



THE CITY OF SAN DIEGO

## Report to the Planning Commission

DATE ISSUED: July 12, 2018 REPORT NO. PC-18-042

HEARING DATE: July 19, 2018

SUBJECT: OHIO ST. TM - Process Four Decision

PROJECT NUMBER: [564139](#)

OWNER/APPLICANT: B&B 4365 Ohio St LLC/Metropolitan Mapping

### SUMMARY

Issue: Should the Planning Commission approve the Tentative Map for the creation of six residential condominium units in an under-construction development and waive the requirement to underground existing offsite overhead utilities, at 4365 through 4369 Ohio Street, in the North Park Community Planning area?

Staff Recommendation: APPROVE Tentative Map No. 2002839.

Community Planning Group Recommendation: On March 20, 2018, the North Park Planning Committee voted 9-3-0 to recommend approval of the project with no conditions (Attachment 7).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(k), Existing Facilities. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on May 4, 2018, and the opportunity to appeal that determination ended May 21, 2018 (Attachment 5)

Fiscal Impact Statement: All cost associated with this project are paid for by a deposit account funded by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: Project approval would allow the creation of six residential condominium units in an under-construction multi-family project. The applicant paid an in-lieu fee at the time of building permit issuance to comply with the City's Affordable Housing Regulations.

## BACKGROUND

The 0.161-acre site is located at 4365 through 4369 Ohio Street (Attachment 1), in the RM-3-9 zone, within the North Park Community Plan area. The RM-3-9 is a multi-family zone that became effective for the site on June 4, 2017, in conjunction with an update to the North Park Community Plan. The density per the RM-3-9 zone allows a maximum of 12 dwelling units onsite with no required minimum density.

The under-construction project consists of six, three-story units with roof decks over common garage area, totaling 13,801 square feet. The project consists of six, two-bedroom units with a total of eleven parking spaces, where eleven parking spaces is required. The development is being constructed by-right under the previously conforming MR-800B zone in accordance with the San Diego Municipal Code (SDMC) Mid-City Communities Planned District Ordinance. The ministerial building permits were deemed complete on December 15, 2016 and approved on July 7, 2017, via project No. 528105. At the time of building permit issuance, the applicant paid an in-lieu fee to comply with the City's Affordable Housing Regulations. During ministerial review the project was determined to be in compliance with all underlining zone regulations including but not limited to height, floor area ratio, parking, setbacks and landscaping. The Tentative Map would allow the creation of condominium units for home ownership opportunities and does not affect the previously approved building permit approved under project No. 528105.

The project site is located three blocks west of Interstate 805, on the east side of Ohio Street, mid-block between Meade Avenue and El Cajon Boulevard with alley access at the rear of the property. The level site is located in a developed, urban neighborhood surrounded by single-family and multi-family development to the north, south, east and west and commercial development to the south, along El Cajon Boulevard.

## DISCUSSION

### Tentative Map:

The application is requesting the approval of a Tentative Map in accordance with the [SDMC Section 125.0410](#) to consolidate two existing lots into one and create six residential condominium units in the under-construction project described above. No new physical development is proposed with this mapping action.

The proposed project requires a Process Four, Planning Commission decision with appeal right to City Council. According to [SDMC Section 125.0440](#), Findings for a Tentative Map, the decision maker may approve a Tentative Map if the decision maker finds that the proposed subdivision complies with the requirements of the Subdivision Map Act and the SDMC. Staff has reviewed the proposed subdivision and determined that it complies with both the Subdivision Map Act and the SDMC.

### Overhead Utility Underground Waiver:

There are existing off-site overhead utilities abutting the project site along the alley right-of-way. Pursuant to [SDMC Section 144.0240\(b\)\(5\)](#), the applicant has requested a waiver of the requirement

to underground these utilities. The project qualifies for the waiver in accordance to [SDMC Section 144.0242\(c\)\(1\)\(B\)](#), as the conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility. The site is located in Block 3Y3 of the City of San Diego Utilities Undergrounding Master Plan, which allocates this block for utility undergrounding in 2032.

Community Plan Analysis:

The North Park Community Plan designates the 0.161-acre site for residential very high development at a rate of 55 to 73 dwelling units per acre, or 9-12 units allowed on site. The project proposes a Tentative Map for the creation of six residential condominium units in an under-construction development, approved by-right under Project No. 528105. The density per the RM-3-9 zone allows a maximum of 12 dwelling units onsite with no required minimum density. The proposed tentative map will not adversely affect the North Park Community Plan allowed land use. The project would also assist with furthering the North Park Community Plan Land Use goals to provide population density and multi-family development that does not detract from its surrounding neighborhood by providing for-sale residential units in an established, predominantly multi-family, urban neighborhood.

