



THE CITY OF SAN DIEGO

## Report to the Planning Commission

DATE ISSUED: February 8, 2018 REPORT NO. PC-18-012  
HEARING DATE: February 15, 2018  
SUBJECT: 4211 and 4213 Utah Street Tentative Map, Process Four Decision  
PROJECT NUMBER: [500603](#)  
OWNER/APPLICANT: FMSI Holdings, LLC.

### SUMMARY

Issue: Should the Planning Commission approve or deny Tentative Map No. 1760807 for the creation of six residential condominium units (currently under construction) located at 4211 and 4213 Utah Street in the RM-3-9 Zone, within the Greater North Park Community Plan Area?

Staff Recommendation: Approve Tentative Map No. 1760807.

Community Planning Group Recommendation: On April 18, 2017, the North Park Planning Committee voted 15-0-0 to deny the Tentative Map at 4211 and 4213 Utah Street.

Environmental Review: This project is exempt from CEQA pursuant to State CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on August 11, 2017, and the opportunity to appeal that determination ended August 25, 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: The project will provide six for-sale residential units, versus six residential units for rent.

### BACKGROUND

The 0.16-acre site is located at 4211 and 4213 Utah Street in the RM-3-9 Zone, Redevelopment District, Transit Area Overlay Zone, Airport Influence Area, and the Federal Aviation Administration (FAA) Part 77 Notification Area, within the Greater North Park Community Planning area.

Six residential units are currently under construction at the project site, approved in July 2016 under a ministerial approval, Building Permit No. 1560561 (Project No. 446208). The Building Permit allowed the construction of six new residential units, with three stories, over a common garage on a lot with an existing residence (which was previously demolished). No deviations were required for approval of the project. This development project under construction is required to provide public improvements per Project No. 480802 and ROW Permit No. 1560561, including new City Standard curbs, gutters, street light, water meters, removal of concrete, addition of landscape in the back of the property and new sidewalks.

## DISCUSSION

### Project Description:

The project proposes a Tentative Map for the subdivision of the 0.16-acre site to create six residential condominium units (currently under construction). The project is located in an area identified as Residential Very High density (55-73 du/ac) in the Greater North Park Community Plan and the project is consistent with that land use. The project site is designated Multiple Use in the General Plan and is consistent with existing General Plan designations by providing housing within a very- high-density range within an urbanized core of the City. In addition, the proposed subdivision will provide an opportunity for home ownership which is consistent with the General Plan, Housing Element, Goal No. 4: "to provide affordable housing opportunities consistent with a land use pattern which promotes infill development and socioeconomic equity; and facilitate compliance with all applicable federal, state, and local laws and regulations". The project is surrounded by both multi-family and single-family residential development. The project complies with applicable sections of the San Diego Municipal Code, including the RM-3-9 Zone, development regulations and all City and State Map Act subdivision requirements.

The project includes a request to waive the requirement to underground the existing offsite overhead utilities. The requested waiver of the requirement to underground the existing overhead utility facilities in the public right-of-way qualifies under the guidelines of Municipal Code Section 144.0242, Waiver of the Requirements to Underground Privately Owned Utility Systems and Service Facilities, in that the project 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 project has been conditioned to underground any new service run to any new or proposed structures within the subdivision.

The project is under construction and was reviewed for conformance within the RM-3-9 Zone during the Building Permit plan check and conforms to the development regulations. 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.

Community Planning Group Recommendation:

On April 18, 2017, the North Park Planning Committee unanimously voted 15-0-0 to deny the Tentative Map project. The Planning Committee expressed concern that they didn't have an opportunity to review the project prior to construction. The project was built by right, via the ministerial permitting process.

Conclusion:

Staff has determined the project complies with applicable sections of the San Diego Municipal Code, including the RM-3-9 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. 1760807, with modifications.
2. Deny Tentative Map No. 1760807, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



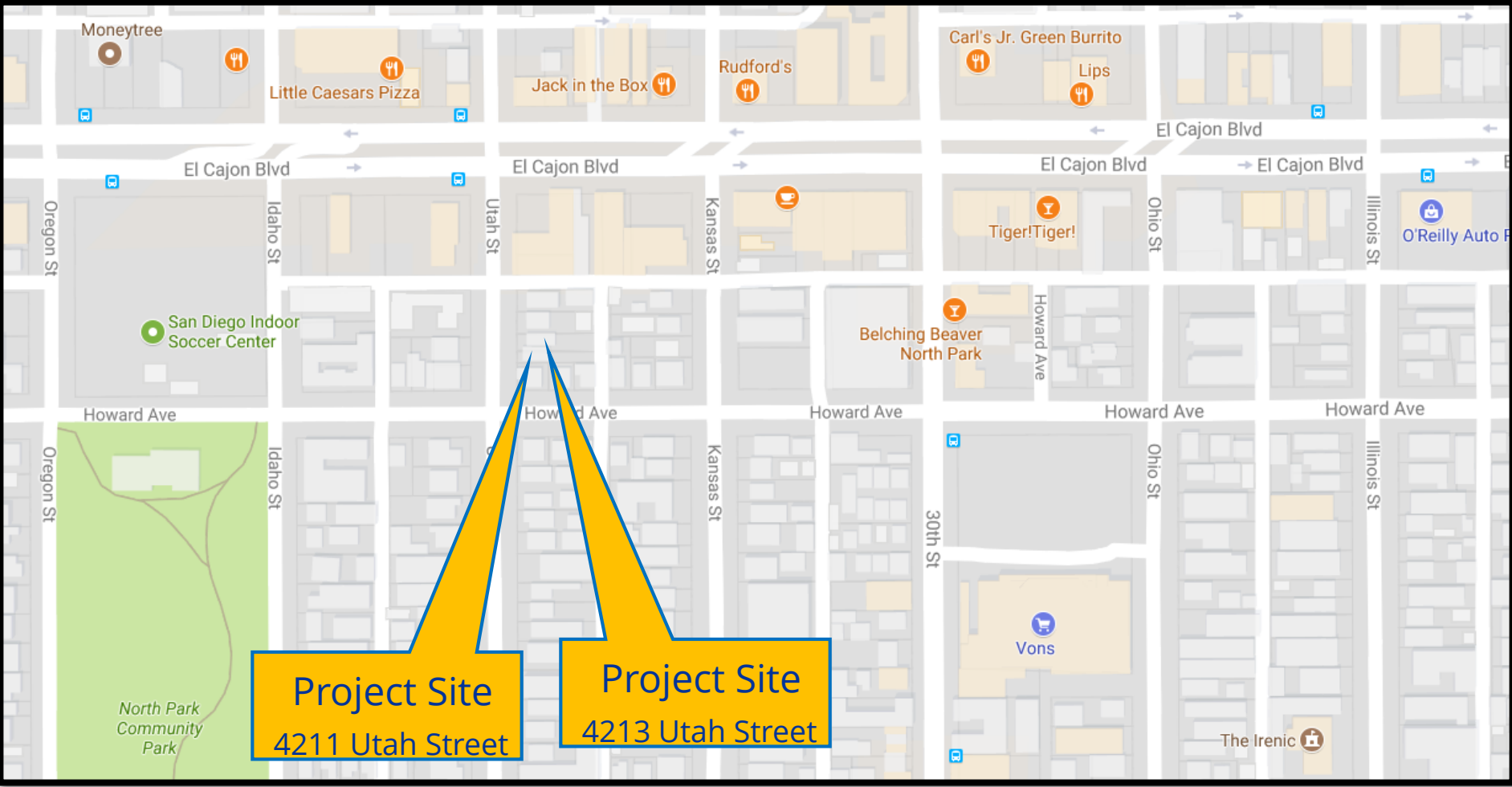
PJ FitzGerald  
Assistant Deputy Director  
Development Services Department



