

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: October 30, 2014 **REPORT NO. PC-14-072**

ATTENTION: Planning Commission, Agenda of November 6, 2014

SUBJECT: 4235 3RD AVENUE TENTATIVE MAP – PROJECT NO. 360399
Process Four

**OWNER/
APPLICANT:** Six on Third Avenue, LLC, Owner (Attachment 11)
Landmark Engineering Corporation, Applicant

SUMMARY

Issue(s): Should the Planning Commission approve a Tentative Map for the conversion of six (6) existing residential units to condominiums and to waive the requirement to underground existing offsite overhead utilities at 4235 3rd Avenue within the Uptown Community Plan area?

Staff Recommendation: Approve Tentative Map No. 1260966.

Community Planning Group Recommendation: On July 1, 2014, the Uptown Planners voted 13-0-1 to recommend approval with no additional conditions (Attachment 10).

Environmental Review: This project is exempt from environmental review pursuant to Article 19, Section 15301(k), Existing Facilities, of the California Environmental Quality Act (CEQA) (Attachment 7). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on August 19, 2014, and the opportunity to appeal that determination ended September 3, 2014.

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

Code Enforcement Impact: None with this action.

Housing Impact Statement: With the proposed conversion of six existing apartments to condominiums, there would be a loss of six (6) rental units and a gain of six (6) for-sale units. This condominium conversion project was deemed complete on May 8, 2014, and is therefore subject to the City's regulations regarding inclusionary housing and tenant

relocation assistance. The project would meet the requirement of the City's Inclusionary Affordable Housing Regulations by paying the Condominium Conversion Inclusionary Affordable Housing Fee.

BACKGROUND

The 0.206-acre site is located at 4235 3rd Avenue, north of Arbor Drive (Attachment 1) in the Mid-City Communities Planned District MR-800B Zone of the Uptown Community Plan area. The Community Plan designates this site for Residential (Attachment 3). The MR-800B Zone allows multi-family residential development at a density of one dwelling unit per 800 square feet of lot area, which would allow up to 11 units on the site. The site is presently developed with two, three-story structures consisting of six (6), two-bedroom units. The structure was built in 2008 and provides a total of twelve (12) off-street parking spaces, two spaces each within each unit's ground floor garage. All development complies with the zoning and development regulations in effect at the time of construction. No Building or Zoning Code violations have been recorded against the property.

Surrounding land use consists of predominately multi-family residential with some older single family units.

DISCUSSION

Project Description:

The project proposes a Tentative Map for the subdivision of a 0.206-acre site to convert six (6) existing dwelling units into condominiums on one lot (Attachment 8). The applicant is also requesting that the requirement for the undergrounding of the existing overhead utilities be waived.

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

Undergrounding Waiver Request:

SDMC Section 144.0242 allows the subdivider to apply for a waiver from the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public rights-of-way. City staff has determined the undergrounding waiver request qualifies for consideration pursuant to SDMC Section 144.0242(c) in that the conversion is a requirement of a condominium conversion of an existing development and the conversion involves a short span of overhead facilities less than a full block in length and the conversion would not represent a logical extension to an under-grounding facility. The applicant would be required to underground any new service run to any new or proposed structures within the

subdivision per Condition No. 19 of the draft Tentative Map Resolution. All onsite utilities serving the subdivision shall be undergrounded with appropriate permits per Condition No. 20 of the draft Tentative Map Resolution.

This project has one power pole located southwest of the property. The City's Undergrounding Master Plan for Fiscal Year 2009 designates the site within Block 3U, with the allocation year for undergrounding to be 2021.

Project-Related Issues:

The requested conversion of these residential units to condominiums represents primarily a change in ownership. The applicant has certified that the required 60-day Notices of Intent to Convert to Condominiums were provided to the tenants on January 24, 2014 (Attachment 9).

This project was Deemed Complete on May 8, 2014. All condominium conversion projects Deemed Complete after February 7, 2004, must conform to the regulations regarding inclusionary housing and tenant relocation benefits adopted by the City Council on March 15, 2004. The property owner has opted to pay the Affordable Housing fee established by the Inclusionary Housing Ordinance rather than providing affordable units on site. Relocation benefits will be based on a Housing Commission tenant survey anticipated to be conducted after the approval of the tentative map and prior to the recordation of the final map. Both the Affordable Housing fee and the relocation assistance are conditions of the Tentative Map Resolution.

Conclusion:

Staff has reviewed the request for a Tentative Map for the conversion of six (6) residential units into condominiums and has found the project to be in conformance with the applicable sections of the San Diego Municipal Code regulating tentative maps. Staff believes the requirement findings can be supported and recommends the Planning Commission approve the project as proposed.

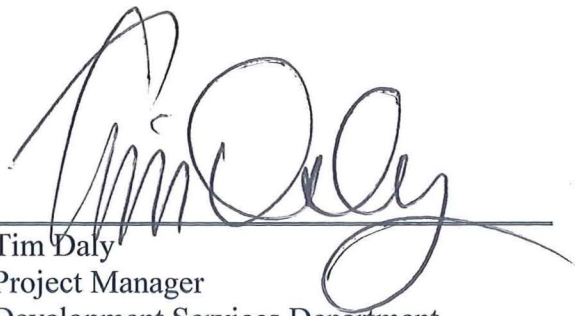
ALTERNATIVES

1. **Approve Tentative Map No. 1260966, with modifications.**
2. **Deny Tentative Map No. 1260966, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Assistant Deputy Director
Development Services Department



Tim Daly
Project Manager
Development Services Department

VACCHI/TPD

Attachments:

