Zapata Avenue for pedestrians and would allow views into and out of the project site. Raised enhanced paving from the project entry into the project site provides both a visually pleasing feature at the project entry and a clear path of travel for pedestrians to enhance safety for both pedestrians and vehicles. Therefore the Project will not adversely affect the Mira Mesa Community Plan.

**2. The proposed development will not be detrimental to the public health, safety, and welfare.** The Zapata Townhomes project (Project) proposes to subdivide a 3.66 acre property into two parcels and to demolish the existing commercial buildings and build thirty condominiums on one parcel and retain the existing commercial buildings fronting Camino Ruiz on the second parcel located at 11345 Zapata Avenue and to connect a private storm drain to the public storm drain system in Zapata Avenue.



The Project will not be detrimental to public health, safety and welfare because the permit controlling the development and continued use of the proposed Project for this site contains specific conditions addressing the Project compliance with the City's codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Conditions of approval require compliance with several operational constraints and development controls, the review of all construction plans by professional staff to determine construction will comply with all regulations and the inspection of construction to assure construction permits are implemented in accordance with the approved plans and the final construction will comply with all regulations, will assure the continued health, safety and general welfare of persons residing or working in the area. Therefore, the Project will not be detrimental to the public health, safety, and welfare.

**3. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone; and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.** The Zapata Townhomes project (Project) proposes to subdivide a 3.66 acre property into two parcels and to demolish the existing commercial buildings and build thirty condominiums on one parcel and retain the existing commercial buildings fronting Camino Ruiz on the second parcel located at 11345 Zapata Avenue and to connect a private storm drain to the public storm drain system in Zapata Avenue.

The Project proposes two deviations from the development regulations of the CN-1-2 zone. Both deviations will apply to the construction of the residential buildings. The existing commercial development will not require any deviations and is allowed as previously conforming development constructed prior to the adoption of the current zoning regulations. The first deviation will be from San Diego Municipal Code (SDMC) Section 131.0531, Table 131-05C which allows the proposed buildings to be no higher than thirty feet. The second deviation will be from SDMC Section 131.0540(c) which prohibits residential use and residential parking on the ground floor in the front half of the lot.

The first deviation, from SDMC Section 131.0531, Table 131-05C, allows the applicant to construct the townhome buildings to a maximum height of thirty-six feet one inch where the zoning regulations limit the height to thirty feet.

The second deviation, from SDMC Section 131.0540(c), allows residential uses in the townhome buildings on the ground floor in the front half of lot. The existing residential neighborhood is composed of single family homes, condominiums and apartments. Allowing residential uses on the ground floor in the front half of lot would support providing the greatest number of residential dwelling units on the site. The deviation would help to activate the predominantly residential pedestrian streetscape on Zapata Avenue which is a predominantly residential street and would provide an additional market rate housing product type in the neighborhood.

Each of the two deviations will result in a more desirable project than would be achieved if the project were designed in strict conformance with the development regulations of the CN-1-2 zone. The proposed development will comply with all other applicable requirements including

density, floor area ratio, street design, landscaping and other regulations of the CN-1-2 zone, as allowed through a Planned Development Permit, reflecting the desired goals and objectives for the site as described in the policy goals and objectives of the Mira Mesa Community Plan. Therefore, the Project will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone; and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

### **Neighborhood Development Permit - Section 126.0404**

**1. The proposed development will not adversely affect the applicable land use plan.** The Zapata Townhomes project (Project) proposes to subdivide a 3.66 acre property into two parcels and to demolish the existing commercial buildings and build thirty condominiums on one parcel and retain the existing commercial buildings fronting Camino Ruiz on the second parcel located at 11345 Zapata Avenue and to connect a private storm drain to the public storm drain system in Zapata Avenue.

The project site is designated Neighborhood Commercial and Medium Density Residential at a density range of 15-30 dwelling units per acre by the Mira Mesa Community Plan. The proposed thirty condominiums units will be located on the portion of the site designated Medium Density Residential and the proposed residential development is consistent with this designation. For additional information, see Planned Development Permit Finding #1 above. Therefore the Project will not adversely affect the Mira Mesa Community Plan.

**2. The proposed development will not be detrimental to the public health, safety, and welfare.** The Zapata Townhomes project (Project) proposes to subdivide a 3.66 acre property into two parcels and to demolish the existing commercial buildings and build thirty condominiums on one parcel and retain the existing commercial buildings fronting Camino Ruiz on the second parcel located at 11345 Zapata Avenue and to connect a private storm drain to the public storm drain system in Zapata Avenue.

The Project will not be detrimental to public health, safety and welfare because the permit controlling the development and continued use of the proposed Project for this site contains specific conditions addressing the Project compliance with the City's codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Therefore, the Project will not be detrimental to the public health, safety, and welfare. For additional information, see Planned Development Permit Finding No. 2 above.

**3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.** The Zapata Townhomes project (Project) proposes to subdivide a 3.66 acre property into two parcels and to demolish the existing commercial buildings and build thirty condominiums on one parcel and retain the existing commercial buildings fronting Camino Ruiz on the second parcel located at 11345 Zapata Avenue and to connect a private storm drain to the public storm drain system in Zapata Avenue. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations

pursuant to the Land Development Code. For additional information, see Planned Development Permit Finding No. 3 above.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Planned Development Permit No. 1192219 and Neighborhood Development Permit No. 1312181 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 1192219 and 1212181, a copy of which is attached hereto and made a part hereof.