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

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Map Resolution with Findings
6. Draft Map Conditions
7. Environmental Exemption
8. Map Exhibit- Tentative Map Project Plans
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Current site photos



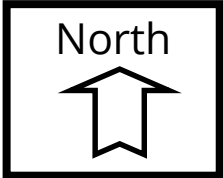
**Project Site**  
4211 Utah Street

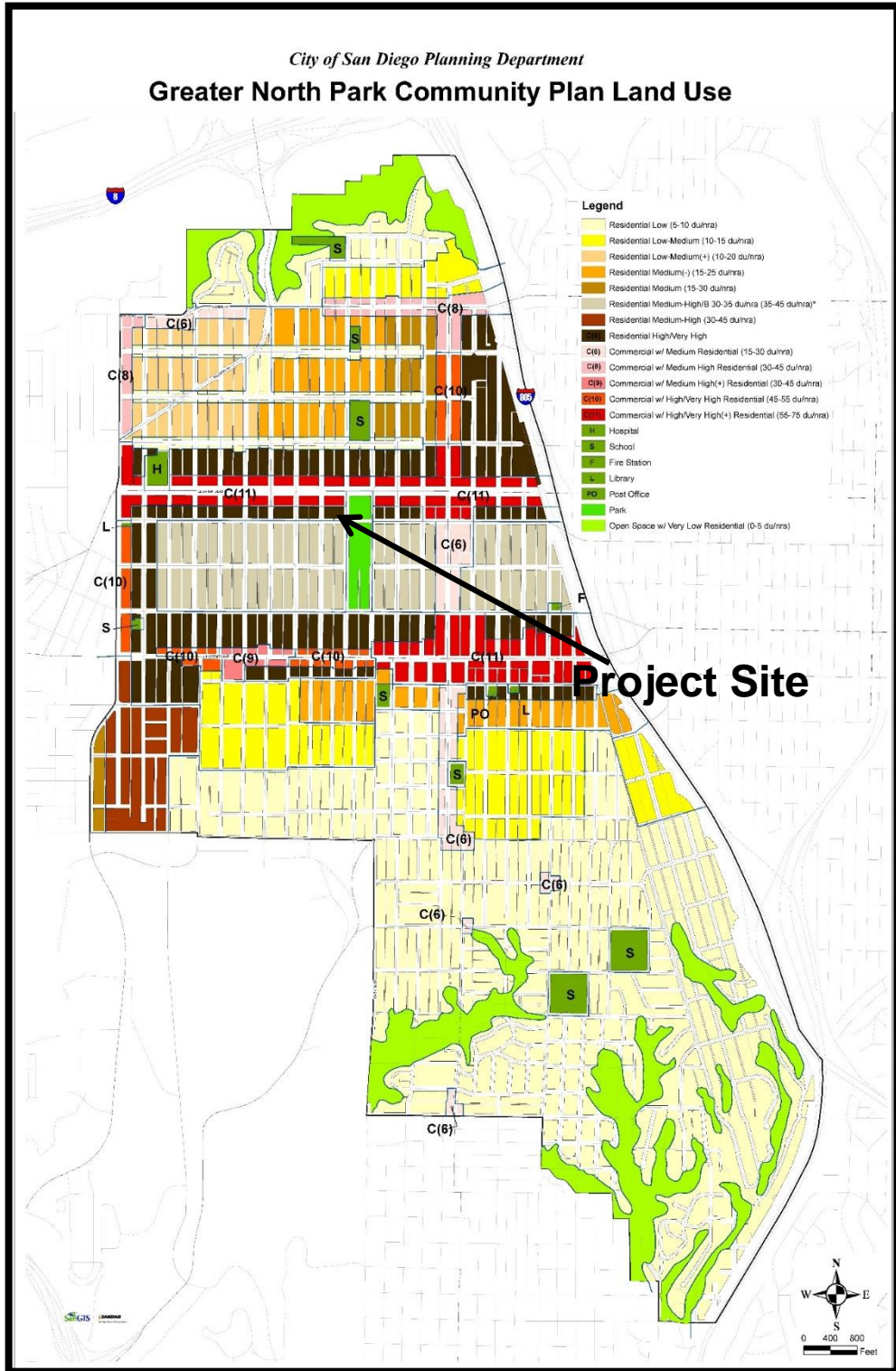
**Project Site**  
4213 Utah Street



## **Project Location Map**

4211 and 4213 Utah Street Tentative Map / 4211 and 4213 Utah Street  
PROJECT NO. 500603





## Land Use Map

4211 and 4213 Utah Street Tentative Map / 4211 and 4213 Utah Street  
 PROJECT NO. 500603





Project Site  
4213 Utah Street

Project Site  
4211 Utah Street

San Diego Indoor Soccer Center

North Park Water Tower

Howard Ave

Howard Ave

Howard

Idaho St

Utah St

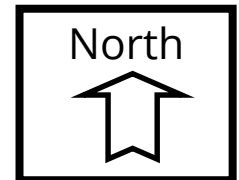
Idaho St

Utah St



### Aerial Photo

4211 and 4213 Utah Street Tentative Map / 4211 and 4213 Utah Street  
PROJECT NO. 500603



<b>PROJECT DATA SHEET</b>		
<b>PROJECT NAME:</b>	4211 and 4213 Utah Street Tentative Map (PTS – 500603)	
<b>PROJECT DESCRIPTION:</b>	Tentative map for the creation of six residential condominium units within a three-story, 13,801-square-foot residential structure currently under construction, and to waive the requirement to underground existing offsite overhead utilities.	
<b>COMMUNITY PLAN AREA:</b>	North Park	
<b>DISCRETIONARY ACTIONS:</b>	Tentative Map	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Residential Very High (55-73 Dwelling Units per Acre)	
<b>ZONING INFORMATION:</b>		
<p style="text-align: center;"><b>ZONE:</b> RM-3-9  <b>HEIGHT LIMIT:</b> 30 feet maximum  <b>LOT SIZE:</b> 7,000 square feet minimum  <b>FLOOR AREA RATIO:</b> 2.7 maximum  <b>FRONT SETBACK:</b> 10 feet minimum/20 feet Standard  <b>SIDE SETBACK:</b> 5 feet minimum/10% of lot width  <b>STREETSIDE SETBACK:</b> 10 feet minimum/10% of lot width  <b>REAR SETBACK:</b> 5 feet minimum  <b>PARKING:</b> 12</p>		
<b>ADJACENT PROPERTIES:</b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Residential Very High; RM-3-9	SF Residential
<b>SOUTH:</b>	Residential Very High; RM-3-9	SF Residential
<b>EAST:</b>	Residential Very High; RM-3-9	MF Residential
<b>WEST:</b>	Residential Very High; RM-3-9	SF Residential
<b>DEVIATIONS REQUESTED:</b>	None	
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	On April 18, 2017, the North Park Planning Committee voted 15-0-0 to deny the Tentative Map at 4211-4213 Utah Street, due to lack of community input.	

