



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: February 15, 2018 REPORT NO. PC-18-008

HEARING DATE: February 22, 2018

SUBJECT: Blum TM. Process Three Decision

PROJECT NUMBER: [430967](#)

REFERENCE: Hearing Officer Report [HO-17-080](#)

OWNER/APPLICANT: San Diego Student Housing Solutions, LLC / Don Ayles

SUMMARY

Issue: Should the Planning Commission approve or deny an appeal of the Hearing Officer's decision to approve Tentative Map No. 1507672 allowing the subdivision of a 0.35-acre property into two parcels on a site currently developed with an existing single family residence and detached garage and located at 5115 63rd Street in the RS-1-7 Zone within the College Community Plan Area?

Staff Recommendation: Deny the appeal, uphold the Hearing Officer's decision, and approve Tentative Map No. 1507672.

Community Planning Group Recommendation: On February 10, 2016, the College Area Community Planning Board voted 14-2-1 to recommend denial of the proposed project without conditions.

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15315 (Minor Land Divisions). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on November 3, 2017, and the opportunity to appeal that determination ended November 20, 2017.

Fiscal Impact Statement: None. All staff costs associated with the processing of this project is paid from a deposit account maintained by the applicant.

Housing Impact Statement: None. Although the proposed lot split would create one additional parcel within the College Community Plan area available for potential future development of a single-family residence, there is no residential development proposed as part of this subdivision application.

BACKGROUND

The Hearing Officer Report No. [HO-17-080](#) (Attachment 1) includes all project specific background and analysis of the Tentative Map requirements, and necessary findings by which staff recommended approval of the project. The proposed project is located in an area identified as low density (5-10 Dwelling Units per acre) residential in the College Community Plan and is consistent with that land use. The project complies with all required State Map Act Requirements and all San Diego Municipal Code regulations.

The project was initially scheduled to be heard by the Hearing Officer on November 15, 2017. The project was continued without public testimony, to allow for clarification on the proper CEQA exemption. The project was rescheduled to December 6, 2017. On December 6, 2017, the Blum TM application was presented to the Hearing Officer of the City of San Diego at a noticed public hearing (see [HO-17-080](#)). After hearing public testimony, both in support and opposition, and upon close of public testimony the Hearing Officer approved Tentative Map No. 1507672. On December 13, 2017, Mike Schaffer, representing the neighbors, filed an appeal of the Hearing Officer's decision (Attachment 2).

DISCUSSION

The item is an appeal of the Hearing Officer's December 6, 2017, decision to approve the Tentative Map. Under [SDMC Section 112.0506](#) "Process Three Appeals", the Hearing Officer's decision may be appealed to the Planning Commission for the type of development and review required, under specific grounds for appeal. The appellant in this case cites "Conflict with other matters" as the grounds for appeal. This grounds for appeal is explained in SDMC Section 112.0506(c)(4) "Conflicts. The decision to approve, conditionally approve, or deny the permit, map, or other matter is in conflict with a land use plan, a City Council policy, or the Municipal Code."

The appeal primarily identifies issues associated with the rental/management of the existing single family residence on the property, as well as other properties owned and managed by the same company in the neighborhood. Many of these issues were discussed in public testimony at the Hearing Officer public hearing on December 6, 2017. Following is a summary of the appellant's main issues (for a complete description of the appellant's issues please see Attachment 2).

Summary of Appeal Issues: *1) Tenant Behavior; 2) Unresponsive ownership/management of the Property; 3) Parking impacts to the neighborhood; and 4) Lack of ownership/management oversight of other properties in the neighborhood.*

Staff Response: Staff has read and understands the issues identified in the appeal. The appeal issues relate to reported behaviors and actions of individuals, and management of the property. As reported behaviors and property management items, the appeal issues do not relate to the regulatory framework outlined in the SDMC for grounds for a land use appeal. Specifically, the appeal issues do not appear to conflict with a land use plan, a City Council policy, or the Municipal Code subdivision or zoning regulations that are related to a tentative map application. The issues raised in the appeal do not relate to the findings for the Tentative Map (Attachment 4).

The project was reviewed by staff and determined to be in conformance with the RS 1-7 Zone development regulations. The proposed lots are consistent with the required RS 1-7 Zone minimum lot size of 5,000 square-feet, have adequate width and depth and are conditioned to install adequate public improvements prior to the recordation of a parcel map (Attachment 3). The project is in compliance with the Municipal Code and the State Subdivision Map Act.

Issues including excessive party noise, assault, vandalism, and parking violations are enforced by the San Diego Police Department by either calling the non-emergency number, 619-531-2000, or in cases of emergency, dial 911. Graffiti can be reported on-line <https://getitdone.force.com/TSWNewReport?type=Graffiti>.

On January 17, 2018, a new complaint was filed with the Code Enforcement Division of Development Services to investigate a complaint of illegal parking in the front yard of the subject property. Code Enforcement staff is following up on this complaint. This code enforcement matter is not related with the proposed subdivision of land that is the subject of this tentative map application.

Community Planning Group Recommendation:

On February 10, 2016, the College Area Community Planning Board (CACPB) voted 14-2-1 to recommend denial of the proposed project without conditions. In correspondence regarding their vote the CACPB included information (Attachment 8 of [HO-17-080](#)) that their Project Review Committee voted on February 10, 2016, to recommend denial of the lot-split application due to the "egregious history of code violations at the current address while owned by the applicant, such as illegally paving the entire front yard for parking, using the property for storage of construction equipment and numerous parking and noise violations. Therefore the proposal would result in conditions contrary to the general health, safety and welfare of the neighborhood."

Conclusion:

City staff has reviewed the application for a Tentative Map to subdivide one lot into two lots at the project location and has determined that the subdivision application is consistent with the land use designation and development regulations in effect for this site per the State Map Act and the San Diego Municipal Code. Staff recommends that the Planning Commission deny the appeal and uphold the Hearing Officer's decision to approve Tentative Map No. 1507672.

ALTERNATIVES

1. Uphold the Hearing Officer's decision to approve Tentative Map No. 1507672, if the findings can be affirmed.
2. Approve the appeal and deny Tentative Map No. 1507672.

Respectfully submitted,



J. FitzGerald
Assistant Deputy Director
Development Services Department



Derrick Johnson (D.J.)
Development Project Manager
Development Services Department

Attachments:

1. Hearing Officer Report No. [HO-17-080](#)
2. Copy of Appeal Application
3. Copy of Tentative Map



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: November 8, 2017 REPORT NO. HO-17-080

HEARING DATE: November 15, 2017

SUBJECT: BLUM TENTATIVE MAP – Process Three Decision

PROJECT NUMBER: 430967

OWNER/APPLICANT: Don Ayles

SUMMARY

Issue Should the Hearing Officer approve a Tentative Map for the subdivision of a 0.35-acre site into two parcels, in which the site has an existing single family residence and detached garage?

Staff Recommendation:

1. Approve Tentative Map No. 1507672.

Community Planning Group Recommendation: On February 10, 2016, the College Area Community Planning Board voted 14-2-1 to recommend denial of the proposed project without conditions. The Project Review Committee voted unanimously to recommend denial due to the egregious history of code violations at the current address while owed by the applicant, such as illegally paving the entire front yard for parking, using the property for storage of construction equipment and numerous parking and noise violations. Therefore the proposal would result in conditions contrary to the general health, safety and welfare of the neighborhood.

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15315 (Minor Land Divisions). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on November 3, 2017, and the opportunity to appeal that determination ended November 20, 2017.

BACKGROUND

The 0.35 acre site is located at 5115 63rd Street in the RS-1-7 Zone and the Parking Impact Overlay Area (Campus), within the College Community Plan Area.

The proposed project is located in an area identified as low density (5-10 Dwelling Units per acre) residential in the College Community Plan and is consistent with that land use.

The property located at 5115 63rd Street, is not an individually historical designated resource and is not located within a designated historical district. However, San Diego Municipal Code Section [143.0212](#) requires City staff to review all projects impacting a parcel that contains a structure 45 years old or older to determine whether a potentially significant historical resource exists on site prior to issuance of a permit. Staff reviewed the project site and determined the property does not meet local designation criteria as an individually significant resource under any adopted Historical Resources Board Criteria. Therefore, no historical research report was required.

DISCUSSION

The applicant is requesting the approval of a Tentative Map, per San Diego Municipal Code (SDMC) Section [125.0410](#) to allow for the subdivisions of one lot into two lots. The project requires a Process Three, Hearing Officer decision.

No plans are currently submitted for construction of any addition dwelling units. In the future, if a new single family dwelling unit were to be constructed the applicants would be required to comply with Land Development Code Regulations and Building Permit requirements. The project is surrounded by single-family residential developments and the project site has a community plan designation of single-family residential development. The site is not within or adjacent to Multiple Habitat Planning Area (MHPA) lands and does not contain any other type of Environmentally Sensitive Lands (ESL) as defined in the SDMC section [113.0103](#).

The neighborhood has already had the overhead utility lines undergrounded, with exception of the high voltage power lines. San Diego Municipal Code (SDMC) Section [144.0240](#) allows the subdivider to apply for a waiver from the requirement to underground existing overhead utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined that the requested waiver of the requirements to underground privately owned utility systems and services facilities qualifies under the guidelines of SDMC Section [144.0242\(c\) \(1\) \(B\)](#) as follows: 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. Notwithstanding the requested waiver, the project is required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 6 of the Tentative Map Waiver. The City's Undergrounding Master Plan designated the site within Block 7J1 no estimated date for undergrounding for this area has been determined.

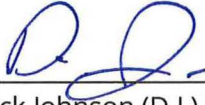
Conclusion

Staff has determined that the project complies with applicable sections of the San Diego Municipal Code, including the RS-1-7 Zone development regulations and all City and State subdivision requirements, and that the required findings can be made. Staff recommends approval of the project as proposed.