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John S. Fisher  
Development Project Manager  
Development Services

Adopted on: V27 - DATE OF APPROVAL

Job Order No. 24004092



PLANNING COMMISSION RESOLUTION NO. PC-XX-XXX  
TENTATIVE MAP NO. 1192220  
**ZAPATA TOWNHOMES - PROJECT NO. 340829**

WHEREAS, HPI CAMINO VILLAGE, L.P., a California limited partnership, Subdivider, and MARK A. BRENCICK, Engineer, submitted an application to the City of San Diego for a tentative map, Tentative Map No. 1192220 for the subdivision of one 3.66 acre site into two lots known as the Zapata Townhomes project. The project site is located 11345 Zapata Avenue in the CN-1-2 zone of the Mira Mesa Community Plan. The property is legally described as Lot 1 of Mira Mesa Plaza Unit 1, according to Map thereof No. 7421, filed September 6, 1972; and

WHEREAS, the Map proposes a subdivision of one existing lot into two lots, with one proposed lot being 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, with a total number of 30 residential units; and with the other proposed lot not being further subdivided; and

WHEREAS, on July 18, 2014, 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 Guideline Section 15332; 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, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 1351 and filed pursuant to the Subdivision Map Act. The total number of condominium residential dwelling units is 30; and

WHEREAS, on \_\_ (to be filled in) \_\_\_\_, the Planning Commission of the City of San Diego considered Tentative Map No. 1192220 and pursuant to San Diego Municipal Code section(s) 125.0440 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 Planning Commission having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

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. 1192220:

**1. 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)).**

The Zapata Townhomes project (Project) proposes to subdivide a 3.66 acre property into two parcels and to demolish the existing commercial buildings and build thirty condominiums on one parcel and retain the existing commercial buildings fronting Camino Ruiz on the second parcel located at 11345 Zapata Avenue and to connect a private storm drain to the public storm drain system in Zapata Avenue.

The project site is designated Neighborhood Commercial and Medium Density Residential at a density range of 15-30 dwelling units per acre by the Mira Mesa Community Plan. The proposed thirty condominiums units would be located on the portion of the site designated Medium Density Residential and the proposed residential development is consistent with this designation.

**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 Zapata Townhomes project (Project) proposes to subdivide a 3.66 acre property into two parcels and to demolish the existing commercial buildings and build thirty condominiums on one parcel and retain the existing commercial buildings fronting Camino Ruiz on the second parcel located at 11345 Zapata Avenue and to connect a private storm drain to the public storm drain system in Zapata Avenue.

The Project proposes two deviations from the development regulations of the CN-1-2 zone. Both deviations will apply to the construction of the residential buildings. The existing commercial development would not require any deviations and is allowed as previously conforming development constructed prior to the adoption of the current zoning regulations. Neither deviation is required to approve the subdivision map and the proposed lots are consistent with the development regulations of the CN-1-2 zone for lot size, frontage, access and lot width. The first deviation will be from San Diego Municipal Code (SDMC) Section 131.0531, Table 131-05C which allows the proposed buildings to be no higher than thirty feet. The second deviation will be from SDMC Section 131.0540(c) which prohibits residential use and residential parking on the ground floor in the front half of the lot.

The first deviation, from SDMC Section 131.0531, Table 131-05C, will allow the applicant to construct the townhome buildings to a maximum height of thirty-six feet one inch where the zoning regulations limit the height to thirty feet.

The second deviation, from SDMC Section 131.0540(c), will allow residential uses in the townhome buildings on the ground floor in the front half of lot. The existing residential neighborhood is composed of single family homes, condominiums and apartments. Allowing residential uses on the ground floor in the front half of lot will support providing the greatest number of residential dwelling units on the site. The deviation will help to activate the predominantly residential Zapata Avenue pedestrian streetscape on what is a predominantly residential street and would provide an additional market rate housing product type in the neighborhood.

Each of the two deviations will result in a more desirable project than would be achieved if the project were designed in strict conformance with the development regulations of the CN-1-2 zone. The proposed development will comply with all other applicable requirements including density, floor area ratio, street design, landscaping and other regulations of the CN-1-2 zone, as allowed through a Planned Development Permit, reflecting the desired goals and objectives for the site as described in the policy goals and objectives of the Mira Mesa Community Plan. Therefore, the Project will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone; and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

**3. The site is physically suitable for the type and density of development (San Diego Municipal Code § 125.0440(c) and Subdivision Map Act §§ 66474(c) and 66474(d)).**

The Zapata Townhomes project (Project) proposes to subdivide a 3.66 acre property into two parcels and to demolish the existing commercial buildings and build thirty condominiums on one parcel and retain the existing commercial buildings fronting Camino Ruiz on the second parcel located at 11345 Zapata Avenue and to connect a private storm drain to the public storm drain system in Zapata Avenue.

The applicant's consultant submitted a Preliminary Geotechnical Investigation prepared by Advanced Geotechnical Solutions, Inc., dated November 8, 2013. Review of the submitted



Preliminary Geotechnical Investigation by licensed city geology staff concluded the site was appropriate for the proposed development. The applicant submitted a Water Quality Technical Report and Preliminary Drainage Study prepared by Landmark Consulting, dated February 17, 2014. Review by the city's licensed Deputy City Engineer concluded the site was appropriate for the proposed development and will meet all requirements for storm water management during construction and post-construction. The conclusion of professional staff is 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 (San Diego Municipal Code § 125.0440(d) and Subdivision Map Act § 66474(e)).**

The Zapata Townhomes project (Project) proposes to subdivide a 3.66 acre property into two parcels and to demolish the existing commercial buildings and build thirty condominiums on one parcel and retain the existing commercial buildings fronting Camino Ruiz on the second parcel located at 11345 Zapata Avenue and to connect a private storm drain to the public storm drain system in Zapata Avenue.