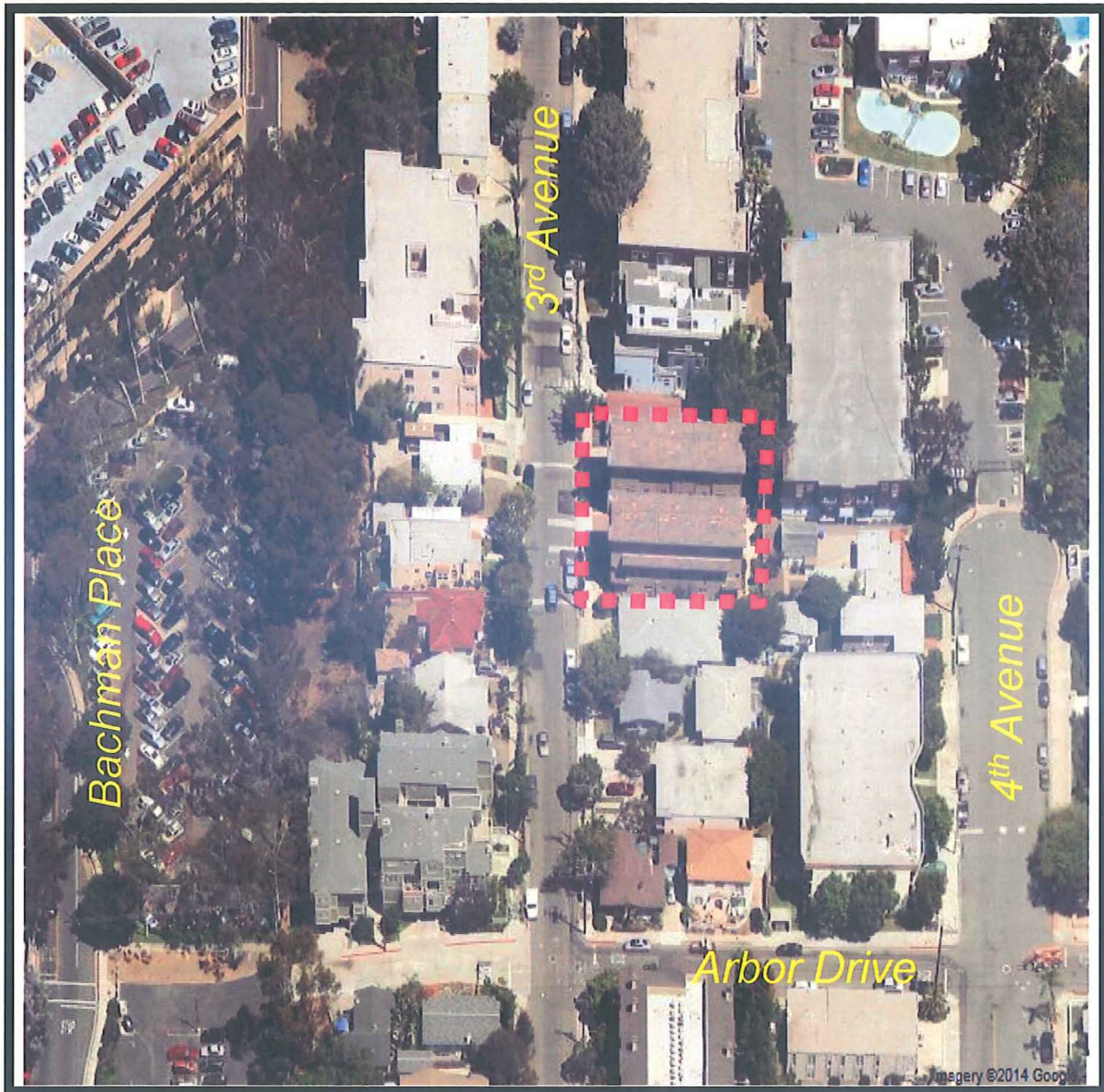
1. Project Location Map
2. Aerial Photograph
3. Community Plan Land Use Map
4. Project Data Sheet
5. Draft Map Resolution with Findings
6. Draft Map Conditions
7. Environmental Exemption
8. Map Exhibit-Tentative Map
9. Certification of Tenant Notice for Condominium Conversion Map
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement
12. Project Chronology



Project Location

4235 3rd Avenue TM, Project No. 360399
4235 3rd Avenue

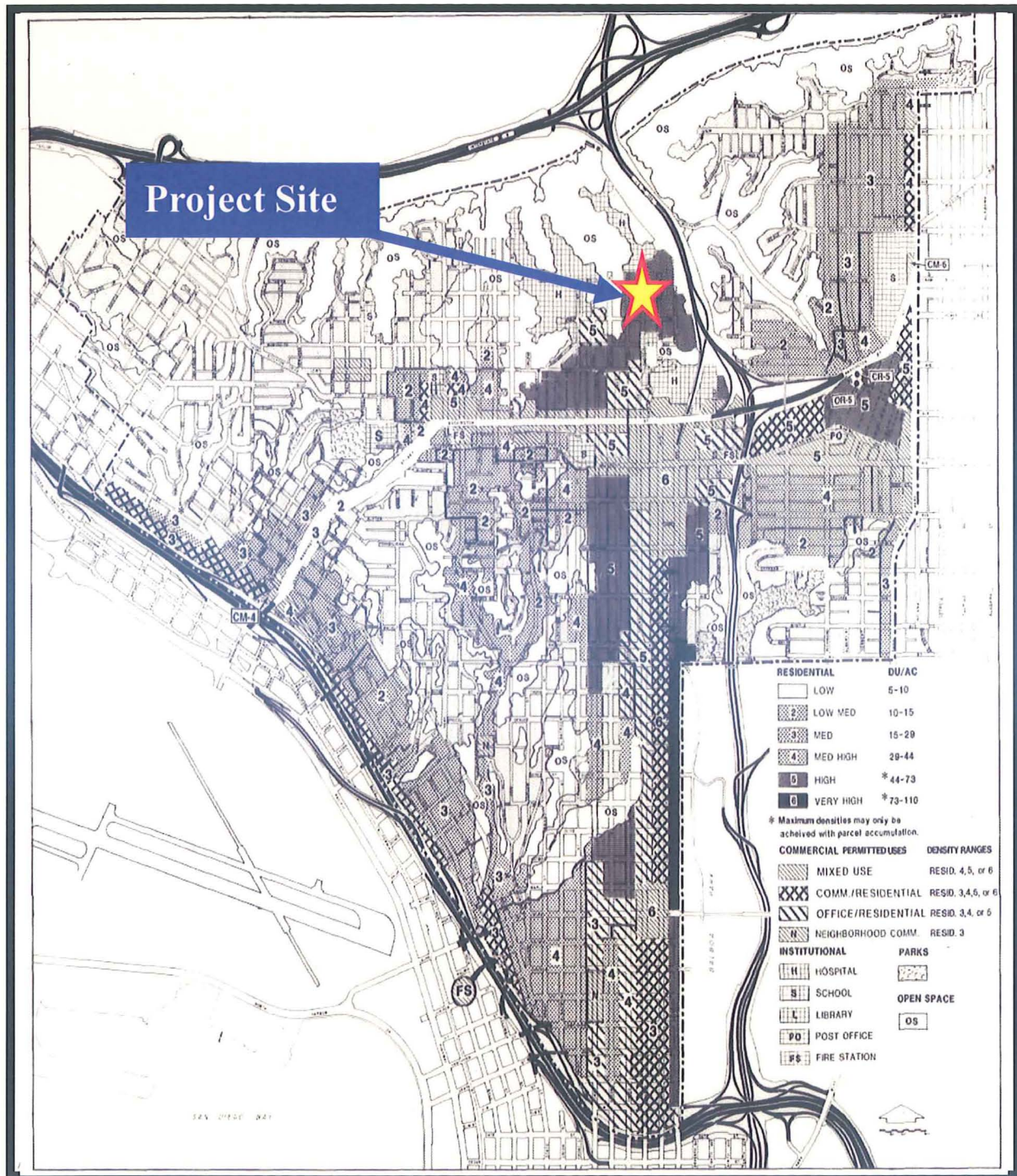




Aerial Photo

4235 3rd Avenue TM, Project No. 360399
4235 3rd Avenue





Uptown Community Land Use Map

4235 3rd Avenue TM, Project No. 360399
4235 3rd Avenue

North



PROJECT DATA SHEET

PROJECT NAME:	4235 3 rd Avenue	
PROJECT DESCRIPTION:	Subdivision to convert six existing residential units to condominium units and waive the requirement to underground existing overhead utilities on a 0.206-acre site at 4235 3 rd Avenue.	
COMMUNITY PLAN AREA:	Uptown	
DISCRETIONARY ACTIONS:	Tentative Map	
COMMUNITY PLAN LAND USE DESIGNATION:	Residential	
<u>ZONING INFORMATION:</u> ZONE: MCCPD MR-800B HEIGHT LIMIT: 60 ft max.; 58 ft existing LOT SIZE: 6,000 sf min.; 8,998 sf existing FLOOR AREA RATIO: 1.25 max.; 0.83 existing FRONT SETBACK: 10 ft. min.; 10 ft existing SIDE SETBACK: 6 ft. min.; 6 ft. existing REAR SETBACK: 15 ft. min.; 15 ft. existing PARKING: 12 parking spaces provided		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Residential; MR-800B	Residential
SOUTH:	Residential; MR-800B	Residential
EAST:	Residential; MR-800B	Residential
WEST:	Residential; MR-800B	Residential
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On July 1, 2014, the Uptown Planners voted 13-0-1 to recommend approval with no additional conditions.	