ALTERNATIVES

1. Approve Tentative Map No. 1507672, with modifications.
2. Deny Tentative Map No. 1507672, if the findings required to approve the project cannot be affirmed.

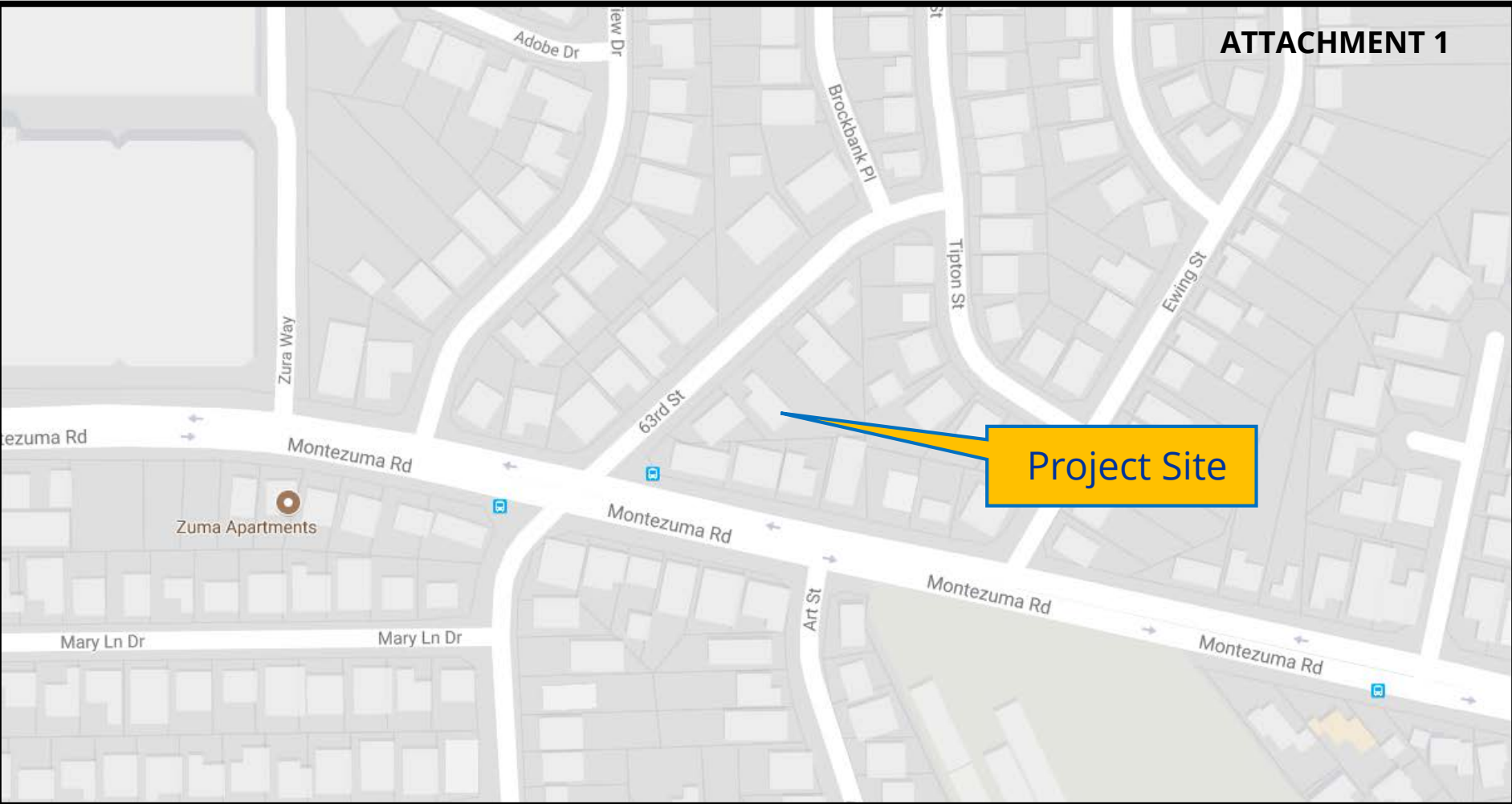
Respectfully submitted,



Derrick Johnson (D.J.) Development Project Manager

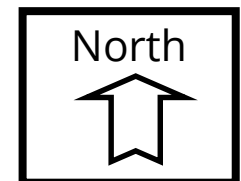
Attachments:

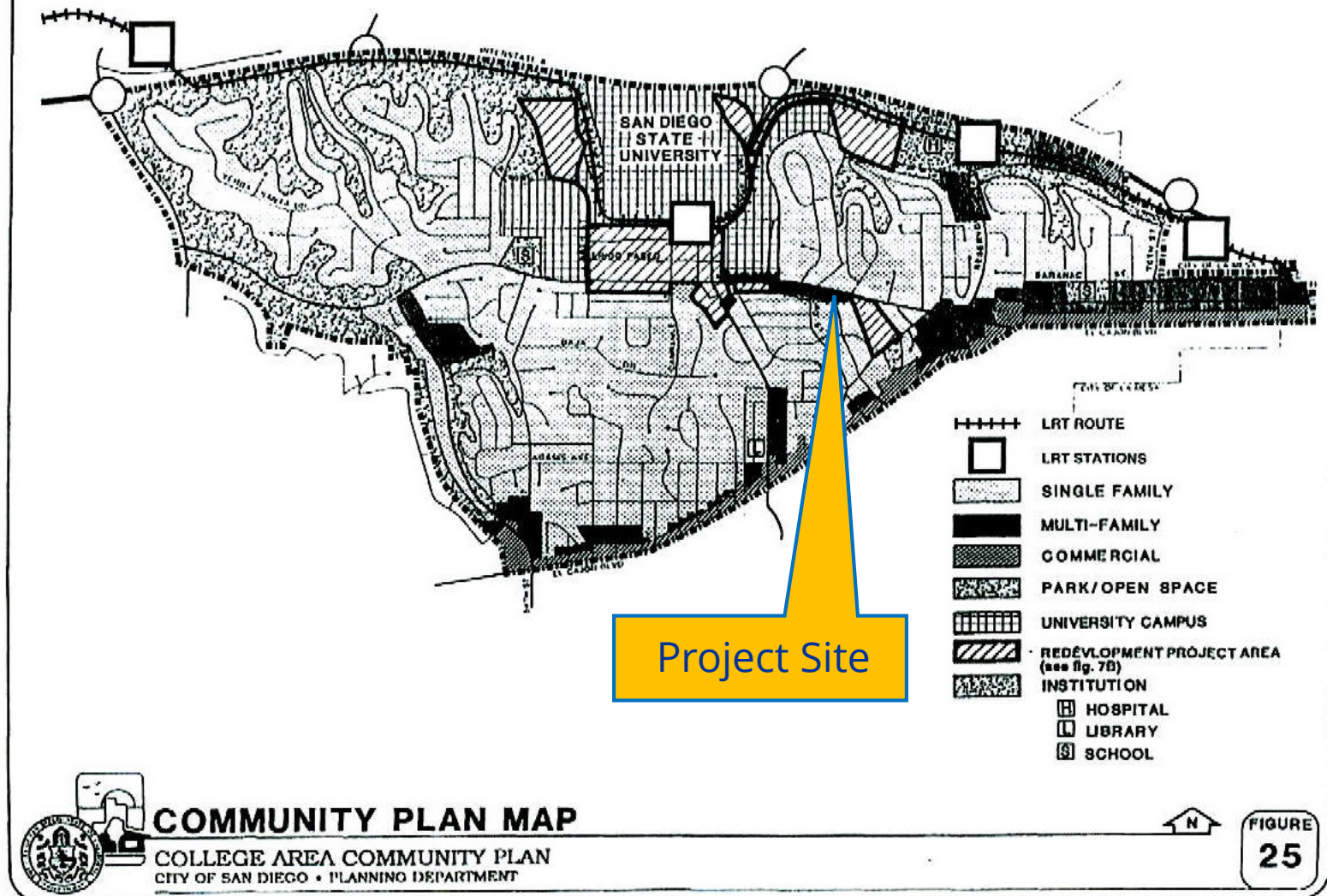
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Project Data Sheet
5. Draft Map Resolution
6. Draft Map Conditions
7. Environmental NORA
8. Community Planning Group Recommendation
9. Ownership Disclosure Statement
10. Map Exhibit – Tentative Map



Project Location Map

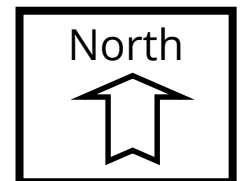
Blum Tentative Map / 5115 63rd Street
PROJECT NO. 430967