The site is currently developed with commercial uses. The surrounding land uses include residential to the north, east and west and commercial and residential to the south. The Project will subdivide a fully developed site into two parcels. The Project has been determined to be exempt from CEQA pursuant to Sections 15332 of CEQA Guidelines. Section 15332 applies to infill development that is consistent with the applicable general plan designation and applicable zoning regulations, is no more than 5 acres and substantially surrounded by urban uses, and would not result in any significant effects relating to sensitive habitat, traffic, noise, air quality, or water quality. None of the exceptions listed in CEQA Guidelines Section 15003.2 apply, therefore this exemption is applicable to the proposed project. The site contains no environmentally sensitive habitat.

Conditions of approval require the Project to comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009-DWQ and the Municipal Storm Water Permit, Order No. R9-2007-0001 in accordance with Order No. 2009-0009DWQ, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities and a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

**5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare (San Diego Municipal Code § 125.0440(e) and Subdivision Map Act § 66474(f)).**

The Zapata Townhomes project (Project) proposes to subdivide a 3.66 acre property into two parcels and to demolish the existing commercial buildings and build thirty condominiums on one parcel and retain the existing commercial buildings fronting Camino Ruiz on the second parcel located at 11345 Zapata Avenue and to connect a private storm drain to the public storm drain system in Zapata Avenue.

The applicant's consultant submitted a Preliminary Geotechnical Investigation, Zapata Townhomes, Mira Mesa Area, City of San Diego, California, prepared by Advanced Geotechnical Solutions, Inc., dated November 8, 2013. Review by licensed city geology staff reviewed the Preliminary Geotechnical Investigation and concluded the site was appropriate for the proposed development. The applicant submitted a Water Quality Technical Report and Preliminary Drainage Study prepared by Landmark Consulting, dated February 17, 2014. Review by the city's licensed Deputy City Engineer concluded the site was appropriate for the proposed development and will meet all requirements for storm water management during construction and post-construction. The conclusion of professional staff is the site is physically suitable for the type and density of development.

The Project will not be detrimental to public health, safety and welfare because the permit controlling the development and continued use of the proposed Project for this site contains specific conditions addressing the Project compliance with the City's codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Conditions of approval require compliance with several operational constraints and development controls, the review of all construction plans by professional staff to determine construction will comply with all regulations and the inspection of construction to assure construction permits are implemented in accordance with the approved plans and the final construction will comply with all regulations, will assure the continued health, safety and general welfare of persons residing or working in the area. Therefore, the Project 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 (San Diego Municipal Code § 125.0440(f) and Subdivision Map Act § 66474(g)).**

The Zapata Townhomes project (Project) proposes to subdivide a 3.66 acre property into two parcels and to demolish the existing commercial buildings and build thirty condominiums on one parcel and retain the existing commercial buildings fronting Camino Ruiz on the second parcel located at 11345 Zapata Avenue and to connect a private storm drain to the public storm drain system in Zapata Avenue.

The Project site contains no public easements for access or use of the property, therefore the design of the subdivision will 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 (San Diego Municipal Code § 125.0440(g) and Subdivision Map Act § 66473.1).**

The Zapata Townhomes project (Project) proposes to subdivide a 3.66 acre property into two parcels and to demolish the existing commercial buildings and build thirty condominiums on one parcel and retain the existing commercial buildings fronting Camino Ruiz on the second parcel located at 11345 Zapata Avenue and to connect a private storm drain to the public storm drain system in Zapata Avenue.

The proposed subdivision of a 3.66 acre parcel into two lots for residential and commercial development will not impede or inhibit any future passive or natural heating and cooling opportunities. The design of the subdivision has taken into account the best use of the land to minimize grading. With the independent design of the proposed subdivision each structure will have the opportunity through building materials, site orientation, architectural treatments, placement and selection of plant materials to provide 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 (San Diego Municipal Code § 125.0440(h) and Subdivision Map Act § 66412.3).**

The Zapata Townhomes project (Project) proposes to subdivide a 3.66 acre property into two parcels and to demolish the existing commercial buildings and build thirty condominiums on one parcel and retain the existing commercial buildings fronting Camino Ruiz on the second parcel located at 11345 Zapata Avenue and to connect a private storm drain to the public storm drain system in Zapata Avenue.

The proposed project is the subdivision of a 3.66 acre parcel into two lots for residential and commercial development. The Subdivider has chosen the option of paying an in-lieu fee to comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.) to meet their affordable housing requirement rather than provide the dwelling units. The subdivision of this parcel into two lots is consistent with what was anticipated in the community plan. There are no Environmentally Sensitive Lands present on the site. The project design has taken into account the best use of the land to minimize grading. The Planning Commission has reviewed the administrative record including the project plans, technical studies, environmental documentation and heard public testimony to determine 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 and found that the addition of one residential lot for thirty condominiums is consistent with the housing needs anticipated for the Mira Mesa Community Planning area.

The above 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. 1192220, is hereby granted to HPI CAMINO



VILLAGE, L.P., a California limited partnership, 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 Conditions

Internal Order No. 24004092

DRAFT

PLANNING COMMISSION  
CONDITIONS FOR TENTATIVE MAP NO. 1192220

**ZAPATA TOWNHOMES - PROJECT NO. 340829**

ADOPTED BY RESOLUTION NO. R-\_\_\_\_\_ ON \_\_\_\_\_

**GENERAL**

1. This Tentative Map will expire [IF PROCESS 3 OR 4 INSERT Date - 3 Years from decision date]. Prior to the expiration of the Tentative Map, a Final Map to subdivide lots shall be recorded in the office of the County Recorder.
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 Final Map, unless otherwise noted.
3. Prior to the recordation of the Final 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.
4. The Final Map shall conform to the provisions of Planned Development Permit No. 1192219 and Neighborhood Development Permit No. 1312181.
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 Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

Project No. 340829  
TM No. 1192220

## **ENGINEERING**

6. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
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. 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.
9. Pursuant to City Council Policy 600-20, the Subdivider shall provide evidence to ensure that an affirmative marketing program is established.
10. The drainage system proposed for this subdivision, as shown on the approved tentative map is private and subject to approval by the City Engineer.
11. 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. One (1) street light will be required on the Camino Ruiz frontage of the proposed subdivision, and one (1) street light will be required on the Zapata Avenue frontage, at final locations satisfactory to the City Engineer.
12. The Subdivider shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.