PLANNING COMMISSION RESOLUTION NUMBER XXXXXX-PC

**TENTATIVE MAP NO. 1260966, 4235 3RD AVENUE -
PROJECT NO. 360399.**

WHEREAS, Lili Mostofi, Six on Third Avenue, L.L.C., Subdivider, and Lawrence Cole, Landmark Engineering Corporation, Engineer, submitted an application to the City of San Diego for a tentative map, Tentative Map No. 1260966, for the 4253 3rd Avenue project to convert six existing two-bedroom residential units into condominiums on a 0.206-acre lot and to waive the requirement to underground existing offsite overhead utilities. The project site is located at 4235 3rd Avenue in the Mid-City Communities Planned District's MR-800B Zone of the Uptown Community Plan area. The property is legally described as south 15 feet of Lot 15 and all of Lots 16, 17, and 18 in Block 7 of Fifth Street Addition, Map No. 577, filed in the Office of the County Recorder of San Diego County, January 10, 1889; and

WHEREAS, the Map proposes the Subdivision of a 0.206-acre site into one (1) lot for a 6 unit residential condominium conversion; and

WHEREAS, on August 19, 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 15301(k); and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineer pursuant to Subdivision Map Act section 66491(a) and San Diego Municipal Code sections 144.0220(a) and 144.0220(b); and

WHEREAS, the 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 dwelling units is 6; and

WHEREAS, on November 6, 2014, the Planning Commission of the City of San Diego considered Tentative Map No. 1260966, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to San Diego Municipal Code section(s) 125.0440, 125.0444, 144.0240, 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. 1260966:

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 project proposes to convert six residential units constructed in 2008 into six residential condominiums and waive the requirement to underground offsite existing overhead utilities on a 0.206 acre site located at 4235 3rd Avenue in the Mid-City Communities Planned District MR-800B Zone of the Uptown Community Plan area.

The proposed project is consistent with the land use residential designation of the Mid-City Communities Planned District MR-800B Zone of the Uptown Community Plan area. The project is not within an identified view corridor or public access way. The proposed condominiums will meet the land use regulations of the certified Implementation Program including compliance with the San Diego Municipal Code development regulations including, but not limited to, height, setbacks, parking, landscape, and floor area ratio. 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 sec. 125.0440(a) and Subdivision Map Act sec. 66473.5, 66474(a), and 66474(b)).

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

The project proposes to convert six residential units constructed in 2008 into six residential condominiums and waive the requirement to underground offsite existing overhead utilities on a 0.206 acre site located at 4235 3rd Avenue in the Mid-City Communities Planned District MR-800B Zone of the Uptown Community Plan area.

The requested underground waiver of the existing overhead facilities, qualifies under the guidelines of San Diego Municipal Code Section 144.0242, Waiver of the Requirements to Underground Privately Owned Utility Systems and Services Facilities, in that the conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility.

The construction was determined to be consistent with the development regulations of the Mid-City Communities Planned District MR-800B Zone of the Uptown Community Plan area including height, setbacks, floor area ratio, landscaping and architectural design. The project does not include deviations from the regulations. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (San Diego Municipal Code S 125.0440(b)).

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 project proposes to convert six residential units constructed in 2008 into six residential condominiums and waive the requirement to underground offsite existing overhead utilities on a 0.206 acre site located at 4235 3rd Avenue in the Mid-City Communities Planned District MR-800B Zone of the Uptown Community Plan area.

The site is flat and has been previously graded. The six residential units currently exist on the site. The site fronts on 3rd Avenue. The subdivision complies with the regulations of the Mid-City Communities Planned District MR-800B Zone of the Uptown Community Plan area and the conversion of the six residential units into condominiums is within the community plan's density range. Therefore, the site is physically suitable for the type and density of the development.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (San Diego Municipal Code § 125.0440(d) and Subdivision Map Act § 66474(e)).

The project proposes to convert six residential units constructed in 2008 into six residential condominiums and waive the requirement to underground offsite existing overhead utilities on a 0.206 acre site located at 4235 3rd Avenue in the Mid-City Communities Planned District MR-800B Zone of the Uptown Community Plan area.

This subdivision was reviewed by the City of San Diego for conformance with the Land Development Regulations, California Building Code, and Land Use Policies. The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (existing facility) of the State CEQA Guidelines which determined that the subdivision will have no substantial impact to the environment. The project is located within an urbanized and built out environment where there are no watercourses or environmentally sensitive lands harboring fish or wildlife on or adjacent to the site. Therefore, the subdivision or the proposed improvements will not cause substantial environmental damage or substantially injure fish or wildlife or their habitat (Land Development Code Section 125.0440.d and State Map Act Section 66474(e)).

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 project proposes to convert six residential units constructed in 2008 into six residential condominiums and waive the requirement to underground offsite existing overhead utilities on a 0.206 acre site located at 4235 3rd Avenue in the Mid-City Communities Planned District MR-800B Zone of the Uptown Community Plan area.

There is no proposed development; the project proposes to convert six existing residential units into six residential condominiums for sale. There are no improvements required for the condominium conversion and therefore, the subdivision 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 project proposes to convert six residential units constructed in 2008 into six residential condominiums and waive the requirement to underground offsite existing overhead utilities on a 0.206 acre site located at 4235 3rd Avenue in the Mid-City Communities Planned District MR-800B Zone of the Uptown Community Plan area.

The site will continue to function as a residential development with all of the existing easements to remain and 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 project proposes to convert six residential units constructed in 2008 into six residential condominiums and waive the requirement to underground offsite existing overhead utilities on a 0.206 acre site located at 4235 3rd Avenue in the Mid-City Communities Planned District MR-800B Zone of the Uptown Community Plan area.

The potential and opportunity exists to implement sustainable building techniques that utilize photovoltaic systems (solar panels) to generate a certain percentage of the project's energy needs. The six unit complex incorporates tilted roofs which may facilitate for solar panels in the future. Additionally, double-glazed glass windows with vinyl frames have been installed which will help reduce solar heat gain within the units. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (San Diego Municipal Code § 125.0440(h) and Subdivision Map Act § 66412.3).