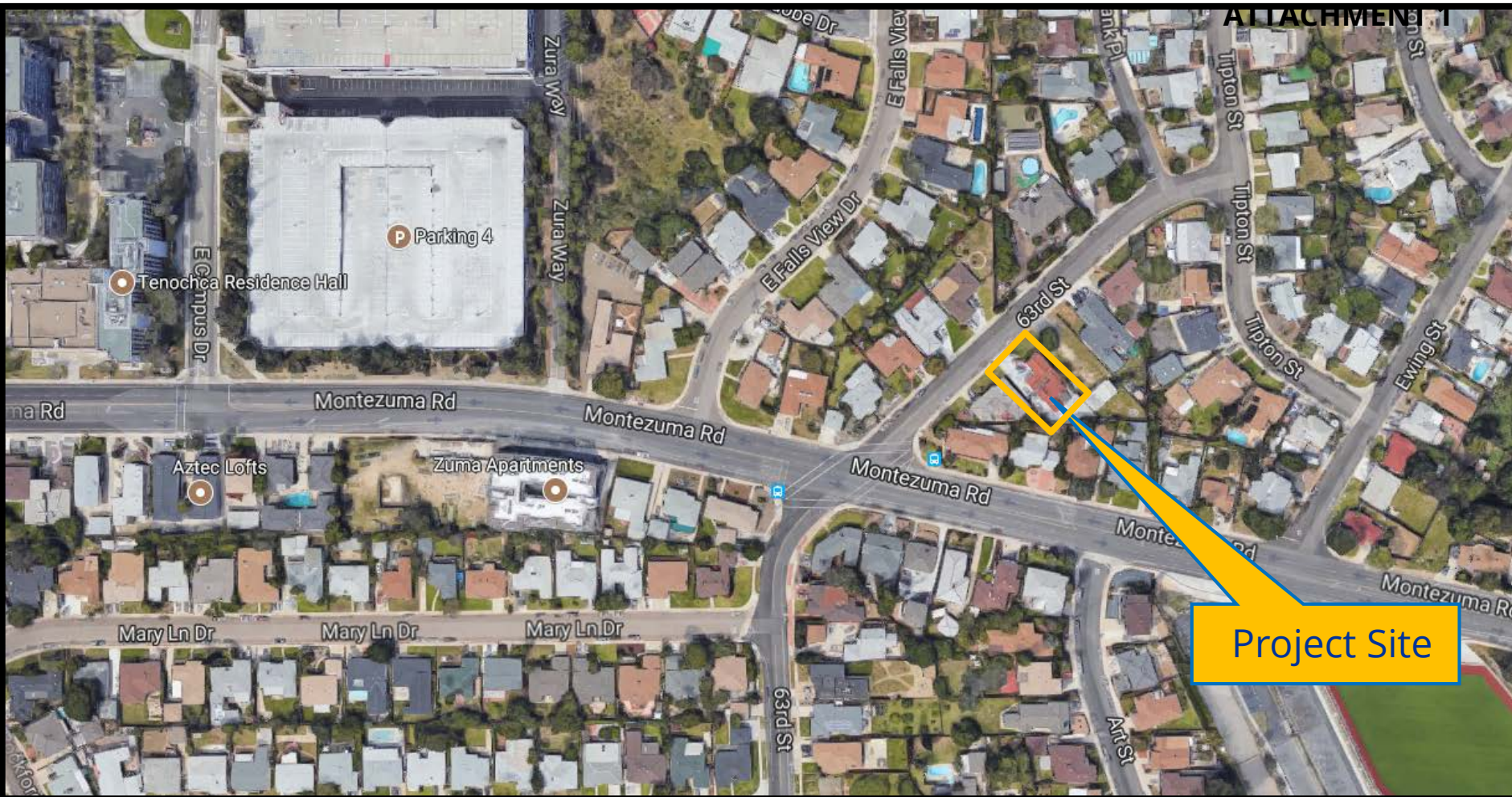




Land Use Map

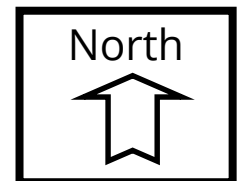
Blum Tentative Map / 5115 63rd Street
 PROJECT NO. 430967





Aerial Photo

Blum Tentative Map / 5115 63rd Street
PROJECT NO. 430967



PROJECT DATA SHEET		
PROJECT NAME:	Blum Residence	
PROJECT DESCRIPTION:	Tentative Map for the subdivision of one lot into two lots, the 0.35-acre site is located at 5115 63rd Street in RS-1-7 Zone.	
COMMUNITY PLAN AREA:	College Area	
DISCRETIONARY ACTIONS:	Tentative Map – Process 3	
COMMUNITY PLAN LAND USE DESIGNATION:	Single-Family Residential.	
<p style="text-align: center;"><u>ZONING INFORMATION:</u></p> <p style="text-align: center;">ZONE: RS-1-7: (Single-Family)</p> <p style="text-align: center;">HEIGHT LIMIT: 30-Foot maximum height limit</p> <p style="text-align: center;">LOT SIZE: 5,000 square-foot minimum lot size</p> <p style="text-align: center;">FLOOR AREA RATIO: 0.49 maximum</p> <p style="text-align: center;">FRONT SETBACK: 15 feet</p> <p style="text-align: center;">SIDE SETBACK: 5 ft minimum</p> <p style="text-align: center;">STREETSIDE SETBACK: N/A</p> <p style="text-align: center;">REAR SETBACK: 13 feet</p> <p style="text-align: center;">PARKING: 2 spaces required</p>		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Single-Family Residential; RS-1-7	Single-Family Residential
SOUTH:	Single-Family Residential; RS-1-7	Single -Family Residential
EAST:	Single-Family Residential; RS-1-7	Single -Family Residential
WEST:	Single-Family Residential; RS-1-7	Single -Family Residential
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	<p>On February 10, 2016, the College Area Community Planning Board voted 14-2-1 to recommend denial of the proposed project without conditions. The Project Review Committee voted unanimously to recommend denial due to the egregious history of code violations at the current address while owed by the applicant, such as illegally paving the entire front yard for parking, using the property for storage of construction equipment and numerous parking and noise violations. Therefore the proposal would result in conditions contrary to the general health, safety and welfare of the neighborhood.</p>	

HEARING OFFICER RESOLUTION NUMBER R-_____

TENTATIVE MAP NO. 1507672, - PROJECT NO. 430967

WHEREAS, Don Ayle, Subdivider, and ERB & Associates, LLC, Land Surevyors, submitted an application to the City of San Diego for a Tentative Map No. 1507672 for the subdivision of a 0.35-acre site into two lots, Blum Tentative Map, and to waive the requirement to underground existing offsite overhead utilities. The project site is located 5115 63rd Street in the RS-1-7 Zone and the Parking Impact Overlay Area (Campus), within the College Community Plan Area. The property is legally described as a portion of Lot 12 of La Mesa Colony, San Diego County, Map No. 346, Rec. March 8, 1887; and

WHEREAS, the Map proposes the Subdivision of a 0.35-acre-site into two lots; and

WHEREAS, on November 3, 2017, 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 15315 (Minor Land Divisions), 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 request to waive the underground of existing overhead utilities has been determined to be appropriate pursuant to the San Diego Municipal Code Section 144.0242(c)(1)(b)

based on a short span of overhead facility (less than a full block in length), and that the span does not represent a logical extension to an underground facility and;

WHEREAS, on November 15, 2017, the Hearing Officer of the City of San Diego considered Tentative Map No. 1507672, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to San Diego Municipal Code section 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 Hearing Officer having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 1507672:

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

The applicant is requesting the approval of a Tentative Map, to allow for the subdivisions of one lot into two lots. The 0.35 acre site is located at 5115 63rd Street in the RS-1-7 Zone and the Parking Impact Overlay Area (Campus), within the College Community Plan Area. The proposed project is located in an area identified as low density (5-10 Dwelling Units per acre) residential in the College Community Plan and is consistent with that land use. The project is surrounded by single-family residential developments and the project site has a community plan designation for single-family residential development.

The project site is designated Multiple Use in the General Plan and is consistent with existing General Plan designations by providing single family residential housing within a low -density range within an urbanized core of the City. As proposed, the subdivision would be consistent with the College Area Community Plan and overall policies for development related to the Land Use and Urban Design, and Density elements contained in the General Plan.

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

The applicant is requesting the approval of a Tentative Map, to allow for the subdivision of one lot into two lots. The 0.35 acre site is located at 5115 63rd Street in the RS-1-7 Zone and the Parking Impact Overlay Area (Campus), within the College Community Plan Area. The project was reviewed

by staff and determined to be in conformance with the RS 1-7 Zone development regulations. The site is consistent with the required minimum lots size of 5,000 square –feet. The project is in compliance with the Municipal Code and the Subdivision Map Act and includes conditions and exhibits to ensure the provision of adequate parking and public improvements. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code and the State Map Act.

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

The applicant is requesting the approval of a Tentative Map, to allow for the subdivisions of one lot into two lots. The 0.35 acre site is located at 5115 63rd Street in the RS-1-7 Zone and the Parking Impact Overlay Area (Campus), within the College Community Plan Area. The proposed project is located in an area identified as low density (5-10 Dwelling Units per acre) residential in the College Community Plan and is consistent with that land use. The project is surrounded by single-family residential developments and the project site has a community plan designation for single-family residential development. The project has been conditioned to construct public improvements, as shown on Exhibit A, including removal of an existing driveway and replacing it with a 12' driveway per City Standard and the construction of a new sidewalk along frontage on 63th Street per City standards. Therefore, the site is physically suitable for the type and density of development.

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

The developed project site is located in an urban in-fill area and does not contain nor is it adjacent to any sensitive resources, Multiple Habitat Planning Area lands, Environmentally Sensitive Lands or existing fish or wildlife habitats.

Therefore, the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. SDMC § 125.0440(d).

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

The applicant is requesting the approval of a Tentative Map, to allow for the subdivisions of one lot into two lots. The 0.35 acre site is located at 5115 63rd Street in the RS-1-7 Zone and the Parking Impact Overlay Area (Campus), within the College Community Plan Area. The development conforms to the development regulations of Municipal Code and Subdivision Map Act.

All Uniform Building, Fire, Plumbing, Electrical, Mechanical Code and other regulations governing construction, continued operation and health/life/safety requirements apply to this project. The project is in compliance with the Municipal Code and the Subdivision Map Act and includes conditions and exhibits to ensure the provision of adequate parking, public improvements and compliance with the Land Development Code. The subdivision is categorically exempt from review under the California Environmental Quality Act. The Subdivider shall construct the required Public Improvements including new curbs, gutters, sidewalks and a driveway. As such, the design of the

subdivision or the type of improvement 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.