## **MAPPING**

13. "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].

Project No. 340829  
TM No. 1192220



14. "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."
15. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.
16. 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 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.

## **GEOLOGY**

17. Prior to the issuance of a grading permit, the Subdivider shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits. The geotechnical report shall be prepared in accordance with the City of San Diego's "Guidelines for Geotechnical Reports," satisfactory to the City Engineer.

## **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 § 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 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 ninety days of the approval of this Tentative Map 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. 24004092

**RECORDING REQUESTED BY**  
CITY OF SAN DIEGO  
DEVELOPMENT SERVICES  
PERMIT INTAKE, MAIL STATION 501

**WHEN RECORDED MAIL TO**  
**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION 501**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24004092

**PLANNED DEVELOPMENT PERMIT NO. 1192219 and**  
**NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1212181**  
**ZAPATA TOWNHOMES PROJECT NO. 340829**  
**PLANNING COMMISSION**

This Planned Development Permit No. 1192219 and Neighborhood Development Permit No. 1212181 is granted by the Planning Commission of the City of San Diego to HPI CAMINO VILLAGE, L.P., a California limited partnership, Owner, and ZEPHYR PARTNERS, LLC, a California limited liability company, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0604 and 126.0404. The 3.66 acre site is located at 11345 Zapata Ave in the CN-1-2 zone of the Mira Mesa Community Plan. The project site is legally described as Lot 1 of Mira Mesa Plaza Unit 1, according to Map thereof No. 7421, filed September 6, 1972.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to subdivide a 3.66 acre property into two parcels and demolish the existing commercial buildings and build thirty condominiums on one parcel and retain the existing commercial buildings fronting Camino Ruiz on the second parcel described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated [INSERT Approval Date], on file in the Development Services Department.

The project shall include:

- a. Subdivide a 3.66 acre property into two parcels and demolish the existing commercial buildings and build thirty condominiums on one parcel and retain the existing commercial buildings fronting Camino Ruiz on the second parcel;
- b. The project includes two deviations from the development regulations of the CN-1-2 zone. The first deviation will be from San Diego Municipal Code Section 131.0531 Table 131-05C to allow the new buildings to be thirty-six feet one inches. The second

deviation will be from SDMC Section 131.0540(c) to allow residential use and residential parking on the ground floor in the front half of the lot;

- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking; and
- e. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

### **STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by [ENTER DATE including the appeal time].
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies



including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The Owner/Permittee 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, relating to the issuance of this permit including, but not limited 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 Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee 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, Owner/Permittee 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 Owner/Permittee 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 Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

**AFFORDABLE HOUSING REQUIREMENTS:**

11. Prior to the issuance of any building permits, the Owner/Permittee shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.).

**ENGINEERING REQUIREMENTS:**

12. Prior to the issuance of a building permit, the Owner/Permittee shall obtain a grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

13. The Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.

14. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

15. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report.

16. All driveways and curb openings shall comply with City Standard Drawings. SDG-163 and SDG-164.

17. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009-DWQ and the Municipal Storm Water Permit, Order No. R9-2007-0001 in accordance with Order No. 2009-0009DWQ, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.

18. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

19. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the reconstruction of a bus slab along the Zapata Avenue frontage of the subdivision in accordance with SDG-102, satisfactory to the City Engineer.

20. The Planned Development/Neighborhood Development Permit shall comply with the conditions of the final map Tentative Map No. 1192220.

**GEOLOGY REQUIREMENTS:**

21. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

22. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

**LANDSCAPE REQUIREMENTS:**

23. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit and Exhibit "A."

24. Prior to issuance of any engineering permits for right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a forty square foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

25. Prior to issuance of any building permits, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A." Construction plans shall show, label, and dimension a forty square foot area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)(5).

26. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

27. If any required landscape, including existing or new plantings, hardscape, landscape features, et cetera, indicated on the approved construction document plans is damaged or

removed during demolition or construction, the Owner/Permittee shall repair and/or replace it in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

#### **PLANNING/DESIGN REQUIREMENTS:**

28. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

29. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

30. The Owner/Permittee shall post a copy of each approved discretionary Permit or Tentative Map in its sales office for consideration by each prospective buyer.

31. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

#### **TRANSPORTATION REQUIREMENTS:**

32. A minimum of 68 automobile spaces including 1 van accessible space for residents, 14 automobile spaces including 1 van accessible space for guests and 3 motorcycle spaces are required by the Land Development Code. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Director.

33. Prior to issuance of the first building permit, Owner/Permittee shall provide a shared parking agreement between Lot 1 and Lot 2 for the proposed twelve guest parking spaces located on Lot 2, satisfactory to the City Engineer.

34. All commercial loading/unloading activities for trucks longer than thirty feet shall take place in the parking area west of the existing commercial building located on Lot 2 between the hours of 6 a.m. to 9 a.m. only and not in the joint use driveway areas.

35. Prior to issuance of the first building permit, Owner/Permittee shall provide a shared access agreement between Lot 1 and Lot 2 for the driveways located on site, satisfactory to the City Engineer.

36. Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the reconstruction of the existing driveway on Zapata Avenue to 30 feet wide per SDG-163, satisfactory to the City Engineer.



37. Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the reconstruction of the two existing driveway on Camino Ruiz to 30 feet wide per SDG-163, satisfactory to the City Engineer.

38. The Owner/Permittee shall provide ten foot by ten foot visibility triangle area along the property line on both sides of the driveway on Zapata Avenue and on both sides of each of the two driveways on Camino Ruiz. No obstacles higher than thirty-six inches shall be located within these areas.

**PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

39. Prior to the issuance of any construction permit, the Owner/Permittee shall obtain all miscellaneous plumbing permits as required so as to ensure that each and every water service (domestic, fire, and irrigation) to be constructed and/or utilized by the subdivision will be fitted with an appropriate private back flow prevention device in a manner satisfactory to the Public Utilities Director and the City Engineer.

40. Prior to the issuance of any construction permit, the Owner/Permittee shall ensure that all required Encroachment Maintenance and Removal Agreement's have been approved by the City Engineer and recorded at the County Recorder's Office .

41. All proposed public water and sewer facilities, must be designed and constructed in accordance with established criteria in the most current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices pertaining thereto.

42. All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Plumbing Code and will be reviewed as part of the building permit plan check.

43. All public water and sewer facilities necessary to serve the project, including water services and sewer laterals, must be complete and operational in a manner satisfactory to the Public Utilities Director and City Engineer.

44. No tree or shrub expected to exceed three feet in height at maturity shall be planted or retained within five feet of any public water facility, or within ten feet of any public sewer facility.

**INFORMATION ONLY:**

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego  
on **[INSERT Approval Date]** and **[Approved Resolution Number]**.

DRAFT

Permit Type/PTS Approval No.: PDP No. 1192219/NDP No. 1212181  
Date of Approval:

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

\_\_\_\_\_  
John S. Fisher  
Development Project Manager

**NOTE: Notary acknowledgment  
must be attached per Civil Code  
section 1189 et seq.**

\_\_\_\_\_  
**The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of  
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.**

**HPI-CAMINO VILLAGE, L.P.,**  
a California limited partnership,  
Owner

By \_\_\_\_\_  
Sumeet Parekh  
Manager

**ZEPHYR PARTNERS-REAL ESTATE, LLC**  
Permittee

By \_\_\_\_\_  
Jim McMenamin  
Vice President

**NOTE: Notary acknowledgments  
must be attached per Civil Code  
section 1189 et seq.**

# NOTICE OF EXEMPTION

ATTACHMENT 8

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.: 340829

PROJECT TITLE: Zapata Townhomes

PROJECT LOCATION-SPECIFIC: 11345 Zapata Avenue and 11255-11295 Camino Ruiz, San Diego, CA 92126

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

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: PLANNED DEVELOPMENT PERMIT, NEIGHBORHOOD DEVELOPMENT PERMIT AND TENTATIVE MAP to subdivide a 3.66-acre parcel into two separate lots. An existing shopping center on the southerly portion of the site would remain within proposed 1.9-acre Lot 1 (11255-11295 Camino Ruiz) of the tentative map. The existing structures on the northerly portion of the site would be demolished and 30 three-story condominiums and associated landscaping, hardscape, parking and driveway improvements would be constructed within proposed 1.76-acre Lot 2 (11345 Zapata Ave.). A Neighborhood Development Permit is required for a proposed storm drain in the public right-of-way. A Planned Development permit is required for height, lot area and street frontage deviations that are appropriate for the project location in compliance with the applicable regulations of the City of San Diego Land Development Code. The project is located within the CN-1-2 zone, Airport Land Use Compatibility Overlay zone, Part 77 Noticing area, Airport Influence Review Area 2 (Miramar) and the Residential Tandem Parking Overlay zone in the Mira Mesa Community Planning Area and Council District 1.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Jim McMenamin, Zephyr Partners, 700 2<sup>nd</sup> Street, Encinitas, CA 92024;  
(858) 705-0242

EXEMPT STATUS: (CHECK ONE)

- ☐ MINISTERIAL
- ☐ DECLARED EMERGENCY
- ☐ EMERGENCY PROJECT
- ☒ CATEGORICAL EXEMPTION: SECTION 15332: IN-FILL DEVELOPMENT PROJECTS

REASONS WHY PROJECT IS EXEMPT: The project has been determined to be exempt from CEQA pursuant to Sections 15332 of CEQA Guidelines. Section 15332 applies to infill development that is consistent with the applicable general plan designation and applicable zoning regulations, is no more than 5 acres and substantially surrounded by urban uses, and would not result in any significant effects relating to sensitive habitat, traffic, noise, air quality, or water quality. None of the exceptions listed in CEQA Guidelines Section 15003.2 apply, therefore this exemption is applicable to the proposed project.

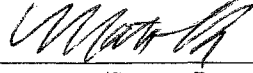
LEAD AGENCY CONTACT PERSON: M. Blake

TELEPHONE: (619) 446-5375

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/SENIOR PLANNER

AUGUST 4, 2014  
DATE

CHECK ONE:

- ☒ SIGNED BY LEAD AGENCY
- ☐ SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:



# **ZAPATA TOWNHOMES**

Remaining Drawings

(under separate cover)