The project proposes to convert six residential units constructed in 2008 into six residential condominiums and waive the requirement to underground offsite existing overhead utilities on a 0.206 acre site located at 4235 3rd Avenue in the Mid-City Communities Planned District MR-800B Zone of the Uptown Community Plan area.

The decision maker has reviewed the administrative record including the project plans and environmental documentation to determine the effects of the proposed subdivision on the housing needs of the region. With the proposed conversion of six existing residential units to condominiums, there would be a loss of six rental units and a gain of six for-sale units. The six residential units are within a built out urbanized community with adequate infrastructure. The decision maker has determined that the available fiscal environmental resources are balanced by adequate public transit in the immediate area, the proximity of shopping, and essential services and recreation in the nearby developed urban area. The project is within a half mile from public transit and retail services and sales. Therefore, the housing needs of the region are balanced against the needs for public services and the available fiscal and environmental resources.

9. The notices required by San Diego Municipal Code section 125.0431 have been given in the manner required (San Diego Municipal Code § 125.0444(a) and Subdivision Map Act §§ 66452.17; 66427.1).

The project proposes to convert six residential units constructed in 2008 into six residential condominiums and waive the requirement to underground offsite existing overhead utilities on a 0.206 acre site located at 4235 3rd Avenue in the Mid-City Communities Planned District MR-800B Zone of the Uptown Community Plan area.

During processing of this Tentative Map application the existing residential units were occupied. The Tentative Map conditions require all perspective tenants be notified of the condominium conversion. This notice and all other required notices shall be enforced during the life of the Tentative Map. Therefore, all applicable notices required by San Diego Municipal Code section 125.0431 have been given in the manner required.

10. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing (San Diego Municipal Code § 125.0444(b)).

The project proposes to convert six residential units constructed in 2008 into six residential condominiums and waive the requirement to underground offsite existing overhead utilities on a 0.206 acre site located at 4235 3rd Avenue in the Mid-City Communities Planned District MR-800B Zone of the Uptown Community Plan area.

All costs associated with the processing of this subdivision were paid by the applicant. Therefore, the project was not financed by funds obtained from a governmental agency to provide for the elderly, disabled, or low income housing.

11. For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed (San Diego Municipal Code § 125.0444(c)).

The project proposes to convert six residential units constructed in 2008 into six residential condominiums and waive the requirement to underground offsite existing overhead utilities on a 0.206 acre site located at 4235 3rd Avenue in the Mid-City Communities Planned District MR-800B Zone of the Uptown Community Plan area.

This subdivision was not processed to provide housing for the elderly, disabled or to provide low income housing.

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. 1260966, hereby granted to Lili Mostofi, Six on Third Avenue, L.L.C subject to the attached conditions which are made a part of this resolution by this reference.

By

Tim Daly
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24004468

PLANNING COMMISSION CONDITIONS FOR TENTATIVE MAP NO. 1260966,
4235 3RD AVENUE - PROJECT NO. 360399

ADOPTED BY RESOLUTION NO. XXXXX-PC ON _____

GENERAL

1. This Tentative Map will expire on November XX, 2017.
2. Prior to the expiration of the Tentative Map, a Final Map to consolidate and subdivide the 0.206-ac site into 6 residential condominium units shall be recorded in the Office of the County Recorder of San Diego County.
3. 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.
4. Prior to the recordation of the Final Map, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the Office of the San Diego County Recorder must be provided to satisfy this condition.
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.

CONDOMINIUM CONVERSION

6. The Subdivider shall provide a Notice of Tenants Rights and Notices for Condominium Conversion, consistent with the Land Development Manual to be provided as follows:
 - a. For existing tenants, within ten days of the project application for the condominium conversion being deemed complete; or
 - b. For prospective tenants, upon application for the rental of a unit in the proposed condominium conversion.
7. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the Subdivision Map Act.
8. The Subdivider shall provide the tenants a Notice of Application for a Public Report at least ten days prior to the submittal to the Department of Real Estate [DRB], pursuant to Subdivision Map Act section 66427.1(a).
9. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion in conformance with Subdivision Map Act section 66427.1(a)(2)(E). The provisions of this subdivision shall not alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by California Civil Code sections 1941, 1941.1 and 1941.2.
10. The Subdivider shall provide the tenants of the proposed condominiums with written notification within ten days or approval of a Final Map for the proposed conversion, in conformance with Subdivision Map Act section 66427.1(a)(2)(D).
11. The Subdivider shall give each tenant a notice of termination of tenancy sixty days prior to being required to vacate the property. (San Diego Municipal Code § 125.0431(a)(4)).
12. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Subdivision Map Act section 66427.1(a)(2)(F) and San Diego Municipal Code section 125.0431(a)(5). The right shall commence on the date the

subdivision public report is issued, as provided in section 11018.2 of the Business and Professions Code, and shall run for a period of not less than 90 days, unless the tenant gives prior written notice of his or her intention not to exercise the right. (San Diego Municipal Code § 125.0431(a)(5)).

13. The Subdivider shall provide a copy of the Building Conditions Report to a prospective purchaser prior to the opening of an escrow account. (San Diego Municipal Code section 144.0504(c)).
14. Prior to the recordation of the Final Map, the Subdivider shall demonstrate conformance with the San Diego Municipal Code provisions for building and landscape improvements (San Diego Municipal Code § 144.0507), to the satisfaction of the City Engineer.

AFFORDABLE HOUSING

15. Prior to recordation of the Final Map, the Subdivider shall enter into a written agreement with the San Diego Housing Commission to pay the condominium conversion inclusionary affordable housing fee pursuant to the City's Inclusionary Affordable Housing Regulations (San Diego Municipal Code §§ 142.1301 et seq.).
16. The Subdivider shall comply with the provisions of Chapter 14, Article 2, Division 13 of the San Diego Municipal Code ("Inclusionary Affordable Housing Regulations") by paying the Condominium Conversion Inclusionary Affordable Housing Fee in one of the following, manners:
 - a. Deferring payment of the Condominium Conversion Inclusionary Affordable Housing Fee until the close of escrow of the first condominium sold at the development by entering into a written agreement with the San Diego Housing Commission securing payment of the Condominium Conversion Inclusionary Affordable Housing Fee, which shall be recorded against the development and secured by a recorded deed of trust in favor of the San Diego Housing Commission. If the Subdivider elects future payment of the Condominium Conversion Inclusionary Affordable Housing, the fee shall be calculated using the rate in effect at the close of escrow of the first condominium unit sold at the development; or
 - b. Pre-paying the Condominium Conversion Inclusionary Affordable Housing Fee to the City based upon the aggregate square footage of all residential units in the project. If the Subdivider pre-pays the Condominium Conversion Inclusionary Affordable Housing, the fee shall be calculated using the rate in effect on the date of pre-payment.

17. Prior to the recordation of the Final Map or prior to receiving a parcel map/certificate of compliance, the Subdivider shall either show evidence that relocation assistance has been paid to eligible tenants or enter into an agreement with the San Diego Housing Commission to demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5, §144.0505). In addition, applicant must pay the appropriate fees incurred by the Housing Commission for compliance monitoring (Chapter 14, Article 4, Division 5, §144.0503).