There are no existing easements acquired by the public at large for access through or use of property located within the project boundaries, as shown on Tentative Map No.1507672. As such, no conflict would occur with the recording of the subdivision, and there would be no conflicts with any easements acquired by the public at large for access through or use of the property within the proposed subdivision.

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

The applicant is requesting the approval of a Tentative Map, to allow for the subdivisions of one lot into two lots. The 0.35 acre site is located at 5115 63rd Street in the RS-1-7 Zone and the Parking Impact Overlay Area (Campus), within the College Community Plan Area. The proposed subdivision will not impede or inhibit any future passive or natural heating and cooling opportunities. Any future units can be designed to be exposed on two sides (north and south) to ensure passive cooling through cross-ventilation of the interior spaces. With the independent design of the proposed subdivision each unit will have the opportunity through building material, site orientation, architectural treatments, placement and selection of plant materials to provide to the extent feasible or future passive or natural heating and cooling opportunities. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

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

The project site is surrounded by existing development, consisting primarily of both multi-family residential complexes and single-family residences. The College Area Community Plan encourages a wide variety of housing types for all age, income and social groups.

The project would provide an additional lot for future development. All applicable Developer Impact Fees (DIF), school fees, water/sewer connection fees and other impact fees, will be paid at building permit issuance in accordance with the City's Public Facilities Financing Plan and Impact Fee Schedule. The project site is served by existing public infrastructure, including, water, sewer, electrical and gas lines.

The decision maker has reviewed the administrative record including the project plans, 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 subdivision is consistent with the housing needs anticipated for the College Area Community Plan

area. Therefore, the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

The 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 Hearing Officer, Tentative Map No. 1507672, including the waiver of the requirement to underground existing offsite overhead utilities, hereby granted to Don Ayles subject to the attached conditions which are made a part of this resolution by this reference.

By  _____
Derrick Johnson (D.J.)
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24006005

HEARING OFFICER
TENTATIVE MAP NO. 1507672, BLUM TENTATIVE MAP - PROJECT NO. 430967

ADOPTED BY RESOLUTION NO. R-_____ ON November 15, 2017

GENERAL

1. This Tentative Map will expire November 30, 2020.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
3. Prior to the expiration of the Tentative Map, a Parcel Map to subdivide lots shall be recorded in the office of the County Recorder.
4. Prior to the recordation of the Parcel Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
5. 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.
6. 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.

ENGINEERING

7. The subdivider shall remove existing driveway and replace it with 12' driveway per City Standard.
8. The subdivider shall construct new sidewalk along frontage on 63th Street per City standard.
9. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.

10. 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.
11. 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

12. "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].
13. "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."
14. The 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.

PUD WATER & SEWER

15. Prior to issuance of any building permits, the Subdivider shall obtain Encroachment and Maintenance Removal Agreement (EMRA) for proposed improvements of any kind, including utilities, medians, landscaping, enriched paving, curb, gutter and sidewalk, and electrical conduits to be installed within the public right-of-way.
16. Prior to issuance of any building permits, the Subdivider shall obtain Encroachment Maintenance and Removal Agreement (EMRA) for the existing private sewer lateral located in the proposed driveway.

17. Prior to the issuance of any building permits, the Subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

The Public Utilities Department will not permit the required BFPDs to be located below grade or within the structure.

18. Prior to the issuance of any building permits, the Subdivider shall assure, by permit and bond, the design and construction of all public water and sewer facilities are to be in accordance with established criteria in the most current City of San Diego Water and Sewer Design Guides.

INFORMATION:

- The approval of this Tentative Map by the Hearing Officer of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 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. 24006005



THE CITY OF SAN DIEGO

Date of Notice: November 3, 2017

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24006005

PROJECT NAME/NUMBER: Blum Tentative Map/430967

COMMUNITY PLAN AREA: College Area

COUNCIL DISTRICT: 9

LOCATION: 5115 63rd Street, San Diego, California 92115

PROJECT DESCRIPTION: TENTATIVE MAP (TM) for the subdivision of one lot into two parcels on a 0.35 acre site with an existing single dwelling unit. The 0.35-acre site is located within the RS-1-7 zone of the College Area Community Plan.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15315 (Minor Land Divisions)

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: 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 15315 which consists of the division of property in urbanized areas zoned for residential into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent. In addition, the exceptions listed in CEQA Section 15300.2 would not apply.

DEVELOPMENT PROJECT MANAGER:

MAILING ADDRESS:

PHONE NUMBER:

Derrick Johnson

1222 First Avenue, MS 501, San Diego, CA 92101-4153

(619) 446-5477

On November 3, 2017, the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (November 20, 2017). The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.

College Area Community Council (CACC)

College Area Community Planning Board (CACPB)

Mailing Address: P.O. Box 15723

San Diego, CA 92175-5723

Website: www.collegearea.org

E-mail: info@collegearea.org

FEBRUARY 10, 2016

DRAFT

From the Regular Meeting held on: Wednesday, February 10, 2016, 7:00PM

Held in: Community Room, College Rolando Library

6600 Montezuma Rd., San Diego, CA 92115

P	Jose Reynoso	President		A(1)	Saul Amerling	P	Jim Jennings
P	Rhea Kuhlman	Vice-President		P	Andy Beauparlant	P	Joe Jones
A(2)	Jerry Pollock	Secretary		P(1)	Gary Campbell	P	Jeffrey MacMaster
P	Terry Shirley	Treasurer		L(2)	Ann Cottrell	P(1)	Troy Murphree
P	Nicole Borunda	SDSU Appointee		P(2)	Jim Schneider	L	BJ Nystrom
P(1)	Tyler Aguilar	SDSU AS Appointee		P(1)	Keith Henderson	P(2)	Maurice Rios
P	Susan Hopps Tatum			P	Jean Hoeger		

P=Present **L**=Late **A**=Absent; (1), (2), (3), (4)= 1st, 2nd, 3rd, 4th absence

TOTALS 16 & 18

CP600-24, Art. IV, Sec. 1: "a vacancy exists upon the 3rd consecutive absence or the 4th absence in 12 months (April through March)

M/S/C = Moved/Seconded/Carried

The College Area Community Council (CACC) and the College Area Community Planning Board (CACPB) are two separate entities with a common board and officers and joint meetings. The items highlighted below with asterisks are CACPB business items, subject to City Council Policy 600-24 governing community planning groups. Items are reported in agenda outline order, although some items may have been considered in a different sequence.

I. President Jose Reynoso called the meeting to order at 7:00 PM, and reminded attendees to use the side door after the library closes at 8:00 PM. Pledge of Allegiance.

II. Approval of Agenda: Jones moved, Schneider seconded

M/S/C: yeas-16 / nays- 0 / abstain- 0 Motion passes unanimously

III. Approval of Minutes of Wednesday, January 13, 2016

Campbell moved and Shirley seconded

M/S/C: yeas-15 / nays-0 / abstain-1 (Rios) Motion passes

IV. Public Comments on Non-Agenda Items (3 minutes per speaker - please complete speaker sheet)

1. Board member Nicole Borunda spoke regarding community-centric Aztec Women's Basketball event in support of breast cancer.
2. Resident Mike Gerber spoke regarding need for crosswalk on Montezuma at Rockford and non-emergency police delays.
3. Paula Roberts provided an update on Sewer Group, Job 743 in the College Area.
4. Board member Maurize Rios spoke regarding community clean-up in El Cerrito on the north side of El Cajon Blvd. on February 17th.

V. State and National Elected Officials' Liaison Reports. None present.

VI. Local Elected Officials and Law Enforcement Liaison Reports (3 minutes per speaker)

1. Chris Pearson from Councilwoman Emerald's office,
 - reminded residents to keep gutters clean before and during rains and to call numbers in their newsletter if there is a problem. In addition,
 - informed us that the City Council passed a city charter amendment to allocate future sales tax revenues and pension savings for infrastructure needs for the next 25 years.
2. SDPD Eastern Division officer Dave Gibson (C Squad) provided crime statistics for our area and stated that things were generally quiet. SDPD continues to give administrative citations and CAPP houses (2-3 last week). The next College Area Public Safety Meeting is scheduled for Tuesday, February 23rd at the College Avenue Baptist Church.
3. SDSUPD Lt. Randy Lawrence reported that the beginning of the semester seems quiet and that most of their work has been dealing with issues on campus.
4. AS head of Campus Community Commission, Daniel Matlock (CCC)
 - Good Neighbor Program is part of CCC
 - Neighborhood clean-up will be February 24th. 150-200 students participate.
 - The video on living in residential neighborhoods is coming along. Should have rough draft this week.
 - A community voice forum is being developed. Individuals can post a concern or a need for someone to help out with small jobs.

VII. Treasurer's Report - Treasurer Terry Shirley reported on membership and small expenditures which are generally in line with those from the previous year and that the organization remains in a strong financial position. Checking-\$5,520.62, Savings-\$2,791.45, CD-\$10,290.46, DpT-about \$650,000.00.

VIII. New Business

1. *** Candidates for board seats in the March election** are Andy Beauparlant, Mike D'Ambrosia, Tom Hilanto, Jim Jennings, Rhea Kuhlman and Troy Murphree. **(Information item).**

2. **Approval of letter of support for Boo Parade. (Action item)**

Shirley moved and Rios seconded

M/S/C: yeas-17 / nays-0 / abstain-1 (Schneider—conflict of interest) Motion passes

3. *** Review of proposal to build three-story, five unit apartment building with street-level parking at 5541 Lindo Paseo. (Action item)**

The Project Review Committee voted unanimously to recommend approval, contingent on satisfactory resolution of all outstanding issues with the City and with the proviso that if there is any change in the appearance or floor area ratio of the proposed building, it will be brought back to the CACPB for review. The committee found that the density was adequate for the site, despite being short 3 units, since each of five units has 4 bedrooms, making for a higher concentration of people.