CONCLUSION:

Staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulation of the Land Development Code. Staff has provided draft findings and conditions of approval (Attachment 4) to support of the project. Staff recommends the Planning Commission approve the project as proposed.

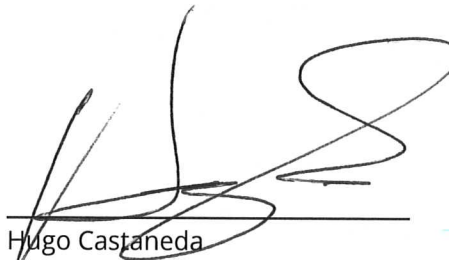
ALTERNATIVES

1. Recommend the Planning Commission approve Tentative Map No. 2002839 with modifications.
2. Recommend the Planning Commission deny Tentative Map No. 2002839, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



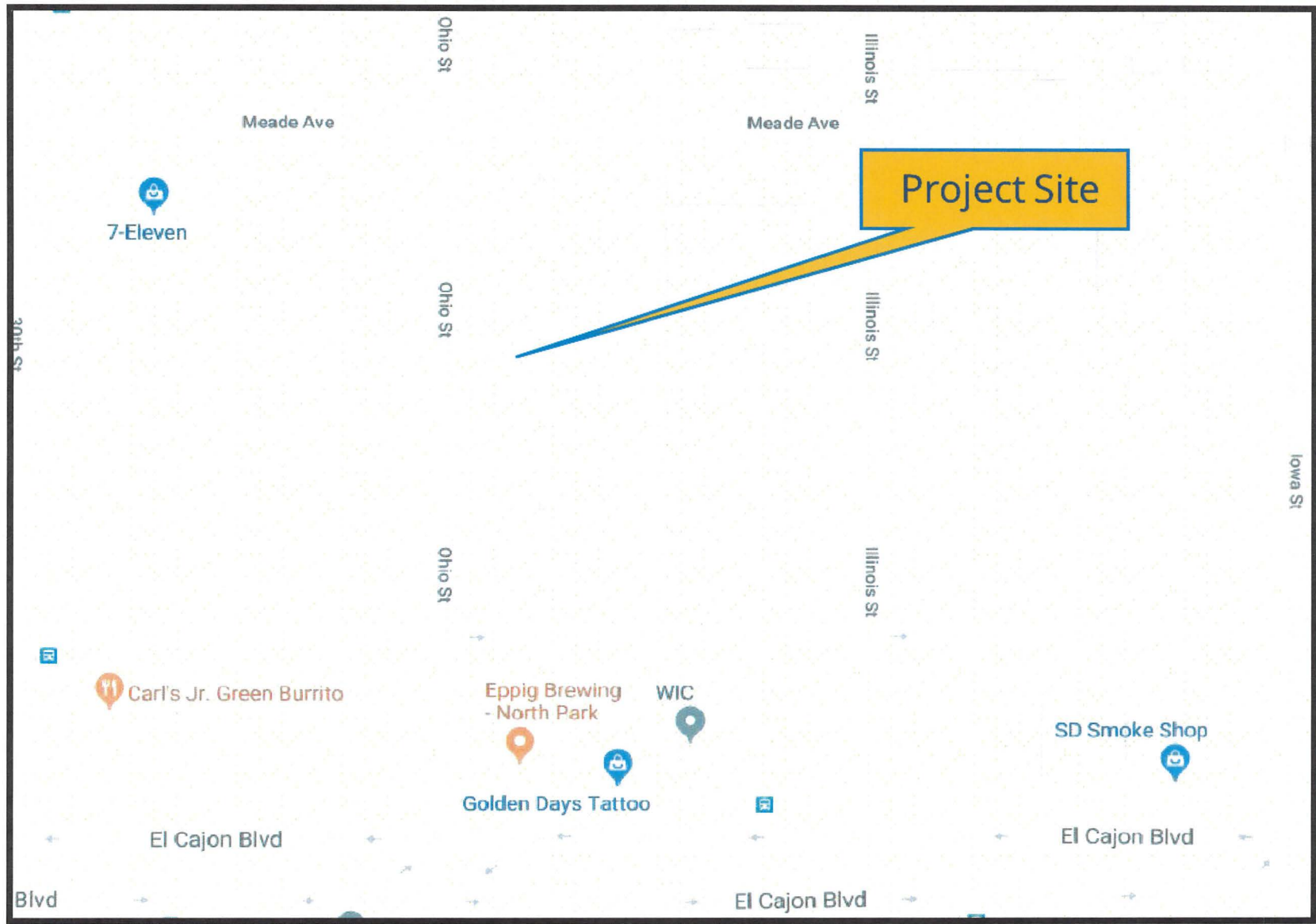
P.J. FitzGerald  
Assistant Deputy Director  
Development Services Department