ENGINEERING

18. The Subdivider shall provide a letter, agreeing to prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.
19. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
20. 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.
21. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

22. "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].
23. "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."

24. 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.
25. The Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearings" 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 shall be shown on the map.

LANDSCAPE

26. Prior to the recordation of the Final Map, the Subdivider shall submit documentation of required, existing landscape to remain consistent with Exhibit "A" Landscape Concept Plan and previous Construction Permits issued under Project Tracking No. 111156.
27. 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 unless specifically noted in this Permit.
28. The Subdivider 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.
29. If any required landscape (including existing plantings, hardscape, landscape features, etc.) indicated on the approved exhibits be damaged or removed during the life of the project, the Subdivider shall repair and/or replace in kind to the

satisfaction of the Development Services Department consistent with section 142.0403((b)(8) of the Land Development Code.

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. 24004468

Project No. 360399
TM No. 1260966

NOTICE OF EXEMPTION

TO: X Recorder/County Clerk
P.O. Box 1750, MS A-33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

FROM: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

 Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project No.: 360399

Project Title: 4235 3rd Avenue TM

Project Location-Specific: 4235 3rd Avenue, San Diego, California 92103

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

Description of nature and purpose of the Project: TENTATIVE MAP to allow the conversion of 6 existing two-bedroom residential units into condominiums on a 0.206 acre lot.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Mike Cole (Agent), 3443 Camino Del Rio South, Suite 204, San Diego, California 92108, (619) 260-0420

Exempt Status:

- () Ministerial (Sec. 21080(b)(1); 15268);
- () Declared Emergency (Sec. 21080(b)(3); 15269(a));
- () Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- (X) Categorical Exemption: CEQA Exemption 15301 (k)-(Existing Facilities)

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

Lead Agency Contact Person: Rhonda Benally

Telephone: (619) 446-5468

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? () Yes () No

It is hereby certified that the City of San Diego has determined the above activity to be exempt from CEQA

Chantal MCP / Senior Planner
Signature/Title

August 19, 2014
Date

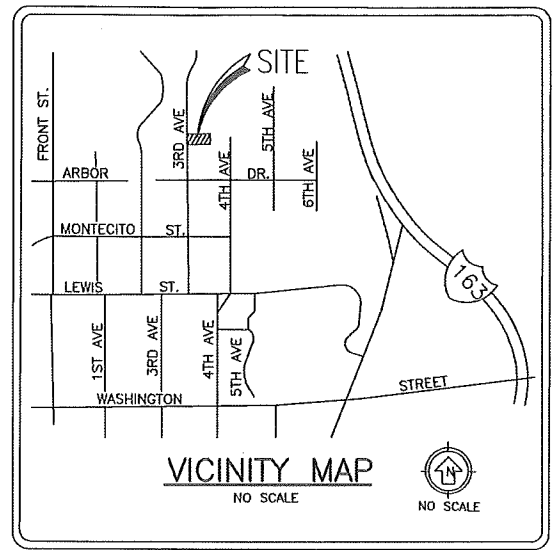
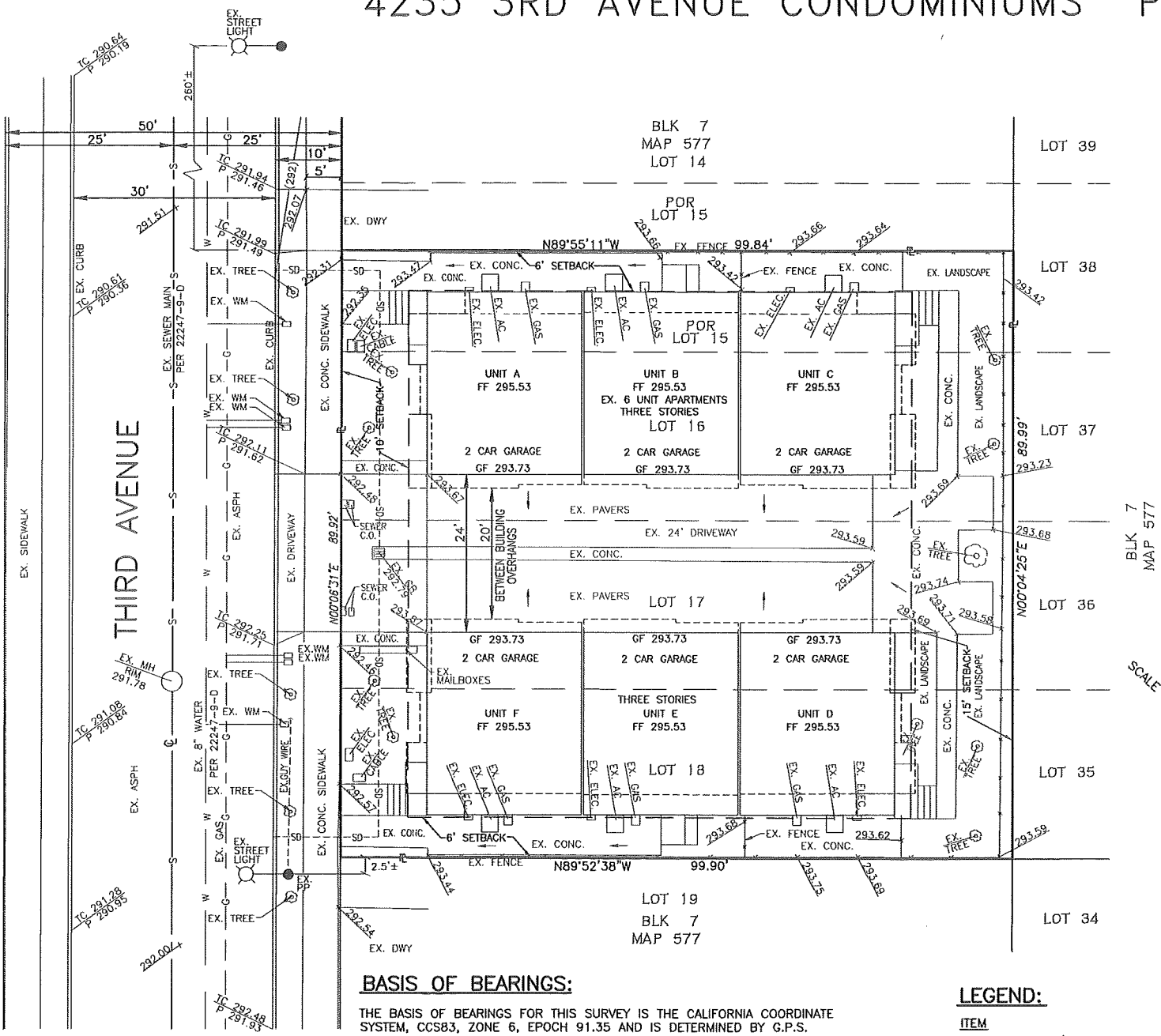
Check One:

- (X) Signed By Lead Agency
- () Signed by Applicant

Date Received for Filing with County Clerk or OPR:

TENTATIVE MAP FOR CONDOMINIUM CONVERSION NO. 1260966

4235 3RD AVENUE CONDOMINIUMS P.T.S. 360399



TOPOGRAPHY:

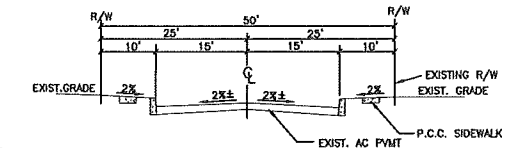
TOPOGRAPHY SHOWN HEREON IS PER A FIELD SURVEY PERFORMED BY OR UNDER THE DIRECTION OF LAWRENCE E. COLE LS 5097 EXP. 6/30/15

MONUMENTATION & MAPPING:

ALL PROPERTY CORNERS WILL BE SET AND A FINAL MAP WILL BE FILED. A DETAILED PROCEDURE OF SURVEY WILL BE SHOWN ON THE FINAL MAP.