## PROJECT DATA SHEET

<b>PROJECT NAME:</b>	Project No. 340829 – Zapata Townhomes	
<b>PROJECT DESCRIPTION:</b>	Subdivide a 3.66 acre site into two parcels, demolish existing commercial buildings, and construct 30 multi-family dwelling units.	
<b>COMMUNITY PLAN AREA:</b>	Mira Mesa	
<b>DISCRETIONARY ACTIONS:</b>	Tentative Map, Planned Development Permit and Neighborhood Development Permit	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Neighborhood Commercial and Medium Density Residential	
<b><u>ZONING INFORMATION:</u></b> <b>ZONE:</b> CN-1-2 <b>HEIGHT LIMIT:</b> 30 feet <b>LOT SIZE:</b> 5,000 square feet minimum <b>FLOOR AREA RATIO:</b> 1.0 <b>FRONT SETBACK:</b> NA <b>SIDE SETBACK:</b> 10 feet <b>REAR SETBACK:</b> 10 feet <b>PARKING:</b> per RM-2-5 zone requirements		
<b><u>ADJACENT PROPERTIES:</u></b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Residential / RS-1-14	Residential
<b>SOUTH:</b>	Commercial & Residential / CN-1-2	Commercial & Residential
<b>EAST:</b>	Residential / AR-1-1	Residential
<b>WEST:</b>	Residential / RS-1-14	Residential

<b>DEVIATIONS OR VARIANCES REQUESTED:</b>	SDMC Section 131.0531 Table 131-05C to allow the new buildings to be thirty-six feet one inches and SDMC Section 131.0540(c) to allow residential use and residential parking on the ground floor in the front half of the lot.
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	On September 16, 2013 the Mira Mesa Community Planning Group voted unanimously to recommend approval of the project.



THE CITY OF SAN DIEGO

City of San Diego  
Development Services  
1222 First Ave., MS-302  
San Diego, CA 92101

## Community Planning Committee Distribution Form Part 2

<b>Project Name:</b> Zapata Townhomes		<b>Project Number:</b> 340829		<b>Distribution Date:</b> 12/16/2013	
<b>Project Scope/Location:</b> MIRA MESA Planned Development Permit & Tentative Map (Process 4) to subdivide one 3.66 acre parcel into two parcels & build 30 condominiums on 1 parcel with the existing commercial buildings fronting Camino Ruiz to remain. The site is located on at 11253-11279 Camino Ruiz & 11345-11347 Zapata Ave in the CN-1-2 zone of the Mira Mesa Community Plan.					
<b>Applicant Name:</b> Mellor Landy				<b>Applicant Phone Number:</b> 858-587-8070	
<b>Project Manager:</b> Edith Y. Gutierrez		<b>Phone Number:</b> (619) 446-5147	<b>Fax Number:</b> (619) 321-3200	<b>E-mail Address:</b> egutierrez@sandiego.gov	
<b>Committee Recommendations (To be completed for Initial Review):</b> No conditions, but would like developer to look at providing a cart corral for Vons shopping center shopping carts should residents be walking to/from the grocery store.					
<input checked="" type="checkbox"/> <b>Vote to Approve</b>		<b>Members Yes</b> 12	<b>Members No</b> 0	<b>Members Abstain</b> 0	
<input type="checkbox"/> <b>Vote to Approve</b> With Conditions Listed Below		<b>Members Yes</b>	<b>Members No</b>	<b>Members Abstain</b>	
<input type="checkbox"/> <b>Vote to Approve</b> With Non-Binding Recommendations Listed Below		<b>Members Yes</b>	<b>Members No</b>	<b>Members Abstain</b>	
<input type="checkbox"/> <b>Vote to Deny</b>		<b>Members Yes</b>	<b>Members No</b>	<b>Members Abstain</b>	
<input type="checkbox"/> <b>No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)</b>				<input type="checkbox"/> <b>Continued</b>	
<b>CONDITIONS:</b>					
<b>NAME:</b> John Horst		<small>Digitally signed by HORST.JOHN.H.1101333139 DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=CONTRACTOR, cn=HORST.JOHN.H.1101333139 Date: 2014.02.12 16:45:33 -08'00'</small>		<b>TITLE:</b> Chairman	
<b>SIGNATURE:</b>				<b>DATE:</b> 2/12/2014	
<i>Attach Additional Pages If Necessary.</i>		Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101			
Printed on recycled paper. Visit our web site at <a href="http://www.sandiego.gov/development-services">www.sandiego.gov/development-services</a> . Upon request, this information is available in alternative formats for persons with disabilities.					



**Mira Mesa Community Planning Group Meeting Minutes**

Date/Time: September 16, 2013 7:00pm

Location: Vulcan Materials Conference Room, 7220 Trade Street, San Diego CA 92121

Call to Order – In attendance:

- |                  |                   |                  |
|------------------|-------------------|------------------|
| 1. Tom Derr      | 6. Bob Mixon      | 11. Phil Lisotta |
| 2. John Horst    | 7. Ted Brengel    | 12. Mike Linton  |
| 3. Ralph Carolin | 8. Eileen Magno   | 13. Marv Miles   |
| 4. Craig Radke   | 9. Joe Frichtel   |                  |
| 5. Bruce Brown   | 10. Pat O'Donohoe |                  |