Hugo Castaneda  
Development Project Manager  
Development Services Department

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Map Resolution with Findings and Conditions
5. Environmental Exemption and Notice of Right to Appeal Environmental Determination
6. Map Exhibit-Tentative Map
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Site Photographs

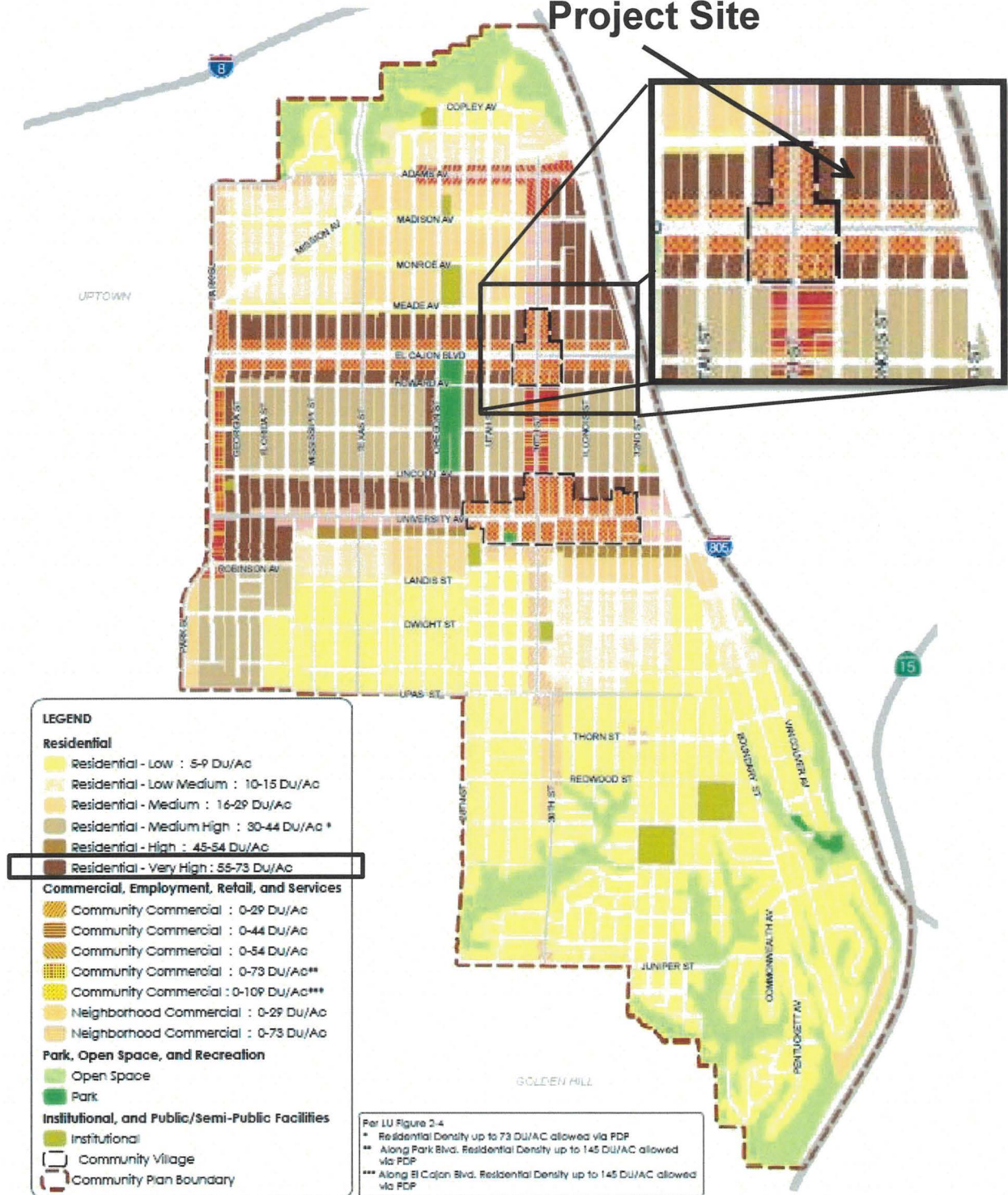


## Project Location Map

Ohio Street TM / 4365 through 4369 Ohio Street  
PROJECT NO. 564139



## Project Site



## Land Use Map

Ohio Street TM / 4365 through 4369 Ohio Street  
PROJECT NO. 564139



## Aerial Photo

Ohio Street TM / 4365 through 4369 Ohio Street  
PROJECT NO. 564139

North



PLANNING COMMISSION  
RESOLUTION NUMBER R-\_\_\_\_\_  
TENTATIVE MAP NO. 2002839, OHIO ST. TM - PROJECT NO. 564139

WHEREAS, B&B 4365 Ohio St LLC, Subdivider, and Metropolitan Mapping, Surveyor, submitted an application to the City of San Diego for Tentative Map No. 2002839 for the creation of six condominium units currently construction, and to waive the requirement to underground existing offsite overhead utilities. The project site is located at 4365 and 4369 Ohio Street, in the RM-3-9 zone, within the North Park Community Plan. The property is legally described as Lots 7 and 8 in Block 112 of University Heights, in the City of San Diego, County of San Diego, State of California, according to amended map made by G.A. D'Hemecourt in Book 8, page 36 ET SEQ of LIS pendens filed in the office of the County Recorder of San Diego County; and

WHEREAS, the Map proposes the Subdivision of a 0.161-acre site into six units for residential condominium development; and

WHEREAS, on May 4, 2018, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act [CEQA] (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15301(k); and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; and

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

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 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) in that the conversion involves a short span of overhead facility (less than a full block in length) and would not represent a logical extension to an underground facility; and

WHEREAS, on July 19, 2018, the Planning Commission of the City of San Diego considered Tentative Map No. 2002839, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to San Diego Municipal Code section(s) 125.0440 (tentative map), and 144.0240 (undergrounding) of the San Diego Municipal Code and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 2002839:

**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 to consolidate two existing lots into one and create six residential condominium units, currently under construction, and to waive the requirements to underground existing offsite overhead utilities. The 0.161-acre site is located at 4365 through 4369 Ohio Street in the RM-3-9 zone, within the North Park Community Plan area. The proposed Tentative Map is to create residential condominium units for individual ownership with no enlargement or expansion of use.