PLANNING COMMISSION RESOLUTION NUMBER R-\_\_\_\_\_

TENTATIVE MAP NO. 1760807  
4211 and 4213 UTAH STREET TM - PROJECT NO. 500603

WHEREAS, FMSI Holdings, LLC, a Pennsylvania in Limited Liability Company, Subdivider, and Vernon Frank, Surveyor, submitted an application to the City of San Diego for a tentative map for the creation of six residential condominium units and to waive the requirement to underground existing offsite overhead utilities. The project site is located at 4211 - 4213 Utah Street in the RM-3-9 Zone, Redevelopment District, Transit Area Overlay Zone, Airport Influence Area, and the Federal Aviation Administration (FAA) Part 77 Notification Area, within the Greater North Park Community Planning area. The property is legally described as, Parcel 1: the South 24 feet of Lot 17 Block 120; University Heights; County Of San Diego; According to Amended Map; thereof Made by G.A. D’Hemecourt; Book 8, Page 36, County of San Diego; Parcel 2, Lots 16 & 17, Except the South 24 feet of Lot 17 Block 120; University Heights; County of San Diego; According to Amended Map Thereof Made by G.A. D’Hemecourt; Book 8, Page 36, County of San Diego; and

WHEREAS, the Map proposes the subdivision of a 0.16-acre-site into one (1) lot for six residential condominium units in a project that is currently under construction; and

WHEREAS, on August 11, 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 152305 (Minor Alterations in Land Use Limitations) 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 4125 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is six; and

WHEREAS, the request to waive the undergrounding of existing overhead utilities has been determined to be appropriate pursuant to San Diego Municipal Code section 144.0242(c) based on the conversion involves a short span of overhead facility, less than a full block in length, and would not represent a logical extension to an underground facility; 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. 1760807:

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

The project proposes a Tentative Map for the subdivision of the 0.16-acre site to create six residential condominium units and to waive the requirements to underground overhead utilities. The 0.16-acre site is located at 4211 - 4213 Utah Street in the RM-3-9 Zone, within the Greater North Park Community Plan area. The proposed project is located in an area identified as residential very high density (55-73 du/ac) in the Greater North Park Community Plan and the project is consistent with that land use. The Greater North Park Community Plan encourages a wide variety of housing types for all age, income and social groups. The project would provide six, two-bedroom units. The project site is designated Multiple Use in the General Plan and is consistent with existing General Plan designations. In addition, the proposed subdivision will provide another opportunity for home ownership which is consistent with the General Plan, Housing Element, Goal No. 4: "to provide affordable housing opportunities consistent with a land use pattern which promotes infill development and socioeconomic equity; and facilitate compliance with all applicable federal, state, and local laws and regulations". The project is surrounded by both multi-family and single-family residential development.

As proposed, the subdivision would be consistent with the Greater North Park Community Plan and overall policies for development related to the Land Use and Urban Design 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 project proposes a Tentative Map for the subdivision of the 0.16-acre site to create six residential condominium units. The 0.16-acre site is located at 4211-4213 Utah Street, in the RM-3-9 Zone in the Greater North Park Community Plan area.

The project includes a request to waive the requirement to underground the existing offsite overhead utilities. The requested waiver of the requirement to Underground the existing overhead utility facilities in the public right-of-way qualifies under the guidelines of Municipal Code Section 144.0242, Waiver of the Requirements to Underground Privately Owned Utility Systems and Service Facilities, in that the project 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 project has been conditioned to underground any new service run to any new or proposed structures within the subdivision.

The current development under construction was reviewed for conformance within the RM-3-9 Zone during the Building Permit plan check and conforms to the development regulations. The project is in compliance with the Municipal Code and the Subdivision Map Act and includes conditions to ensure the provision of adequate parking, public improvements and compliance with the Land Development Code. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code.

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

The under construction, in-fill project site is located on a flat, previously graded parcel. No deviations were required for the construction of the project. The original development project was required to construct public improvements, per Project No. 480802 and ROW Permit No. 1560561, including new City Standard curbs, gutters, street light, water meters, removal of concrete, addition of landscape in the back of the property and new sidewalks. 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 project proposes a Tentative Map for the subdivision of the 0.16-acre site to create six residential condominium units. The development conforms to the development regulations of Municipal Code and Subdivision Map Act. The project includes a request to waive the requirement to underground the existing offsite overhead utilities. 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 project has been conditioned to construct public improvements, as shown on the previously approved construction plan for Right-of-Way Permit No. 1684136 (Project No. 480802) including new City Standard curbs, gutters, street light, new water meters, removal of concrete to replace with landscape along the frontage of the property, new back flow preventers, new concrete alleyway in the back of the property and sidewalks. 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 access easements located within the project boundaries, as shown on Tentative Map No. 1760807. 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 project proposes a Tentative Map for the subdivision of the 0.16-acre site to create six residential condominium units. The proposed subdivision will not impede or inhibit any future passive or natural heating and cooling opportunities. Each unit is exposed on two sides (north and south) to ensure passive cooling through cross-ventilation of the interior spaces. 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 in-fill project site is surrounded by existing development, consisting primarily of both multi-family residential complexes and single-family residences. The Greater North Park Community Plan encourages a wide variety of housing types for all age, income and social groups. The project would provide six, two-bedroom units.

**ATTACHMENT 5**

(R-[Reso Code])

The site is currently under construction and has paid all applicable Developer Impact Fees (DIF), school fees, water/sewer connection fees and other impact fees, with the exception of the affordable housing fee, 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 conversion of six units into condominium ownership is consistent with the housing needs anticipated for the Greater North Park Community Plan area.

The above findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Planning Commission, Tentative Map No. 1760807, including the waiver of the requirement to underground existing offsite overhead utilities, hereby granted to FMSI Holdings, LLC, a Pennsylvania in Limited Liability Company, subject to the attached conditions which are made a part of this resolution by this reference.