1. Non-Agenda Public Comments:

- a. Dan McLellan – Lived in Water Ridge and now Pacific Ridge. Would it be reasonable to see hands of those who object to Sorrento Valley separate from Mira Mesa? (Many hands were raised in the crowd.) Who voted for the MMCPG members? (Rhetorical) We want to be represented. Apprehensive about coming here. Didn't want to come across snooty. Neighbor and enjoy the community. There are lines. Neighbors sometimes are across lines. And they should be honored.
- b. Subcommittee reports to Planning Group. Results were posted to the City website. Vote will be October 21.
- c. Julia Schriber – written response read aloud re: subdivision of Sorrento Valley. Community vs. neighborhood boundaries kept by City. Map of MMCPG is for land use planning. Request chair of subcommittee to give direction per subcommittee. Remove signs of MM.
- d. Wendy Zamutt – Lives in Water Ridge, in Sorrento Valley. Fear that if the neighborhood is merged with MM the property value will decline. MM has many crimes, arrests, sex offenders, etc. while SV has very few. If someone wants to move in they will hesitate due to these items if it is designated as MM. Deserve an opportunity to speak for themselves. Value and safety is important.
- e. Sonya Vitali – Disheartening to live in a community when another community says they will "consume" you. 92121 is the zip code. Has a problem being MM. Arbitrary conversation "amongst yourselves" caught her on her heels. Shocked neighboring community would say we don't count. Is it about taxes or revenue? If so, then we need to have our voices heard with the City Council.
- f. Dr. Wolf Fahlsing – Pacific Ridge, 92121 is separate from MM. Sorrento Valley station is the post office.
- g. Ranette Heng – Pacific Ridge. Pay HOA to keep up the homes and landscaping. Not one child in the cul-de-sac goes to the same school. They don't go to the MM school district due to crime rates, etc. Will pay to send children elsewhere.
- h. Suzanne McNeil – Purchased home in 1974, worked in Sorrento Mesa etc. for 15 years. Real Estate agent, lives in Water Ridge. All of these neighborhoods are well known to the clients. The MM signs are confusing. Requesting to move the signs to the proper location.

**Mira Mesa Community Planning Group Meeting Minutes**

- i. Mike Schriber – Homeowner, business owner. Planning areas are not neighborhoods. Planning areas exist to assist City. There are over a hundred neighborhoods and 50 planning groups in the City of San Diego. The MMCPG is confusing the difference. Sign locations are outside the planning group's bylaws.
  - j. Patty Edwards – Pacific Ridge resident. Was told she bought in Sorrento Valley. Was told the goal of the Mira Mesa group was to embrace the larger community. First meeting I've been to. There are many unanswered questions. I would like to understand the purpose. I would like understand why now, why at all? Seemed stealthy. I'd like more printed info.
  - k. Lisa Simpson – Pacific Ridge resident. Concerned about the neighborhood. The Planning Group is not listening to the concerns of the neighborhood. Frustrated and concerned. Please consider these people's statements. Why did you do it? I'm not seeing open minds of the board members.
  - l. Susan Carolyn – Trying to work with you for months. SV Town Council has been formed. We want the neighborhood recognized. The MAD's requested these signs. The agencies are suspicious. Where can I find more info on these committees?
    - i. The MAD meetings are quarterly
      - 1. Oct 1 is the next meeting of MM MAD (Maintenance Assessment District), Joe F. will be the manager at that meeting. It will be held at the Senior Center at 7PM.
      - 2. Calle Christobal MAD date will be verified and communicated at the next meeting.
2. Adopt Draft Agenda (Action): Joe Frichtel, motion, second by Ted Brengel. – Motion carried 11-0-1
3. Adopt Previous Meeting Minutes (Action). The minutes were circulated among the members of the Executive Committee as a PDF document prior to the meeting via email. An opportunity to request corrections was made at this point in the meeting. No such requests were made and the Chair deemed the minutes adopted by unanimous consent.
4. Old Business
- a. Business Owner Seat Vacancy: The City is in receipt of information from a newly formed non-profit, Sorrento Valley Town Council by Julie Schriber. The qualification of this organization for a Business Owner seat is under discussion at the City.
    - i. City response received that it is acceptable for the SVTC to be a member of the business seat.
    - ii. It must be a corporate address.
    - iii. Election will be held next month.
  - b. Zephyr Partners: Camino Ruiz/Via Zapata development (ACTION ITEM)
    - i. Jim McMenamin presenting 30 townhome project in Mira Mesa.
    - ii. Adjacent to commercial strip mall, residential behind, residential across

## Mira Mesa Community Planning Group Meeting Minutes

- iii. 1.67 Acres, 4-6 ~1,700 SF home units in 8 structures
- iv. Zoning is mixed use for this site. Residential is permitted. MMCP permits this density.
- v. Two color palettes across the structures.
- vi. Trees, palms and variety of landscaping to match surrounding community.
- vii. Work to begin in 2014.
- viii. Existing Day Care and Muslim Center have both terminated their leases.
- ix. An abandoned empty pool and tennis courts will be removed with this project.
- x. A median from Capricorn to Calle Cristobal can be maintained by the MAD however, the request to add this is financially unfeasible for the owner to take on that construction. They would be open to paying fare share expense, but cannot bear the full cost.
- xi. Motion by Bob Mixon, second by Pat O'Donohie to recommend approval of the project. Motion carried 12-0-0.

## 5. New Business

- a. Vesta Pacific Development presented initial plans for properties along Shaw Lopez Rd.
  - i. Jeff McComic – Property owner of 23 additional undeveloped lots
  - ii. Original 28 lot subdivision, 5 have been developed
  - iii. Up to 2,800 SF of mid-century modern look, single family homes
  - iv. No house will have the same color scheme as the other
  - v. Mid \$800K's to low \$900K's
  - vi. Within Coastal Zone
  - vii. Some members of the group do not like the architectural style
  - viii. Existing Shaw Lopez homeowner association will maintain the drive.
  - ix. Max height will be lower than the 3 recently built homes.
  - x. Slopes will be maintained. Most homes will be built "into the slope" or cantilevered over the garages.
  - xi. A path was bulldozed by the previous owner on the adjacent property and the remediation went to legal action. It is now "resolved" per the court and City. The land to the North of this property is owned by the Pacific Ridge Association.
  - xii. Owner is not aware of any additional traffic mitigation required.
  - xiii. Pacific Ridge HOA should make contact with the landowner to discuss the project prior to vote at the MMCPG meeting in October if required by City per permit process.