EXISTING EASEMENT NOTES:

- AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED MARCH 7, 2008 AS INSTRUMENT NO. 2008-0122741 OF OFFICIAL RECORDS.
IN FAVOR OF: SAN DIEGO GAS & ELECTRIC COMPANY, A CORPORATION (NON-PLOTTABLE)
- AN EASEMENT FOR UNDERGROUND FACILITIES, THE TRANSMISSION TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, PIPELINES, COMMUNICATION FACILITIES AND INCIDENTAL PURPOSES IN THE IN THE DOCUMENT RECORDED MAY 02, 2008 AS INSTRUMENT NO. 2008-238224 OF OFFICIAL RECORDS.
IN FAVOR OF: SAN DIEGO GAS & ELECTRIC COMPANY, A CORPORATION (NON-PLOTTABLE)



UTILITY TABLE:

ELECTRIC - UNDERGROUND
GAS - UNDERGROUND
CABLE - UNDERGROUND

PROJECT NOTES:

- THE SUBDIVIDER SHALL PROVIDE A LETTER, AGREEING TO PREPARE CC&Rs FOR THE OPERATION AND MAINTENANCE OF ALL PRIVATE WATER AND SEWER FACILITIES THAT SERVE OR TRAVERSE MORE THAN A SINGLE CONDOMINIUM UNIT OR LOT.

PROJECT NOTE:

THE PROJECT CONSISTS OF 6 TWO-BEDROOM RESIDENTIAL CONDOMINIUM UNITS.

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

THE PROJECT CONSISTS OF 12 OFFSTREET PARKING SPACES GARAGE PARKING

NUMBER OF EXISTING LOTS = 4
NUMBER OF PROPOSED LOTS = 1
EXISTING EASEMENTS - NONE

YEAR BUILT: 2008

LEGAL DESCRIPTION:

SOUTH 15 FEET OF LOT 15 AND ALL OF LOTS 16, 17, AND 18 IN BLOCK 7 OF FIFTH STREET ADDITION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 577, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 10, 1889.

ZONE

BASE ZONE: MR 800B
PLANNED DISTRICT: MCCPD
COMMUNITY PLAN: UPTOWN

OWNER/DEVELOPER:

SIX ON THIRD AVENUE LLC
4907 MORENO BLVD 1402
SAN DIEGO, CA 92117

AREA

0.206 ACRES

LIU MOSTOFI

MANAGER DATE

SITE ADDRESS

4235 3RD AVENUE
SAN DIEGO, CA 92103

TITLE REPORT BY:

FIRST AMERICAN TITLE
ORDER NO. DIV-4543275 &
ORDER NO. DIV-4543276

COORDINATE INDEX

LC: 214-1719
NAD83: 1854-6279

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM, CCS83, ZONE 6, EPOCH 91.35 AND IS DETERMINED BY G.P.S. MEASUREMENTS TAKEN ON 12-31-13 FROM G.P.S. STATION 3050 AND G.P.S. STATION 253 PER RECORD OF SURVEY MAP NO. 14492. THE BEARING OF THE WEST PROPERTY LINE IS N00°06'31"E. A DETAILED PROCEDURE OF SURVEY WILL BE SHOWN ON THE FINAL MAP.

QUOTED BEARINGS FROM REFERENCE MAPS OR DEEDS MAY OR MAY NOT BE IN TERMS OF SAID SYSTEM.

THE COMBINED GRID FACTOR AT POINT 'A' IS 0.999996351. GRID DISTANCE = GROUND DISTANCE X COMBINED GRID FACTOR. ELEVATION AT POINT 'A' IS 292.15.

BENCHMARK

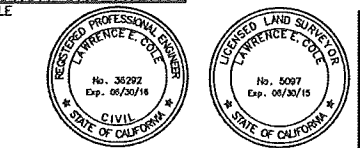
CITY OF SAN DIEGO BENCHMARK AT NWBP ARBOR DRIVE & 5TH AVENUE, ELEVATION=296.66 NGVD 29.

LEGEND:

- ITEM**
- PROPERTY LINE/TM BOUNDARY
 - EXIST. WATER MAIN
 - EXIST. SEWER MAIN
 - EXIST. GAS
 - EXIST. STORM DRAIN
 - EXIST. WATER METER
 - EXIST. TOP OF CURB
 - EXIST. PAVEMENT
 - EXIST. FINISH FLOOR
 - EXIST. GARAGE FLOOR
 - EXIST. CATCH BASIN

SYMBOL

- W—
- S—
- G—
- SD—
- WM
- TC
- P
- FF
- GF
- CB



REVISIONS			
No.	Description	Approved	Date

APN: 444-720-15 & 16 P.T.S. 360399

TENTATIVE MAP FOR:

4235 3RD AVENUE

PREPARED FOR
SIX ON THIRD AVENUE LLC
4907 MORENO BLVD. 1402
SAN DIEGO, CA 92117
PH. (619) 699-0213

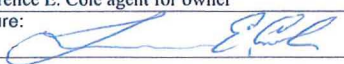
LANDMARK ENGINEERING CORPORATION
3443 Camino Del Rio South
Suite 204
San Diego, CA 92108
Ph. (619) 260-0420
FAX (619) 260-0456



City of San Diego
Development Services
1222 First Ave., MS-301
San Diego, CA 92101
(619) 446-5000

THE CITY OF SAN DIEGO

Certification of Tenant Notice for Condominium Conversion Map

Project Address: 4235 3rd Avenue	Project No.: <i>For City Staff Use</i> 360399
<p>I hereby certify that the "NOTICE" required under California Government Code Section 66427.1(a) and Municipal Code Section 125.0431 has been given to each tenant and person applying for the rental of a unit of the proposed condominium conversion project located at the project address listed above. The "NOTICE" was mailed or delivered on <u>January 24, 2014</u> (date).</p> <p>I understand that City staff may not file a tentative map or map waiver for condominium conversion with the decision-making body less than 60 calendar days from the date this "NOTICE" was mailed or delivered. Further, I understand that if it is found that any of this information is incorrect, the project application may be denied by the decision-making body or voided by the courts, and the project may have to be reheard after the required notices have been given.</p>	
Owner/Owner Agent Name (Please Print): Lawrence E. Cole agent for owner	
Signature: 	Date: April 30, 2014
<p>Attachments:</p> <ol style="list-style-type: none"> 1. List of Names/Addresses of persons receiving notice 2. Copy of 60-day Notice of Intent to Convert to Condominiums 	