Kuhlman moved and Jones seconded

M/S/C: yeas-18, nays-0, abstain-0. Motion passes unanimously.

4. ***Review of proposal to subdivide one single-family lot into two parcels at 5115 63rd St. (Action item)**

The Project Review Committee voted unanimously to recommend denial due to the egregious history of code violations at the current address while owned by the applicant, such as illegally the entire front yard for parking, using the property for storage of construction equipment and numerous parking and noise violations. Therefore the proposal would result in conditions contrary to the general health, safety and welfare of the neighborhood.

Don Ayles (BRB Associates, represented the owner, stating that this is an example of standard infill practice and both lots will meet all zoning and legal requirements and that both lots exceed minimum size.

Mike Schaeffer (a neighbor), Andy Beuparlant and Cathy Kenny spoke to the many code violations excessive noise, etc., at the owner's current property.

Motion by Kuhlman, second by Beuparlant

M/S/C: yeas-14, nays-1 (Schneider), abstain-2 (Aguilar-no opinion, Borunda-not qualified.) Recusals-1 (Henderson-potential economic interest). Motion passes.

5. Discussion of proposal to donate funds to the Campus Community Commission in support of community clean-ups and Hardy Elementary School for 5th grade graduation. (Action item)

- Due to per/donation amount limits, a \$50 donation was made last month at which point it was agreed that a second \$50 donation would be considered this month.
- Hardy Elementary School PTA is unable to provide the usual support for graduation activities due to fewer fund raising activities. The fifth grade class approached the CACC for this request.

Motion by Schneider to approve, second by Aguilar

M/S/C: yeas-17, nays-1, abstain-0 Motion passes.

6. Discussion of proposal to eliminate guidelines established by the CACC in 2007 for evaluating Dollar per Ticket Fund proposals and revert back to the original guidelines set in the MOU. (Action item)

- The Alvarado Estates board has asked President Hirshman to extend the availability of DpT funds beyond the sunset clause date of July, 2017. No letter of agreement from SDSU has been received yet but it is understood, one is forthcoming.
- If, in fact, funds are available beyond 2017, it is proposed that the internal CACC guidelines established in 2007 for evaluating projects, which limited the scope to traffic mitigation projects be eliminated and that the language in the memorandum of understanding that states, "capital projects and expenses in support of capital projects" be used as guidelines for evaluating future projects.

Motion made by Reynoso, second by Nystrom.

Discussion reflected lack of full understanding of the situation by many.

Substitute motion by Campbell to refer the question to the DpT committee for

Discussion and to bring recommendation to the CACC board, second, Hopps-Tatum

M/S/C: yeas-16, nays-2 (Reynoso, Schneider), abstain-0



THE CITY OF SAN DIEGO

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

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: ☐ Neighborhood Use Permit ☐ Coastal Development Permit
☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit
☐ Variance ☒ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment • ☐ Other _____

Project Title

Blum TPM

Project No. For City Use Only

430967

Project Address:

5115 63rd Street, San Diego, CA. 92115

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

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached ☐ Yes ☐ No

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Project Title: Blum TPM	Project No. (For City Use Only) 430967
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Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

☐ Corporation ☒ Limited Liability -or- ☐ General) What State? _____ Corporate Identification No. _____
☐ Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property.. Please list below the names, titles and addresses of **all** persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. **Note:** The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. **Additional pages attached** ☐ Yes ☐ No

Corporate/Partnership Name (type or print):
San Diego Student Housing Solutions, LLC

☒ Owner ☐ Tenant/Lessee

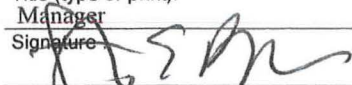
Street Address:
5375 Caminito Exquisito

City/State/Zip:
San Diego, CA. 92130

Phone No: (858-748-2130) Fax No: 858-748-2133

Name of Corporate Officer/Partner (type or print):
Steve Blum

Title (type or print):
Manager

Signature:  Date: 5-10-15

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

TENTATIVE MAP NO. 1507672
PROJECT NO. 430967 I.O.# 24006005

LEGAL DESCRIPTION:
A PORTION OF LOT 12 OF LA MESA COLONY, IN THE CITY OF SAN DIEGO, STATE OF CALIFORNIA
ACCORDING TO MAP NO. 346, REC. MARCH 8, 1887 O.R.

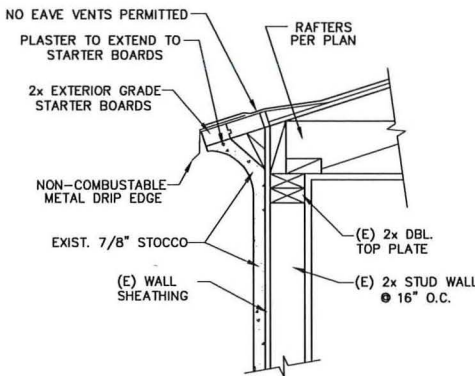
ASSESSOR PARCEL NUMBER:
467-085-19-00

COORDINATE INDEX:
CCS 83 COORDS.: 1860-6309
L.C. COORDS.: 220-1749

- GENERAL NOTES:**
1. TOPOGRAPHY BY D. F. SPARKS LAND SURVEYS WAS USED IN THE PREPARATION OF THIS MAP FROM A FIELD SURVEY ON MAY 2, 2015.
 2. GROSS ACREAGE IS 0.351 ACRES
 3. THE NUMBER OF EXISTING PARCELS IS ONE AND THE PROPOSED NUMBER IS TWO.
 4. THE PROPOSED PARCELS ARE INTENDED FOR RESIDENTIAL USE.
 5. PARCEL 1=6,783 SQ. FT., PARCEL 2=8,497 SQ. FT. FOR A PROJECT TOTAL OF 15,291 SQ. FT.
 6. EXISTING AND PROPOSED ZONING IS RS-1-7
 7. DOMESTIC WATER: CITY OF SAN DIEGO
 8. SANITARY SEWER: EACH PARCEL WILL BE SERVED BY PUBLIC SEWERS
 9. ESTIMATED CUT = 0 C.Y., FILL = 0 C.Y., EXPORT = 0 C.Y.
 10. THIS IS A SOLAR SUBDIVISION. ALL LOTS HAVE AT LEAST 100 SQUARE FEET OF UNOBSTRUCTED ACCESS TO SUNLIGHT ON THE BUILDABLE PORTION OF THE LOT.
 11. PUBLIC PARKING IS ON 63rd STREET, PRIVATE PARKING IS PROVIDED ON SITE.
 12. NO SENSITIVE BIOLOGIC RESOURCES, HILLSIDES, BEACHES, COASTAL BLUFFS, OR 100 YEAR FLOOD PLAIN.
 13. THE EXISTING RESIDENCE ON PARCEL 1 WAS BUILT IN THE LATE 1940'S, PARCEL 2 CURRENTLY CONTAINS A GARAGE AND STORAGE SHEDS TO BE REMOVED.
 14. TRASH & RECYCLE BINS TO BE STORED IN GARAGE OR SIDE YARD AND WILL MEET THE CITY REQUIREMENTS FOR STREET PICKUP.
 15. ALL PROPERTY CORNERS WILL BE SET AND A PARCEL MAP WILL BE FILED UPON APPROVAL OF THIS TENTATIVE PARCEL MAP.
 16. RESIDENTIAL HIGH OCCUPANCY PERMIT NO. 13 76132 IS FOR THE EXISTING RESIDENCE ON PROPOSED PARCEL 1.
 17. IT IS THE RESPONSIBILITY OF THE SUBDIVIDER/OWNER OF RECORD, TO ASSURE THAT ALL REQUIREMENTS OF THE LATEST ADOPTED EDITION OF THE CALIFORNIA RESIDENTIAL CODE, AS WELL AS OTHER REGULATIONS AND ORDINANCES OF THE CITY OF SAN DIEGO, ARE SATISFIED AND INCORPORATED IN THE PLANS, SPECIFICATION AND STRUCTURE CALCULATIONS.
 18. PRIOR TO THE MAP RECORDING THE SUBDIVIDER/OWNER OF RECORD SHALL PROVIDE PLANS AND SECURE PERMITS FOR UPGRADES ON THE EXISTING RESIDENCE INCORPORATING ALL FIRE AND BUILDING CODE REQUIREMENTS.
 19. PRIOR TO THE MAP RECORDING THE SUBDIVIDER/OWNER SHALL PREPARE PLANS AND SECURE PERMITS TO IMPLEMENT CURRENT CONSTRUCTION CODES TO THE EXISTING HOUSE IN ACCORDANCE WITH 2013 CALIFORNIA RESIDENTIAL CODE, 2013 CALIFORNIA BUILDING CODE AND 2013 CALIFORNIA GREEN BUILDING CODE AS AMENDED BY THE CITY OF SAN DIEGO MUNICIPAL CODE.
 20. PRIOR TO THE MAP RECORDING, DUE TO THE LESS THAN 5 FOOT SIDE YARD CLEARANCE, THE SUBDIVIDER/OWNER OF RECORD SHALL PREPARE PLANS AND SECURE PERMITS TO ADD FIRE SPRINKLERS TO THE EXISTING RESIDENCE.
 21. PRIOR TO THE MAP RECORDING, DUE TO THE LESS THAN 5 FOOT SIDE YARD CLEARANCE, THE SUBDIVIDER/OWNER OF RECORD SHALL PREPARE PLANS AND SECURE PERMITS TO CONSTRUCT THE WALL ADJACENT TO THE SIDE YARD A MINIMUM FIRE-RESISTANT RATING OF ONE HOUR FOR THE EXTERIOR WALL OF THE EXISTING RESIDENCE DUE TO A FIRE SEPARATION DISTANCE OF LESS THAN FIVE FEET (NON-SPRINKLED BUILDING).
 22. PRIOR TO THE MAP RECORDING, DUE TO THE LESS THAN 5 FOOT SIDE YARD CLEARANCE, THE SUBDIVIDER/OWNER OF RECORD SHALL PROVIDE ADEQUATE DOCUMENTATION TO CERTIFY THE AREA OF OPENINGS ON THE EXISTING RESIDENCE ON PARCEL 1, FOR THE EXTERIOR WALLS SHALL BE LIMITED TO A MAXIMUM OF 25 PERCENT OF THE WALL AREA. (CRC R302.1)
 23. PRIOR TO THE MAP RECORDING, DUE TO THE LESS THAN 5 FOOT SIDE YARD CLEARANCE, THE SUBDIVIDER/OWNER OF RECORD SHALL PREPARE PLANS AND SECURE PERMITS TO CONSTRUCT A MINIMUM ONE-HOUR FIRE-RESISTANT RATING ON THE UNDERSIDE OF THE ROOF EAVE PROJECTIONS EXTENDING WITHIN FIVE FEET OF THE LOT LINE (NON-SPRINKLED BUILDING). (CRC R302.1)