By   
Derrick Johnson  
Development Project Manager  
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24006836

PLANNING COMMISSION  
CONDITIONS FOR TENTATIVE MAP NO. 1760807, 4211 - 4213 UTAH STREET TENTATIVE MAP  
PROJECT NO. 500603

ADOPTED BY RESOLUTION NO. R-\_\_\_\_\_ ON February 15, 2018

**GENERAL**

1. This Tentative Map will expire on February 15, 2021.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the Tentative Map expiration date, a Final Map to consolidate the existing lots into one lot shall be recorded in the Office of the San Diego County Recorder.
4. Prior to the recordation of the Final Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
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.

**ENGINEERING**

6. 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.
7. The Subdivider shall construct public improvements per project number PTS No. 446208, approval No. 1560561.
8. 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.

9. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
10. The Subdivider shall construct a current City Standard street light, adjacent to the site on Utah Street.
11. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
12. 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.

**PUBLIC WATER- SEWER**

13. The Subdivider shall assure, by permit and bond, the design and construction of any new water and sewer service(s) outside of any driveway, and abandonment of the existing unused water and sewer service adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.
14. The Subdivider shall apply for and obtain 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.
15. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.
16. Prior to the recording of the Final Map, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.
17. The Owner/Permittee shall design and construct all proposed public water and sewer facilities, in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

**MAPPING**

18. "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].
19. "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."
20. The Tentative Map shall:
  - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
  - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

**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. 24006836

## NOTICE OF EXEMPTION

(Check one or both)

TO:  Recorder/County Clerk  
 P.O. Box 1750, MS A-33  
 1600 Pacific Hwy, Room 260  
 San Diego, CA 92101-2400

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 Name: 4211 and 4213 Utah Street Tentative Map****Project No. 500603/ SCH No.: N/A****Project Location-Specific:** 4211 and 4213 Utah Street (APN 446-231-17, and 18), San Diego, California 92104**Project Location-City/County:** San Diego/San Diego

**Description of nature and purpose of the Project: TENTATIVE MAP (TM)** for the creation of 6 residential condominium units within a three-story, 13,801 square feet residential structure, currently under construction, and to waive the requirements to undergrounding utilities, on a 0.16 acre site.

**Name of Public Agency Approving Project:** City of San Diego

**Name of Person or Agency Carrying Out Project:** John B. Murphy, Three Frogs, Inc. (Firm), 5345 Timken Street, #C, La Mesa, CA 91942, (858) 342-7973

Exempt Status: (CHECK ONE)

- Ministerial (Sec. 21080(b)(1); 15268);  
 Declared Emergency (Sec. 21080(b)(3); 15269(a));  
 Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))  
 Categorical Exemption: CEQA Exemption 15305 (Minor Alterations in Land Use Limitations)

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 15305 which addresses minor alterations in land use limitations, in areas with an average slope of less than 20 percent, and which do not result in any changes in land use density. In addition, the exceptions listed in CEQA Section 15300.2 would not apply.

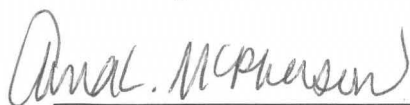
Lead Agency Contact Person: Rhonda Benally

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



Senior Planner/AICP

August 25, 2017

Signature/Title

Date

Check One:

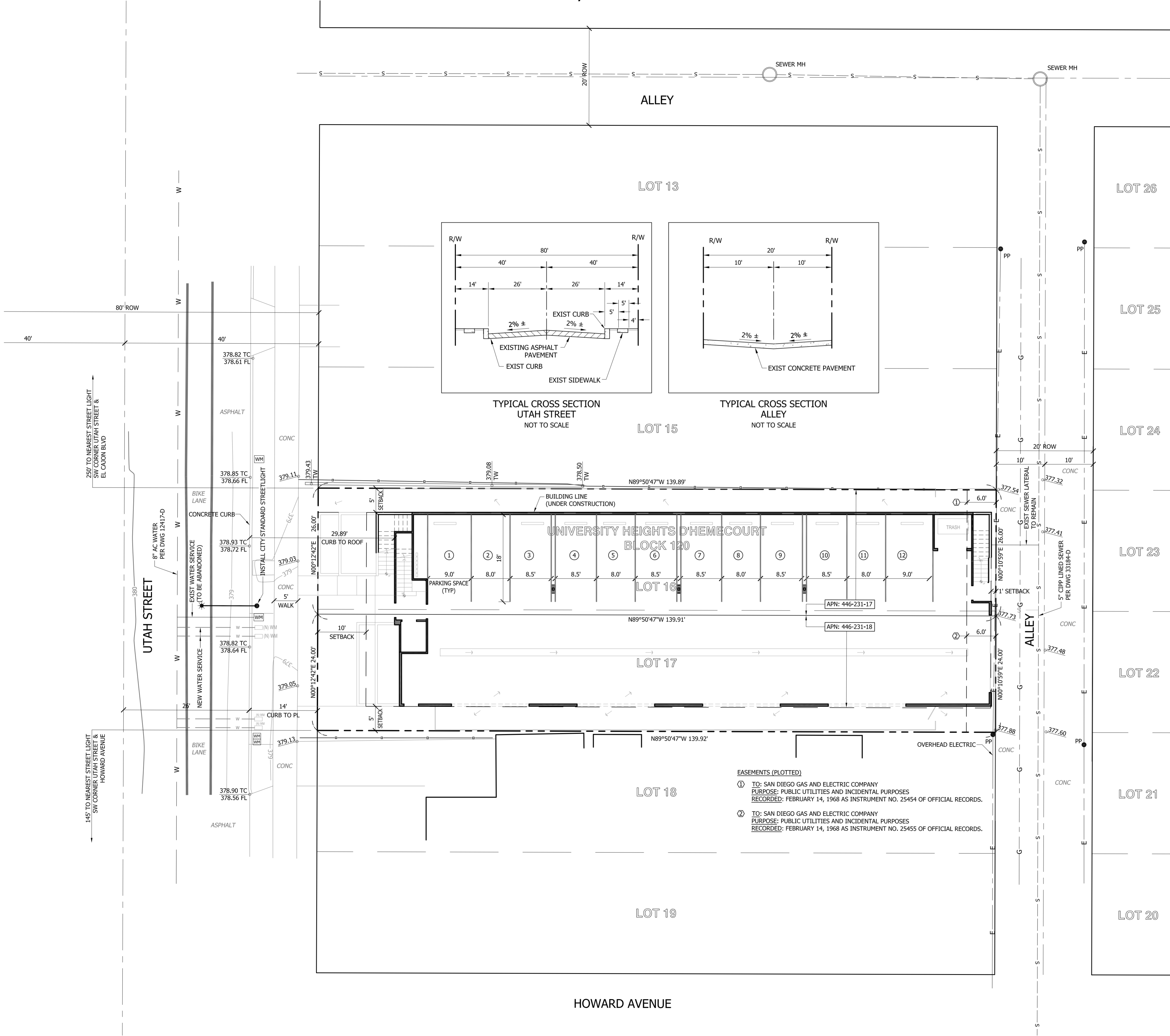
Signed By Lead Agency

Signed by Applicant

Date Received for Filing with County Clerk or OPR:



TENTATIVE MAP NO. 1760807  
PROJECT NO. 500603  
4211/4213 UTAH STREET ROW HOMES



**LEGEND: EXISTING FEATURES**

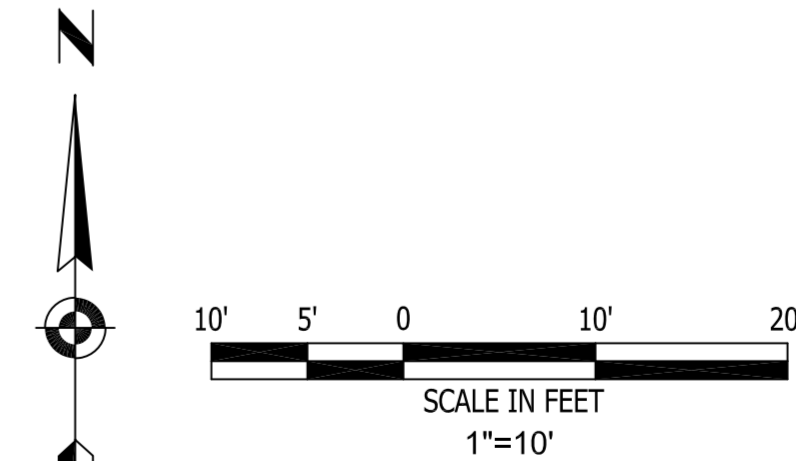
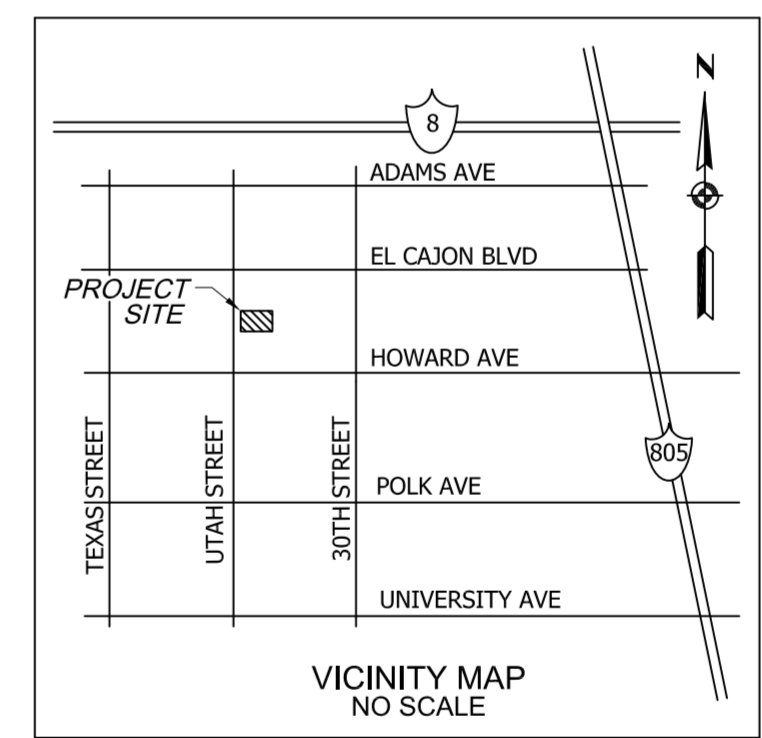
---	PROPERTY LINE/TM BOUNDARY
---	RIGHT OF WAY (ROW)
---	CENTER LINE
---	LOT LINE
---	FENCE WOOD
---	FENCE WOOD-CHAIN LINK
---	EDGE OF CONCRETE
---	OVERHEAD ELECTRIC LINE
---	SEWER LINE
---	WATER LINE
---	GAS LINE
---	CMU WALL
CONC	CONCRETE SURFACE
---	GROUND COUNTOUR (5' INTERVAL)
---	GROUND COUNTOUR (1' INTERVAL)
(NOTE: LABEL ORIENTATION INDICATES POSITIVE SLOPE)	
---	BOUNDARY LINE DATA
---	SPOT ELEVATION (EXIST)
---	SURFACE FLOW

**ABBREVIATIONS**

APN	ASSESSOR'S PARCEL NUMBER
BLDG	BUILDING
CMU	CONCRETE MASONRY UNIT
CONC	CONCRETE
EL	ELEVATION
EXIST	EXISTING
FL	FLOWLINE
PP	UTILITY POLE
PS	PARKING SPACE
ROW	RIGHT OF WAY
TC	TOP OF CURB
TW	TOP OF WALL
TYP	TYPICAL
WM	WATER METER

**EXISTING FRANCHISE UTILITY TABLE**

(TYPE)	(STATUS)
ELECTRIC	OVERHEAD
TELEPHONE	OVERHEAD
CABLE TELEVISION	OVERHEAD



- EASEMENTS (PLOTTED)**
- TO: SAN DIEGO GAS AND ELECTRIC COMPANY  
PURPOSE: PUBLIC UTILITIES AND INCIDENTAL PURPOSES  
RECORDED: FEBRUARY 14, 1968 AS INSTRUMENT NO. 25454 OF OFFICIAL RECORDS.
  - TO: SAN DIEGO GAS AND ELECTRIC COMPANY  
PURPOSE: PUBLIC UTILITIES AND INCIDENTAL PURPOSES  
RECORDED: FEBRUARY 14, 1968 AS INSTRUMENT NO. 25455 OF OFFICIAL RECORDS.

PREPARED BY:  
METROPOLITAN MAPPING  
3712 30TH STREET  
SAN DIEGO, CA 92104  
TEL: 619-564-6091  
FAX: 619-330-1830  
email: metromap.sd@gmail.com