## 6. Elected Officials/Government Agencies

- a. United States Congress – Scott Peters, California 52nd District: No Information
- b. California Senate – Marty Block, District 39: Joyce Temporal
  - i. Session is complete
  - ii. Voted against the utility rate restructuring because of possible negative effects on residential solar. However, it is on the Governor's Desk

## Mira Mesa Community Planning Group Meeting Minutes

- iii. Sept 23, 6PM at Scripps Mercy Hospital (Hillcrest) Auditorium, Community Town Hall for 2013 review and 2014
  - c. California Assembly – Brian Maienschein District 77:
    - i. State Assembly is complete for 2013 session.
    - ii. 1PM tomorrow (9/17/13) talking to 5<sup>th</sup> and 6<sup>th</sup> graders at Ericson School
    - iii. Friday, will be presenting grant check to Christ Cornerstone for Social Studies books
    - iv. Supporting the Miramar Air show
    - v. As a freshmen Assembly, 5 pieces of legislation made it to the Governor's desk.
    - vi. Brian will be at the MM Street Fair this weekend.
  - d. San Diego County – Dave Roberts, Board of Supervisors District 3: No Information
  - e. City of San Diego – Mayor's Office: No Information
  - f. City of San Diego – Lorie Zapf, City Council District: Kenny Nakayama
    - i. Was at Salk Elementary and will be at the Street fair this weekend.
    - ii. MM Airshow supported by Laurie Zapf with SD Police department costs.
  - g. San Diego Unified School District: No Information
  - h. MCAS Miramar:
    - i. All civilian performers at the Airshow, Oct 4<sup>th</sup> and 5<sup>th</sup>
    - ii. Some concerts as well
    - iii. Race Legal will have a drag race on the runway
    - iv. Wall of Flame
    - v. Not sure if any of the historic aircraft will be there, but many static displays will be available.
    - vi. Increase of activity will occur as the troops come back home from overseas locations.
    - vii. Flights will continue until 1AM until Daylight Savings ends.
    - viii. Some noise complaints have been lodged recently. A form is available on the Miramar website but needs to have specifics such as time, location and type of noise when lodged for full investigation to take place.
  - i. CalTrans: No Information
- 7. Announcements:
  - a. MM Street Fair this Saturday from 10AM to 5PM next to Vons. With a Beer Garden sponsored by Callahan's!
  - b. Oct 26, Boy Scout Jamboree at Geology Day at Vulcan Materials.

## Mira Mesa Community Planning Group Meeting Minutes

- c. Central Library will open Monday, Sept 30<sup>th</sup>. Sept 28 will be a sneak peak of the first floor with a street fair and festival.

## 8. Reports:

## a. Report of the Chair

- i. A notice to proceed on the repaving of the remainder of Mira Mesa Blvd. has been issued by the City. See attachment.
- ii. SDUSD formally broke ground on Dr. Jonas Salk Elementary School on September 7 at 10am. The ceremony was covered by KUSI (9) and KGTV (10).
- iii. The City is soliciting input on bike sharing locations. See attached notice.
- iv. The City of San Diego and the cities of Del Mar, Escondido, Poway and Solana Beach, the County of San Diego and Caltrans are soliciting help to develop Water Quality Improvement Plans for the Los Peñasquitos, San Dieguito and Mission Bay & La Jolla Watersheds. See attached notice.
- v. The City is offering "CEQA Advanced Training" to Planning Group members. The next one will be September 30<sup>th</sup>. See attached notice.
- vi. Environmental Services has provided a flyer (attached) regarding household hazardous waste/oil recycling.
- vii. SANDAG is soliciting participation in "listening sessions" on parking issues. See attached notice.

- b. Transportation Subcommittee – No information on the second parking structure at the College. DAR is under construction

- c. Stone Creek Subcommittee – No information

- d. SD Ice Arena Cell Phone Antennae Applications Subcommittee – RF reading study documentation was received from T-Mobile. Maximum RF was measured at 5.7% of the General Population threshold.

- e. Community Planners Committee: There was no August meeting. Next meeting is 9/24/2013.

- f. Los Peñasquitos Canyon Citizen's Advisory Committee – Last meeting was in July. Ranger's Station has not started construction.

Adjourn: 8:41PM



# Ownership Disclosure Statement

Zapata Townhomes Project No. 340829

**Owner: HPI Camino Village, L.P. , a California limited partnership**

Isaac Abid  
Harki Parekh  
Sumeet Parekh  
Hiren & Prerana Saraiya  
Tony Maung  
Shannon Ching  
Tejas Patel  
Jayendra Patel  
Andrew & Brooke Beros  
Jignesh Patel  
Sachin Rastogi  
Sonal Patel

**Permittee: Zephyr Partners, LLC, a California limited liability company**

Brad Termini  
Dane Chapin

DEVELOPMENT SERVICES  
**Project Chronology**  
**Zapata Townhomes - PTS# 340829**

<b>Date</b>	<b>Action</b>	<b>Description</b>	<b>City Review Time</b>	<b>Applicant Response</b>
<b>12/16/13</b>	<b>First Submittal</b>	<b>Project Deemed Complete</b>		
02/12/14	First Assessment Letter		37 days	
03/13/14	Second Submittal			21 days
04/22/14	Second Review Complete		28 days	
05/30/14	Third Submittal			28 days
06/27/14	Third Review Complete		20 days	
07/09/14	Fourth Submittal			8 days
07/14/14	Fourth Review Complete		3 days	
07/14/14	Issues Complete			
09/11/14	Public Hearing		43 days	
<b>TOTAL STAFF TIME</b>			<b>131 days</b>	
<b>TOTAL APPLICANT TIME</b>				<b>57 days</b>
<b>TOTAL PROJECT RUNNING TIME</b>		From Deemed Complete to Planning Commission	<b>6 months and 8 days</b>	