SCALE 1"=20'

FIRE RESISTIVE CONSTRUCTION FOR THE EXISTING AND FUTURE RESIDENCES ADJACENT TO THE COMMON LOT LINE BETWEEN PARCELS 1 & 2 AS SHOWN HEREON. SEE NOTES B & C



FIRE RESISTIVE EAVE DETAIL
NO SCALE

LEGEND:

PROPERTY LINE	---	R/W
RIGHT-OF WAY	---	
EXIST. OVERHEAD ELECTRIC	---	E-E
EXIST. GAS MAIN	---	G-G
EXIST. WATER MAIN	---	W-W
EXIST. SEWER MAIN	---	S-S
EXIST. OVERHEAD TELEPHONE	---	T-T
EXIST. FENCE	---	X-X-X
EXIST. MAIL BOX	---	MB
EXIST. POWER POLE	---	PP
EXIST. WATER METER	---	WM
BACK FLOW PREVENTER	---	BFP
EXIST. SEWER CLEANOUT	---	SCO
CENTERLINE	---	C/L
EXIST. ASPHALT SURFACE	---	AC
EXIST. CONCRETE SURFACE (PCC)	---	
EXIST. CONCRETE TO BE REMOVED	---	

PREPARED FOR:
SAN DIEGO STUDENT HOUSING SOLUTIONS, LLC
5375 CAMINITO EXQUISITO
SAN DIEGO, CA. 92130

Steven Blum 2/27/17
STEVEN BLUM-MANAGER DATE

PROJECT ADDRESS:
5115 63rd STREET
SAN DIEGO, CA. 92115

BENCHMARK
CITY OF SAN DIEGO ENGR.
DEPT. BENCH MARK
N/W BP 63rd ST. AND TIPTON ST.
ELEV=460.85' NGVD 29 DATUM MSL

PREPARED BY
ERB & ASSOCIATES, LLC
12320 STOWE DRIVE, STE. E
POWAY, CA 92064
PHONE: (858) 748-2130
FAX: (858) 748-2133

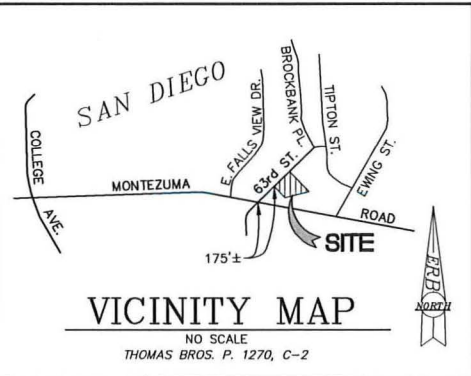
Daniel F. Sparks 2/27/17
DANIEL F. SPARKS
LS 5514 EXP.: 09/30/18 DATE



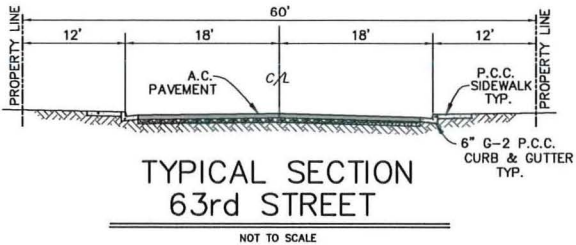
REVISION 14:	
REVISION 13:	
REVISION 12:	
REVISION 11:	
REVISION 10:	
REVISION 9:	
REVISION 8:	
REVISION 7:	
REVISION 6:	
REVISION 5:	2/27/17
REVISION 4:	1/17/17
REVISION 3:	9/12/16
REVISION 2:	2/9/16
REVISION 1:	10/21/15

ORIGINAL DATE: 6/01/15

SHEET 1 OF 1 SHEET



EXISTING DRIVEWAY TO BE REMOVED AND REPLACED WITH 12' WIDE DRIVEWAY PER CITY STANDARD SDG-159



UTILITIES	
WATER	UNDERGROUND
SEWER	UNDERGROUND
GAS	UNDERGROUND
ELECTRIC	OVERHEAD
TELEPHONE	OVERHEAD
CATV	OVERHEAD

- (A) - DENOTES 10' EASEMENT FOR A RIGHT OF WAY FOR PUBLIC STREET PURPOSES PER: DOCUMENT REC. MAY 7, 1952 IN BOOK 4461, PAGE 160 AND DOCUMENT REC. MAY 20, 1952 IN BOOK 4473, PAGE 261
- (B) - REPLACE EXIST. (2) 4'x4' SLIDER WINDOWS THIS SIDE WITH TEMPERED GLAZING
- (C) - 1 HOUR FIRE RESISTIVE CONSTRUCTION. EXTERIOR WALL 7/8" STUCCO. INTERIOR 1/2" DRYWALL WITH FIRE RESISTIVE EAVES. (SEE DETAIL).



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

Development Permit/ Environmental Determination Appeal Application

FORM
DS-3031

November 2017

In order to assure your appeal application is successfully accepted and processed, you must read and understand Information Bulletin 505, "Development Permits/Environmental Determination Appeal Procedure."

1. Type of Appeal: ☒ Appeal of the Project
☐ Appeal of the Environmental Determination

2. Appellant: Please check one ☐ Applicant ☐ Officially recognized Planning Committee ☒ "Interested Person"
(Per M.C. Sec. 113.0103)

Name: Mike Schaffer E-mail: AAMikes@aol.com

Address: 5145 63rd St City: San Diego State: CA Zip Code: 92115 Telephone: 619-844-4242

3. Project Name: Lot split - Blaney

4. Project Information
Permit/Environmental Determination & Permit/Document No.: #122152 #430967 Date of Decision/Determination: 12/6/2017 City Project Manager: Derrick Johnson

Decision(Describe the permit/approval decision): They voted to approve.

5. Ground for Appeal(Please check all that apply):

- ☐ Factual Error ☐ New Information
☒ Conflict with other matters ☐ City-wide Significance (Process Four decisions only)
☐ Findings Not Supported

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

Unethical Problems (see Attached)

WDRSC &

RECEIVED

DEC 13 2017

DEVELOPMENT SERVICES

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: [Signature] Date: 12/12/2017

Note: Faxed appeals are not accepted.

RECEIVED

DEC 13 2017

DEVELOPMENT SERVICES

Opposition to Lot Split Proposal

The lot at 5115 63rd St should not be approved for a lot split. This house is managed by SBMI- a management company that operates with minimal to no owner involvement nor concern for the neighborhood in which it resides. The management company SBMI shows no regard for the health, safety and welfare of the neighbors nor even their own tenants. These statements are evidenced in the following documented interactions with SBMI as well as the activities of their tenants.

SBMI:

Has shown to be unresponsive to problems and unable to control tenant activities

Relies on City of San Diego (through San Diego Police, Graffiti Dept., 911 calls, Code Compliance, Community Resource Officer, and others) and neighbors to manage, patrol, and deal with their tenants. This is evidenced by being told directly by SBMI personnel to call the police for all tenant problems and issues.

City of San Diego and neighbors bear the costs of tenant problems with no repercussions to the owners nor management company. It costs the City of San Diego to send police to every party and every disturbance that occurs as a result of holding a party. It costs the City of San Diego to clean up graffiti left by tenants. It costs the City of San Diego to send officers for 911 calls for dangerous drunk activities that threaten to harm others from these tenants. It costs neighbors to repair broken fences, broken sprinklers, and damaged shrubs from party activities. Also, neighbors have to spend time cleaning the scattered trash in their yards and on the streets from roaming groups from parties.

This management company is responsible for over 70 properties (this is the number that SBMI quoted) in this college area. Here are examples from only 3 of those houses that surround our property. It is quite excessive and disturbing and supports all claims made in previous paragraphs.

First Example:

5115 63rd St (current property under discussion):

This house has many, many parties and has been capped as a party house by the City of San Diego several times. There are at least 8 tenants under the lease with several additional friends living there. With that, there are always 10-12 cars associated with the house and only 6 parking spaces available. 4-6 cars from that house alone take up parking on the residential street. This creates an unfair parking situation for all neighbors. If another house was added onto the property, it would add an additional 4-6 cars on the street. That would amount to 8-12 cars parked on the street from 2 houses alone. The street cannot handle that amount of parking congestion.

Recently, the City of San Diego Graffiti Dept. has had to come to the street 2 times to clean up profanity and lewd pictures from partying. We called the police on a loud party and the next day we found graffiti on the sidewalk in front of our house. The words, "Fuck You" with a picture of a penis and genitals were spray painted 4 feet across the sidewalk in front of our house across from the party house. The Graffiti Dept. worked over an hour to clean up and paint over the profanity. Approximately a week later the house had another party and we called the police. The next day there was another spray- painted genital on the sidewalk. The Graffiti Dept had to come out again and deal with the issue. This is completely unacceptable behavior that costs the City of San Diego money as well as disturbing the peace of neighbors and the community.