VERNON V. FRANCK, PLS 7927

DATE

<b>DEVELOPMENT SUMMARY</b> TENTATIVE MAP (FOR CONDOMINIUM PURPOSES) EXISTING LOTS = 2, PROPOSED LOTS = 1
<b>SITE ADDRESS</b> 4211 & 4313 UTAH STREET STREET, SAN DIEGO, CA 92104 BETWEEN EL CAJON BLVD AND HOWARD STREET
<b>SITE AREA:</b> 7,000 SF / 0.161 ACRES
<b>EXISTING AND PROPOSED ZONING</b> BASE ZONE: MCCPD-MR800 B COMMUNITY PLAN: NORTH PARK
<b>OVERLAY ZONES</b> TRANSIT ZONE
<b>BUILDING SETBACKS</b> MINIMUM FRONT YARD: 10' SIDE YARD: 5' REAR YARD: 1'
<b>BUILDING DATA</b> NUMBER OF RESIDENTIAL UNITS: 6 TOTAL FLOOR AREA OF RESIDENTIAL UNITS: 8,891 SF NUMBER OF BUILDINGS: 1 NUMBER OF STORIES: 3 (PARKING BELOW) YEAR OF CONSTRUCTION: NEW/CURRENTLY UNDER CONSTRUCTION
<b>OFF-STREET PARKING SPACE REQUIREMENTS</b> PARKING REQUIRED: 6 UNITS @ 2BR EACH (6 x 1.75) = 10.5 SPACES PARKING PROVIDED: 11 SPACES
<b>PROJECT SOILS CONDITION</b> EXISTING DEVELOPED SITE
<b>PROJECT PERMITS REQUIRED</b> TENTATIVE MAP LOT CONSOLIDATION PARCEL MAP FOR CONDOMINIUM PURPOSES
<b>DEVELOPMENT NOTES</b> THIS IS A MAP OF A RESIDENTIAL CONDOMINIUM PROJECT AS DEFINED IN SECTION 4125 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. THE TOTAL NUMBER OF RESIDENTIAL CONDOMINIUM DWELLING UNITS IS 6.
<b>MONUMENTATION &amp; MAPPING NOTE</b> ALL PROPERTY CORNERS ARE SET AND A LOT CONSOLIDATION FINAL MAP WILL BE FILED AT THE COUNTY RECORDER'S OFFICE PRIOR TO THE EXPIRATION OF THE TENTATIVE MAP. A DETAILED PROCEDURE OF SURVEY WILL BE SHOWN ON THE FINAL MAP AND ALL PROPERTY CORNERS WILL BE SET OR SHOWN ON THE FINAL MAP.
<b>REFERENCE DRAWINGS</b> UNIVERSITY HEIGHTS D'HEMECOURT MAP ROS 21200
<b>NOTES</b> 1. THE MAINTENANCE OF THE PRIVATE WATER AND SEWER FACILITIES SERVING THIS PROJECT SHALL BE GOVERNED BY PRIVATE COVENANTS, CONDITIONS, AND RESTRICTIONS. 2. EXISTING DRAINAGE PATTERNS: SURFACE FLOW TO UTAH STREET AND CONCRETE ALLEY 3. THE SUBDIVIDER SHALL INSTALL APPROPRIATE PRIVATE BACK FLOW PREVENTION DEVICES ON ALL EXISTING AND PROPOSED WATER SERVICES (DOMESTIC, IRRIGATION, AND FIRE) ADJACENT TO THE PROJECT SITE IN A MANNER SATISFACTORY TO THE WATER DEPARTMENT DIRECTOR. 4. THE PROJECT IS NEW CONSTRUCTION: UNDER CONSTRUCTION. 5. REFERENCE BUILDING AND LANDSCAPE PERMIT: APPROVAL NO. 1560561, PTS 446208, ISSUED 07/01/2016
<b>FAA CERTIFICATION</b> I _____ DO HEREBY CERTIFY THAT THE STRUCTURE(S) OR MODIFICATION TO EXISTING STRUCTURE(S) SHOWN ON THESE PLANS DO NOT REQUIRE FEDERAL AVIATION ADMINISTRATION NOTIFICATION BECAUSE PER SECTION 77.15 (A) OF TITLE 14 OF THE CODE OF FEDERAL REGULATIONS CFR PART 77, NOTIFICATION IS NOT REQUIRED.
<b>PROJECT OWNER</b> FMSI HOLDINGS, LLC  DEAN MIRALDI, PARTNER _____ DATE _____
<b>LEGAL DESCRIPTION</b> PARCEL 1 (APN: 446-231-17): THE SOUTH 24 FEET OF LOT 17 IN BLOCK 120 OF UNIVERSITY HEIGHTS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO AMENDED MAP THEREOF MADE BY G. A. D'HEMECOURT, IN BOOK 8, PAGE 36 ET SEQ OF LIS PENDENS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY. PARCEL 2 (APN: 446-231-18): LOTS 16 AND 17, EXCEPT THE SOUTH 24 FEET OF LOT 17, IN BLOCK 120 OF UNIVERSITY HEIGHTS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO AMENDED MAP THEREOF MADE BY G. A. D'HEMECOURT, IN BOOK 8, PAGE 36 ET SEQ OF LIS PENDENS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.
<b>SOURCE OF TOPOGRAPHY</b> FIELD SURVEY BY METROPOLITAN MAPPING, JULY, 2016
<b>BASIS OF ELEVATIONS</b> CITY OF SAN DIEGO BENCHMARK DESCRIPTION: BRASS PLUG (SEBP) LOCATION: TOP OF CURB, SOUTHWEST CORNER UTAH STREET & HOWARD AVENUE ELEVATION: 380.07 FEET DATUM: NAVD 29 (M.S.L.)
<b>BASIS OF BEARINGS</b> THE EAST ROW OF UTAH STREET PER RECORD OF SURVEY NO. 21200 I.E., N0°12'42"E
<b>COORDINATES</b> NAD 27: 214-1729 CCS 83: 1854-6289
<b>ASSESSOR'S PARCEL NUMBER:</b> 446-231-17 AND 18
<b>PROJECT NAME</b> 4211/13 UTAH STREET ROW HOMES
<b>DRAWING TITLE</b> TENTATIVE MAP NO. 1760807
PTS NO. 500603 I.O. NO. 24006836 SHEET 1 OF 1



**NORTH PARK PLANNING COMMITTEE**

**Draft Minutes: April 18, 2017 – 6:30 PM**

[www.northparkplanning.org](http://www.northparkplanning.org)

[info@northparkplanning.org](mailto:info@northparkplanning.org)

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**I. Call to order: 6:33 pm**  
**1. Attendance Report:**

Member	Kate Callen	Dennis Campbell	Dionné Carlson	Kathleen Ferrier	Daniel Gebreselassie	Robert Gettinger	Peter Hill	Brandon Hilpert	Megan Kucharski	Sarah McAlear	Dang Nguyen	Melissa Stayner	Tim Taylor	Eduardo Velasquez	René Vidales
Attendance	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Late															
Absences															

**2. Modifications to and Adoption of the 4/18/17 Agenda**

a. **Modification of Agenda. MOTION:** Move Election of Board Officers and Appointment of Subcommittee Chairs & Liaisons (Items V.1.b & c) to after adoption of the Agenda, and make CPC Designee and Alternate (Item V.1.c.iii) an Action Item. McAlear/Campbell 15-0-0

**b. Consent Agenda.**

i. **Tentative Map (TM) Request – 4211-4213 Utah St.** for 6 residential condominium units currently under construction, and request to waive the requirements to underground utilities. The project is a three-story, 13,801 square feet residential structure on a 0.16-acre site in the MCCPD-MR-800B Zone(s). PTS 500603. Maggie Roland, representative and presenter. Subcommittee discussion focused on the failure of the current TM approval process to allow earlier community input into a project while it's still possible to modify the project. MOTION: Deny the Tentative Map at 4211-4213 Utah St, PTS 500603 due to lack of community input. Steppke/Gebreselassie (5/0/0)

**MOTION:** Approve consent agenda. Carlson/UDPR on consent 15-0-0

c. **Adoption of the Agenda. MOTION:** Adopt 4/18/17 agenda as modified. Hilpert/Taylor 15-0-0