This information is available in alternative formats for persons with disabilities.
Be sure to see us on the World Wide Web at www.sandiego.gov/development-services
DS-561 (5-05)

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com
OFFICIAL USE

Postage	\$ 10.46
Certified Fee	\$ 3.10
Return Receipt Fee (Endorsement Required)	\$ 2.55
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 16.11

Postmark Here
 JAN 24 2014
 SAN DIEGO CA 92103

Sent To: Luis Avilla & Iteza Delgado
 Street, Apt. No., or PO Box No. 4235 3rd Ave. #2
 City, State, ZIP+4 San Diego, CA 92103

PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal ServiceTM
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Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 16.11

Postmark Here
 JAN 24 2014
 SAN DIEGO CA 92103

Sent To: Joel D'Em
 Street, Apt. No., or PO Box No. 4235 3rd Ave #4
 City, State, ZIP+4 San Diego, CA 92103

PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal ServiceTM
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Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 16.11

Postmark Here
 JAN 24 2014
 SAN DIEGO CA 92103

Sent To: Mikhail Wolfsoff
 Street, Apt. No., or PO Box No. 4235 3rd Ave. #6
 City, State, ZIP+4 San Diego, CA 92103

PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal ServiceTM
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Return Receipt Fee (Endorsement Required)	\$ 2.55
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 16.11

Postmark Here
 JAN 24 2014
 SAN DIEGO CA 92103

Sent To: Douglas Hobson
 Street, Apt. No., or PO Box No. 4235 3rd Ave. #1
 City, State, ZIP+4 San Diego, CA 92103

PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal ServiceTM
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Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 16.11

Postmark Here
 JAN 24 2014
 SAN DIEGO CA 92103

Sent To: Matt Dueham, Molly & Michael
 Street, Apt. No., or PO Box No. 4235 3rd Ave. #3 Spelman
 City, State, ZIP+4 San Diego, CA 92103

PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
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Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 16.11

Postmark Here
 JAN 24 2014
 SAN DIEGO CA 92103

Sent To: O. Onyeachoke & R. Whittaker
 Street, Apt. No., or PO Box No. 4235 3rd Ave. #5
 City, State, ZIP+4 San Diego, CA 92103

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>DOUGLAS HOBSON 4235 3RD AVENUE #1 SAN DIEGO,, CA 92103</p>		<p>B. Received by (Printed Name) MATTHEW B. ...</p> <p>C. Date of Delivery</p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>7012 3050 0001 5277 2299</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1640</p>			

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>JOEL D'EON 4235 3RD AVENUE #4 SAN DIEGO,, CA 92103</p>		<p>B. Received by (Printed Name) ...</p> <p>C. Date of Delivery 1/25/14</p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>7012 3050 0001 5277 2251</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1640</p>			

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>LUIS AVILLA & ITEZEL DELAGADO 4235 3RD AVENUE #2 SAN DIEGO, CA 92103</p>		<p>B. Received by (Printed Name) <i>[Signature]</i></p>	<p>C. Date of Delivery 11/25/14</p>
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label) 7012 3050 0001 5277 2268</p>			
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>			

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>MATT DURHAM, MOLLY SPELLMAN & MICHAEL SPELLMAN 4235 3RD AVENUE #3 SAN DIEGO, CA 92103</p>		<p>B. Received by (Printed Name) <i>Matt Durham</i></p>	<p>C. Date of Delivery</p>
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label) 7012 3050 0001 5277 2262</p>			
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>			

To the occupant(s) of

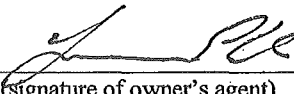
Douglas Hobson
Unit # 1
4235 3rd. Avenue
San Diego, CA 92103

The Owner(s) of the building(s), at 4235 3rd. Avenue, San Diego, plans to file a Tentative Map with the City of San Diego, to convert the building(s) to a condominium project.

No units may be sold in this building unless the conversion is approved by the City and until after a public report is issued by the Department of Real Estate.

You shall be given notice of each hearing for which notice is required pursuant to California Government Code Section 66427.1 and San Diego Municipal Code Sections 125.0431 and 125.0640, and you have the right to appear and the right to be heard at any such hearing.

Should the condominium conversion project be approved, tenants may be required to vacate the premises.


(signature of owner's agent)

1/23/14
(dated)

To the occupant(s) of

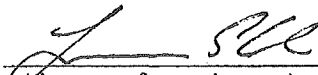
Luis Avilla & Itezel Delagado
Unit # 2
4235 3rd. Avenue
San Diego, CA 92103

The Owner(s) of the building(s), at 4235 3rd. Avenue, San Diego, plans to file a Tentative Map with the City of San Diego, to convert the building(s) to a condominium project.

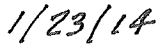
No units may be sold in this building unless the conversion is approved by the City and until after a public report is issued by the Department of Real Estate.

You shall be given notice of each hearing for which notice is required pursuant to California Government Code Section 66427.1 and San Diego Municipal Code Sections 125.0431 and 125.0640, and you have the right to appear and the right to be heard at any such hearing.

Should the condominium conversion project be approved, tenants may be required to vacate the premises.



(signature of owner's agent)



(dated)

To the occupant(s) of


Matt Durham, Molly Spellman, and Michael Spellman
Unit # 3
4235 3rd. Avenue
San Diego, CA 92103

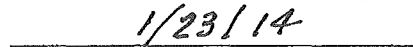
The Owner(s) of the building(s), at 4235 3rd. Avenue, San Diego, plans to file a Tentative Map with the City of San Diego, to convert the building(s) to a condominium project.

No units may be sold in this building unless the conversion is approved by the City and until after a public report is issued by the Department of Real Estate.

You shall be given notice of each hearing for which notice is required pursuant to California Government Code Section 66427.1 and San Diego Municipal Code Sections 125.0431 and 125.0640, and you have the right to appear and the right to be heard at any such hearing.

Should the condominium conversion project be approved, tenants may be required to vacate the premises.


(signature of owner's agent)


(dated)

To the occupant(s) of


Joel D'Eon
Unit # 4
4235 3rd. Avenue
San Diego, CA 92103

The Owner(s) of the building(s), at 4235 3rd. Avenue, San Diego, plans to file a Tentative Map with the City of San Diego, to convert the building(s) to a condominium project.

No units may be sold in this building unless the conversion is approved by the City and until after a public report is issued by the Department of Real Estate.

You shall be given notice of each hearing for which notice is required pursuant to California Government Code Section 66427.1 and San Diego Municipal Code Sections 125.0431 and 125.0640, and you have the right to appear and the right to be heard at any such hearing.

Should the condominium conversion project be approved, tenants may be required to vacate the premises.


(signature of owner's agent)

1/23/14
(dated)

To the occupant(s) of


Obi Onyeachole & Victoria Whittaker
Unit # 5
4235 3rd. Avenue
San Diego, CA 92103

The Owner(s) of the building(s), at 4235 3rd. Avenue, San Diego, plans to file a Tentative Map with the City of San Diego, to convert the building(s) to a condominium project.