*****Just last month : (this is just a glimpse of what we deal with on a monthly basis)**

Oct. 6 Friday Had a Party: lots of loud music, yelling, screaming, many people at house and roaming around the street

Police had a large drug bust that night, lots of people lined up in front of my gates. Do not know if drug bust was directly from the party personnel but party activity brings in other people and activities that would not normally be present in the neighborhood, especially at that time of night. I had a discussion with an officer who said that these parties bring other crimes and incidents to otherwise quiet neighborhoods. Due to the excessive noise and people roaming around from the parties, it makes a perfect cover for criminals to enter a neighborhood and commit criminal activities unnoticed. These people would not be in the neighborhood except that the party atmosphere invites them.

Oct 13 Friday Had another Party: same loud music, yelling, screaming, no parking on street, lots of crowds of people roaming the streets

Oct. 20 Friday Had a very Large Party. I was awoken at midnight by the yelling , screaming and loud music. Someone from the party was completely blocking our driveway and my daughter had to go to work. We had to have car moved from driveway at midnight and my daughter was almost late to work. If there had been an emergency, we were completely blocked from leaving our house. This often happens with parties because so many people come and parking is unavailable.

Our safety is completely compromised due these parties. We are blocked in our house and cannot leave if an emergency arose. We feel unsafe with the amount of people roaming the streets and jumping our fences due to partiers looking for a place to defecate in trees and bushes. Our mental health is threatened due to lack of sleep and stress over all of these parties. We should be allowed to enjoy our house and property in peace and be able to raise a family without our family's welfare threatened.

Second Example

5131 East Falls View (their entire backyard shares a fence with our side yard)

This is a small glimpse over a 2 week period of what we deal with on a daily basis. It is grossly appalling.

8-19 Sat had a loud party with approx. 50 people

they were yelling, screaming, partying on top the roof with beers; jumping off their roof into the pool

we called the police and police had to break up the party

8-22 Tues only 3 days later and they had another loud party

Yelling profanities, girls screaming, partying on the roof, jumping off their roof into the pool

This time the group on the roof was staring into our backyard; a girl on the roof took photos of our yard on her phone (invasion of privacy)

Incident on August 22, 2017 Recorded by Susan Schaffer on August 22, 2017 at 10:08pm

Around 7:10pm, my husband and I went outside into our yard to hear how loud the party at 5131 East Falls View was getting. My daughter, Stephanie, came outside a few minutes later to put stickers in her car. As I looked at the yard, I saw 2 guys on the roof at the 5131 house. They looked over at our house, our cars, our daughter and then threw a beer can really hard across our yard at my daughter. They threw it hard like a baseball. It was an unopened can so it hit the ground very hard and rolled. It was inches away from my daughter, as she had to duck to avoid being hit. I yelled at the guys that they almost hit my daughter and they laughed and said "fuck you." My daughter yelled that they almost hit her and they kept yelling profanities at her. They were laughing and completely drunk. I told them I was calling the police and they just laughed. My daughter called 911.

The guys continued to party, yell profanities and be loud. I called the dispatcher and inquired about help. They said that they were very busy but would try to send someone out. I waited with my husband on the porch. The party continued to get louder and louder. I went into the back yard and tried to record them. The recording came out very faint but I heard them directly while standing there. One guy was speaking in a mocking tone and saying, "you tried to hit my daughter. Well fuck them. Too bad

fuckers“ He kept repeating fuck them. Then he said, “ I’m gonna go and sit in their grandma chair and fuck everything over.” You could hear him talking with other guys and girls about messing with “the outside and inside of our house.”

They continued to party, yelling, screaming, playing loud music until the police came.

Earlier in the day, the people at 5131 East Falls View started to party—yelling, screaming, playing loud music, drinking. Several people at a time would get on the roof and jump into the pool. Sometimes they had beers in hand. They were getting very drunk. I called the property management company SBMI and told them I was concerned about people jumping off the roof into the pool drunk and the loud partying. They told me to call the police and let them handle it. They were unwilling to help.

I called the SBMI management again after my daughter was assaulted. They said to let the police handle it. They were unwilling to help and said it was a police issue.

I emailed Mark Peterson, the Community Resource Officer about all of the issues with 5131 East Falls View house.

This incident shows how my daughter’s safety was gravely compromised. We hardly slept that night due to the threat off breaking into our yard and getting my family. Our entire family’s safety is continually being threatened by these tenants and SBMI refuses to help. They take no responsibility towards controlling their tenants and put all of the responsibility on the police. My family’s welfare is in jeopardy as my children lost all sleep that night and are continually exposed to this appalling behavior.

8-23 Wed 9:00am

I spoke with Denise from SBMI. She said she handles lots and lots of homes in the college area. She told me to call the police if there are issues. She told me she lives in Temecula so she is not available to take care of issues. The police are responsible for taking care of any problems. She said that I should keep calling the police and get the house capped myself.

I told Denise that there were moral and legal issues to be considered. Her tenants could have caused serious bodily harm to my daughter, threat of breaking/entering in our home and invasion of privacy by taking photos of our house. Also, someone could be seriously injured or die from jumping off the roof into a pool while severely intoxicated. I told her she should be concerned about the safety of the people jumping off the roof because of the danger involved. I told her that as much as I was upset about their behavior that I was still a Mom and worried about injury/death to any young person. I also told her that the roof could collapse in due to the weight of the large groups on the roof and many would be injured. She did not share my concern about these problems nor take an approach of responsibility.

8-23 Wed evening (the next day after 911 incident)

They had another party with loud yelling, screaming, people on the roof jumping into the pool.

We called police and they had to break up the party.

I called and left a message with SuperTenders and left a message for Denise about the incident.

No response from SBMI.

8-26 Sat (3 days later)

Day: A Domino's pizza delivery man came to our house with a handful of pizzas. The tenants at 5131 East Falls View had used our name and address and ordered a bunch of pizzas. I explained to him about the group and how this was retaliation for calling the police on their party. I called Domino's pizza and spoke to the manager. I explained to him about the tenants at 5131 East Falls View and our past interactions. He understood and banned their phone number from the Domino's order line.

Night: They had another party with yelling, screaming, jumping off the roof into the pool, crowds of people with red cups on the roof staring into our backyard

I texted SuperTenders and Denise and demanded immediate response. No response from them.

I researched online and got a number for Reggie from SBMI. She said that she is in charge of legal matters for the management company and is located in some state in the eastern US (I don't remember). I told her that moral and legal issues are definitely coming into play. I told her about the 911 incident, my daughter's safety compromised, the invasion of privacy with photos being taken of our house, the possibility of injury or death due to drunken people jumping off the roof into the pool, the possibility of injury/death due to the roof collapsing. I also told her that a large corporation is becoming involved since her tenants were now defrauding Domino's pizza. I explained to her that I had been recording all of the incidents and left numerous messages for Denise and SBMI with no response. She told me she would look into it.

I have not heard from her since.

8-29 Tues (3 days later)

They had another party with people on the roof jumping into the pool, yelling from the roof into our backyard, girls screaming

Left message for Denise and SuperTenders

No response from SBMI.

8-30 Wed SuperTenders called back and gave me the number for Dan Recob

I was told that he was Denise's boss and I should call him. I talked to Dan. He said that he would take care of things. Nothing happened (except they had another party 2 days later)

9-2 Fri (2 days later)

They had another loud party with yelling, screaming, jumping off the roof into the pool but this time they were yelling loudly very horrible racial things; they yelled "fuck niggers" many times

I immediately texted Denise with photos of the group on the roof and told her what they were yelling

Denise called back and said she was going to speak with Dan. I told her it was evident that SBMI cannot control their tenants. Dan (who is the boss) could not stop them because it was only 2 days since he said he would take care of it. Denise told me that I should call the police. Unruly tenants were the police's problem.

In addition to these parties, I contacted Denise about many items being thrown over our fence. We put up a 6 ft wooden fence topped with a 3 ft trellis and planted 12 ft junipers next to it. So, the fence is 9 ft tall with 12 ft foliage for protection and privacy so anything coming over is intentionally thrown. The tenants have thrown over glass bottles (that shatter when hitting the ground), beer cans, a ceramic plate, bottle cap, champagne corks, men's shorts, to name a few. My family's and pets' safety is continually threatened when bottles come over and shatter. My daughter almost cut her foot on a piece of glass from a broken beer bottle thrown.

Third Example:

5135 63rd St (across the street)

The house numbers hung on the front of the house read 5153. We kept receiving their mail since the number was incorrect. I went to the house and spoke to one of the tenants. They said that they were told by the management company SBMI to keep the numbers that way. I asked why. They said they were told it had to do with financing and loans on the house that needed a 5153 address, not the correct 5135 address.

Conclusion:

I have pictures of: broken fences, broken trees, profanity and genitals spray painted on sidewalks, groups with red cups on the roof jumping into the pool, cars blocking our driveway, couches on roofs, groups on the roof

Denise SBMI 858-332-2480 denise@sbmigroup.com

SuperTenders SBMI 970-557-2220

Reggie SBMI Legal 855-559-5525

Community Resource Officer Mark Peterson mpeterso@mail.sdsu.edu

594-1447

Final Note:

These examples only record the last few months and only involve 3 houses. Please consider what we (and others) endure all year long and with all 70 houses involved. This should not be happening to any person, any family, any neighborhood. This must be stopped. Allowing the lot split at 5115 63rd St would add another house to this list of problems. That is indefensible and unconscionable.