**II. Election of Board Officers and Appointment of Subcommittee Chairs & Liaisons**

**a. Election of Board Officers**

- i. **MOTION:** approve René Vidales as Chair: Carlson/Stayner 15-0-0
- ii. **MOTION:** approve Dennis Campbell as Vice-Chair: Carlson/Stayner 15-0-0
- iii. **MOTION:** approve Sarah McAlear as Secretary: Hilpert/Campbell 15-0-0
- iv. **MOTION:** approve Brandon Hilpert as Treasurer: McAlear/Gettinger 15-0-0
- v. **MOTION:** approve Dennis Campbell (Designate) and Tim Taylor (Alternate) representatives on Community Planners Committee (CPC). Vidales/Hilpert 15-0-0

**b. Appointment of Subcommittee Chairs & Liaisons**

- i. Reappoints Peter Hill as Chair, and Melissa Stayner as Vice-Chair of Urban Design/Project Review Subcommittee



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** \_\_\_\_\_ **Project No. For City Use Only** \_\_\_\_\_  
 4211 and 4213 Utah Street TM 500603

**Project Address:**  
 4211 and 4213 Utah Street

**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: \_\_\_\_\_



<b>Project Title:</b>	<b>Project No. (For City Use Only)</b>
-----------------------	--

**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):  
FMSI Holdings, LLC

Owner     Tenant/Lessee

Street Address:  
275 East Liberty Street

City/State/Zip:  
Lancaster, PA 17602

Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
530-908-9081

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

Title (type or print):  
Manager

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: \_\_\_\_\_

Corporate/Partnership Name (type or print):

Owner     Tenant/Lessee

Street Address:

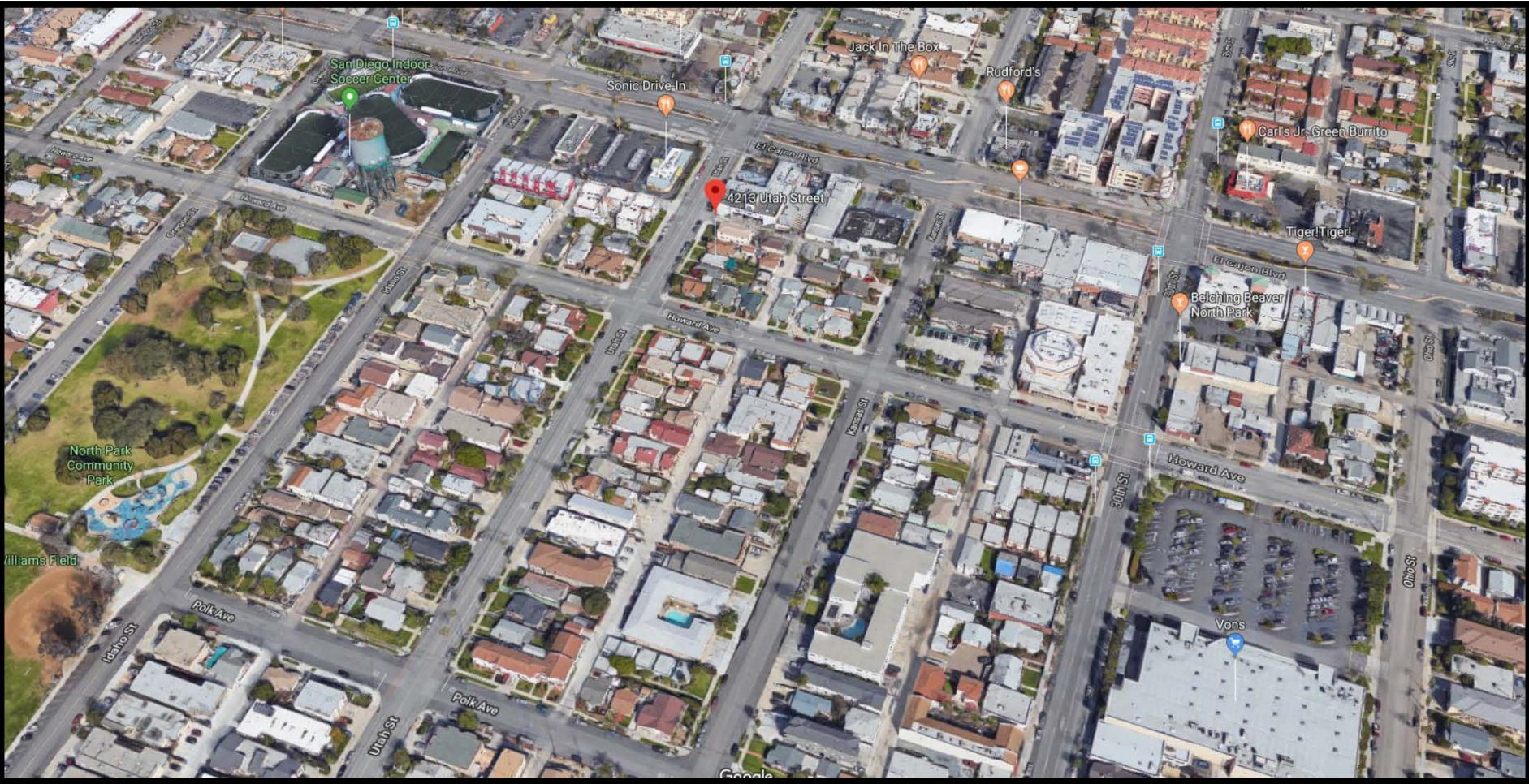
City/State/Zip:

Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

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

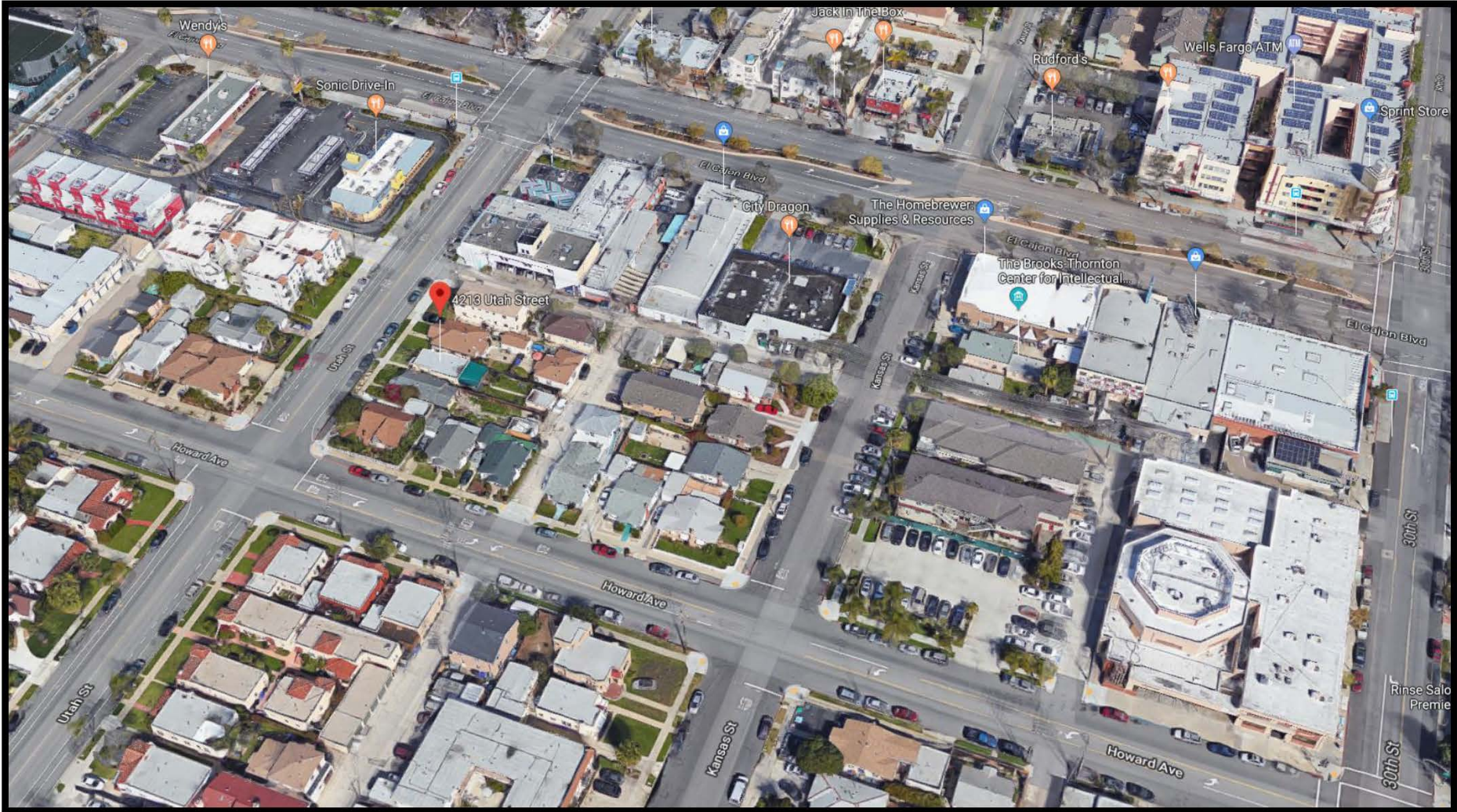
Title (type or print):

Signature : \_\_\_\_\_ Date: \_\_\_\_\_



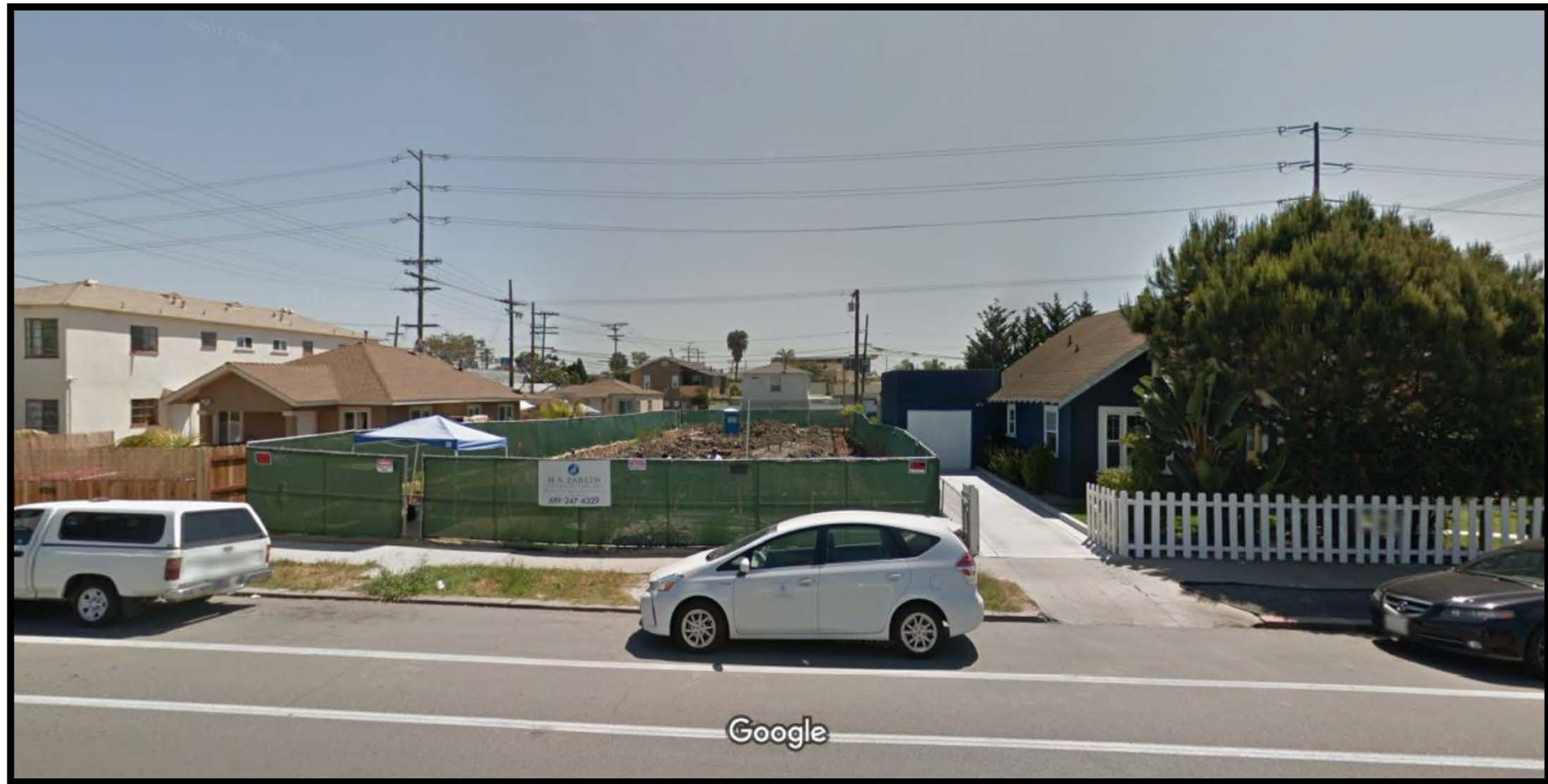
4211 and 4213 Utah Street Tentative Map / 4211 and 4213 Utah Street  
PROJECT NO. 500603





4211 and 4213 Utah Street Tentative Map / 4211 and 4213 Utah Street  
PROJECT NO. 500603





Google



4211 and 4213 Utah Street Tentative Map / 4211 and 4213 Utah Street  
PROJECT NO. 500603



4211 and 4213 Utah Street Tentative Map / 4211 and 4213 Utah Street  
PROJECT NO. 500603