No units may be sold in this building unless the conversion is approved by the City and until after a public report is issued by the Department of Real Estate.

You shall be given notice of each hearing for which notice is required pursuant to California Government Code Section 66427.1 and San Diego Municipal Code Sections 125.0431 and 125.0640, and you have the right to appear and the right to be heard at any such hearing.

Should the condominium conversion project be approved, tenants may be required to vacate the premises.


(signature of owner's agent)

1/24/14
(dated)

To the occupant(s) of


Mikhail Wolfsdorf
Unit #6
4235 3rd. Avenue
San Diego, CA 92103

The Owner(s) of the building(s), at 4235 3rd. Avenue, San Diego, plans to file a Tentative Map with the City of San Diego, to convert the building(s) to a condominium project.

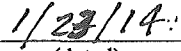
No units may be sold in this building unless the conversion is approved by the City and until after a public report is issued by the Department of Real Estate.

You shall be given notice of each hearing for which notice is required pursuant to California Government Code Section 66427.1 and San Diego Municipal Code Sections 125.0431 and 125.0640, and you have the right to appear and the right to be heard at any such hearing.

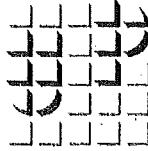
Should the condominium conversion project be approved, tenants may be required to vacate the premises.



(signature of owner's agent)



(dated)



UPTOWN PLANNERS
MEMORANDUM OF MOTION
MOTION APPROVED ON JULY 1, 2014
BY THE BOARD OF UPTOWN PLANNERS

Motion Approved By Uptown Planners on July 1, 2014:

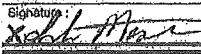
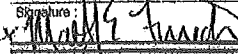
The board of Uptown Planners passed the following motion regarding the Third Avenue Tentative Map at its July 1, 2014; the item was noticed on the agenda as indicated below:

1. **THIRD AVENUE TENTATIVE MAP – Process Four – Hillcrest – Tentative Map to convert six existing two-bedroom residential units into condominiums on a 0.206 acre lot; MR-800B Zone.**
- 1.

After public comment and board discussion, the board of Uptown Planners voted 13-0-1 to recommend approval of the project as presented;

Voting YES 13 Voting NO 0 Abstain 1 (non-voting chair)

Leo Wilson,
Chair, Uptown Planners

Project Title: 4235 3rd Avenue		Project No. (For City Use Only) 360399	
Warning: This form is completed when property is held by a corporation or partnership.			
Legal Status (please check):			
<input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Limited Liability -or- <input type="checkbox"/> General What State? _____ Corporate Identification No. _____ <input type="checkbox"/> Partnership			
By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached <input type="checkbox"/> Yes <input type="checkbox"/> No			
Corporate/Partnership Name (type or print): Six on Third Avenue, LLC		Corporate/Partnership Name (type or print):	
<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee		<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	
Street Address: 4907 Moreno Blvd. Ste. 1402		Street Address: 4907 MORENO BLVD STE 1402	
City/State/Zip: San Diego, CA 92117		City/State/Zip: SAN DIEGO, CA 92117	
Phone No: (619) 699-6213		Phone No: (619) 699-6213	
Fax No:		Fax No:	
Name of Corporate Officer/Partner (type or print): Lili Mostofi		Name of Corporate Officer/Partner (type or print): MATTHEW FREEDMAN	
Title (type or print): Member		Title (type or print): MEMBER	
Signature:  Date: 2/5/14		Signature:  Date: 4/20/14	
Corporate/Partnership Name (type or print):		Corporate/Partnership Name (type or print):	
<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee		<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	
Street Address:		Street Address:	
City/State/Zip:		City/State/Zip:	
Phone No:		Phone No:	
Fax No:		Fax No:	
Name of Corporate Officer/Partner (type or print):		Name of Corporate Officer/Partner (type or print):	
Title (type or print):		Title (type or print):	
Signature:		Signature:	
Date:		Date:	
Corporate/Partnership Name (type or print):		Corporate/Partnership Name (type or print):	
<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee		<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	
Street Address:		Street Address:	
City/State/Zip:		City/State/Zip:	
Phone No:		Phone No:	
Fax No:		Fax No:	
Name of Corporate Officer/Partner (type or print):		Name of Corporate Officer/Partner (type or print):	
Title (type or print):		Title (type or print):	
Signature:		Signature:	
Date:		Date:	

DOC # 2014-0157024



APR 21, 2014 10:22 AM

OFFICIAL RECORDS
 SAN DIEGO COUNTY RECORDER'S OFFICE
 Ernest J. Dronenburg, Jr., COUNTY RECORDER
 FEES: 27.00
 OC: OC

PAGES: 1



RECORDING REQUESTED BY AND
 WHEN RECORDED MAIL TO:

Gene Roman, Esq.
 Law Offices of Gene Roman
 445 Marine View Avenue, Suite 295
 Del Mar, California 92014-3926

APN 444-720-15-00

GRANT DEED

The Undersigned Grantor(s) Declare(s)

Documentary Transfer Tax Is \$0.00

~~SAME~~ INTEREST
 Exempt Proportional Transfer Between
 Transferor and Transferee

FOR NO CONSIDERATION, Lili Mostofi and Matthew Friedman, wife and husband, who acquired title
 as single persons,

hereby GRANT to

Six on Third Avenue, LLC, a California limited liability company,

the real property in the City of San Diego, County of San Diego, State of California, described as:

The South 15 feet of Lot 15 and all of Lot 16, in Block 7 of Fifth Street Addition, in the City of San
 Diego, County of San Diego, State of California, according to Map thereof No. 577, filed in the
 Office of the County Recorder of San Diego County, January 10, 1889.

Dated: 4/14/14

Lili Mostofi

Dated: _____

Matthew Friedman

STATE OF CALIFORNIA)
) ss
 COUNTY OF SAN DIEGO)

On April 14th, 2014, before me, Justin J. Mansour, the
 undersigned Notary Public, personally appeared LILI MOSTOFI and MATTHEW FRIEDMAN, who proved to me
 on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument
 and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by
 his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted,
 executed the instrument.

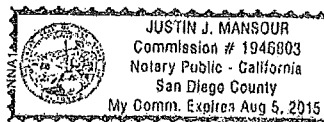
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is
 true and correct.

WITNESS my official hand and seal.

Signature: (Notary Seal)

Mail Tax Statements To: Six on Third, LLC, 4907 Morena Blvd., Suite 1402, San Diego, CA 92117

[0136624-09]



DEVELOPMENT SERVICES
Project Chronology
4235 3rd Avenue TM – Project No. 360399

Date	Action	Description	City Review Time	Applicant Response
5/8/14	First Submittal	Project Deemed Complete		
6/5/14	First Assessment Letter		29 days	
7/25/14	Second Submittal			50 days
8/22/14	Second Review Complete		28 days	
8/25/14	Third Submittal			3 days
10/1/14	All Issues Resolved		37 days	
11/6/14	PC Hearing		36 days	
TOTAL STAFF TIME			130 days	
TOTAL APPLICANT TIME				53 days
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Planning Commission	6 months	