Our family's safety is continually threatened: beer can thrown at daughter, glass shards on ground, threat of breaking/entering, partiers jumping fences to defecate

Our family's mental health is threatened: sleep deprivation from parties, stress over partiers, listening to racial and other profanities being yelled, viewing and dealing with spray painted profanity/genital pictures

Our family's welfare is threatened continually from all of these incidents.

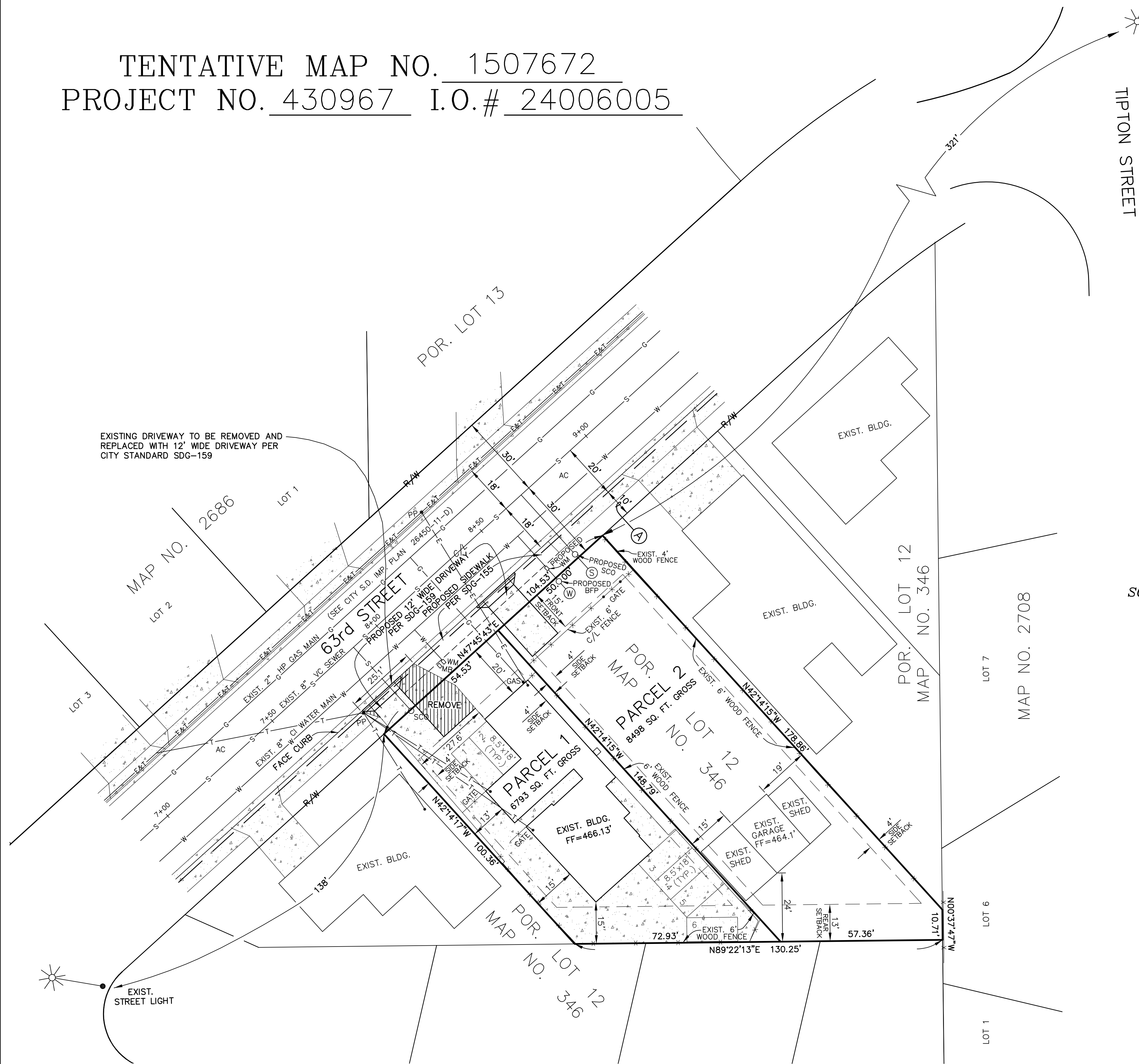
People ask us why we stay and do not move. We love the college area and community. It is our home; it is where we raise our children, and it is where we want to retire. We try our best to protect our family, others, and the neighborhood and to live a peaceful community existence. Please help us in our quest. Do not approve this lot split.

Thank you.

Michael and Susan Schaffer

5148 63rd St. San Diego, CA 92115

TENTATIVE MAP NO. 1507672
PROJECT NO. 430967 I.O.# 24006005



- LEGAL DESCRIPTION:**
A PORTION OF LOT 12 OF LA MESA COLONY, IN THE CITY OF SAN DIEGO, STATE OF CALIFORNIA
ACCORDING TO MAP NO. 346, REC. MARCH 8, 1887 O.R.
- ASSESSOR PARCEL NUMBER:**
467-085-19-00
- COORDINATE INDEX:**
CCS 83 COORDS.: 1860-6309
L.C. COORDS.: 220-1749
- GENERAL NOTES:**
1. TOPOGRAPHY BY D. F. SPARKS LAND SURVEYS WAS USED IN THE PREPARATION OF THIS MAP FROM A FIELD SURVEY ON MAY 2, 2015.
 2. GROSS ACREAGE IS 0.351 ACRES
 3. THE NUMBER OF EXISTING PARCELS IS ONE AND THE PROPOSED NUMBER IS TWO.
 4. THE PROPOSED PARCELS ARE INTENDED FOR RESIDENTIAL USE.
 5. PARCEL 1=6,793 SQ. FT., PARCEL 2=8,497 SQ. FT. FOR A PROJECT TOTAL OF 15,291 SQ. FT.
 6. EXISTING AND PROPOSED ZONING IS RS-1-7
 7. DOMESTIC WATER: CITY OF SAN DIEGO
 8. SANITARY SEWER: EACH PARCEL WILL BE SERVED BY PUBLIC SEWERS
 9. ESTIMATED CUT = 0 C.Y., FILL = 0 C.Y., EXPORT = 0 C.Y.
 10. THIS IS A SOLAR SUBDIVISION. ALL LOTS HAVE AT LEAST 100 SQUARE FEET OF UNOBSTRUCTED ACCESS TO SUNLIGHT ON THE BUILDABLE PORTION OF THE LOT
 11. PUBLIC PARKING IS ON 63rd STREET, PRIVATE PARKING IS PROVIDED ON SITE.
 12. NO SENSITIVE BIOLOGIC RESOURCES, HILLSIDES, BEACHES, COASTAL BLUFFS, OR 100 YEAR FLOODPLAIN
 13. THE EXISTING RESIDENCE ON PARCEL 1 WAS BUILT IN THE LATE 1940'S, PARCEL 2 CURRENTLY CONTAINS A GARAGE AND STORAGE SHEDS TO BE REMOVED.
 14. TRASH & RECYCLE BINS TO BE STORED IN GARAGE OR SIDE YARD AND WILL MEET THE CITY REQUIREMENTS FOR STREET PICKUP.
 15. ALL PROPERTY CORNERS WILL BE SET AND A PARCEL MAP WILL BE FILED UPON APPROVAL OF THIS TENTATIVE PARCEL MAP.
 16. RESIDENTIAL HIGH OCCUPANCY PERMIT NO. 13 76132 IS FOR THE EXISTING RESIDENCE ON PROPOSED PARCEL 1.

LEGEND:

PROPERTY LINE	-----	
RIGHT-OF WAY	-----	R/W
EXIST. OVERHEAD ELECTRIC	-----	E-----E
EXIST. GAS MAIN	-----	G-----G
EXIST. WATER MAIN	-----	W-----W
EXIST. SEWER MAIN	-----	S-----S
EXIST. OVERHEAD TELEPHONE	-----	T-----T
EXIST. FENCE	-----	X-----X
EXIST. MAIL BOX	-----	MB
EXIST. POWER POLE	-----	PP
EXIST. WATER METER	-----	WM
BACK FLOW PREVENTER	-----	BFP
EXIST. SEWER CLEANOUT	-----	SCO
CENTERLINE	-----	C/L
EXIST. ASPHALT SURFACE	-----	AC
EXIST. CONCRETE SURFACE (PCC)	-----	PCC

PREPARED FOR:
SAN DIEGO STUDENT HOUSING SOLUTIONS, LLC
5375 CAMINITO EXQUISITO
SAN DIEGO, CA. 92130

STEVEN BLUM-MANAGER DATE

PROJECT ADDRESS:

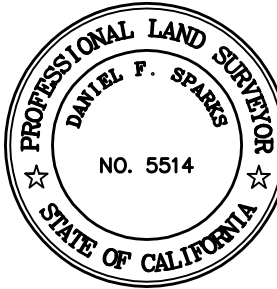
5115 63rd STREET
SAN DIEGO, CA. 92115

BENCHMARK

CITY OF SAN DIEGO ENGR.
DEPT. BENCH MARK
N/W BP 63rd ST. AND TIPTON ST.
ELEV=460.85' NGVD 29 DATUM MSL

PREPARED BY
ERB & ASSOCIATES, LLC
12320 STOWE DRIVE, STE. E
POWAY, CA 92064
PHONE: (858) 748-2130
FAX: (858) 748-2133

Daniel F. Sparks
L.S. 5514 EXP.: 09/30/16



9/12/16
DATE

REVISION 14:	
REVISION 13:	
REVISION 12:	
REVISION 11:	
REVISION 10:	
REVISION 9:	
REVISION 8:	
REVISION 7:	
REVISION 6:	
REVISION 5:	
REVISION 4:	9/12/16
REVISION 3:	2/9/16
REVISION 2:	10/21/15
REVISION 1:	

ORIGINAL DATE: 6/01/15

SHEET 1 OF 1 SHEET