The proposed project is consistent with the land use residential designation of the North Park Community Plan. The Community Plan designates the project site very high density, for 55-73 dwelling units per acre (Per North Park Community Plan Figure 2-1, pg. 15), or 9-12 units allowed on site. The project proposes a Tentative Map for the creation of six residential condominium units in an under-construction development, approved by-right under Project No. 528105. The density per the RM-3-9 base zone allows a maximum of twelve dwelling units onsite with no required minimum density. Therefore, the creation of six residential condominium units in the under-construction project will not adversely affect the North Park Community Plan allowed land use and the base zone allowed density. This project would also meet the San Diego Municipal Code (SDMC) development regulations including but not limited to height, setbacks, parking, landscape and floor area ratio. Therefore, the proposed development is in conformity with the adopted Community Plan and complies with the regulation of the Land Development Code. The proposed subdivision and its design or improvements are consistent with the policies, goals and objectives of the applicable land use 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 to consolidate two existing lots into one and create six residential condominium units, currently under construction, and to waive the requirements to underground existing offsite overhead utilities. The 0.161-acre site is located at 4365 through 4369 Ohio Street in the RM-3-9 zone, within the North Park Community Plan area. The proposed Tentative Map is to create residential condominium units for individual ownership with no enlargement or expansion of use.

The development is being constructed by right in accordance with the San Diego Municipal Code's base zone regulations. On July 7, 2017, the City of San Diego approved the residential development's ministerial construction permits under Project No. 528105. During the ministerial review the project was determined to be in compliance with all the underlying zone regulations including but not limited to height, floor area ratio, parking, setbacks, and landscaping and no deviations were proposed. The Tentative Map proposes condominiums for home ownership opportunities and does not affect the previously approved building permits.

The neighborhood currently contains SDG&E power poles within the public right-of-way along the alley. The City's undergrounding Master Plan designates the site within Block 3Y3, and is estimated for construction in June 2032. The proposed subdivision utilities shall be undergrounded and the project includes a waiver for the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public right-of-way. In conformance with the SDMC Section 144.0240(b)(5) the waiver of the requirements to underground privately owned utility systems and services facilities qualifies under the guidelines of the SDMC Section 144.0242(c)(1)(B) as follows: The conversion involves a short span of overhead facility (less than a block in length) and would not represent a logical extension to an underground facility. The project does not propose any deviation. Therefore, the proposed subdivision complies with the applicable zoning and development regulation of the Land Development Code.

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

The project proposes a Tentative Map to consolidate two existing lots into one and create six residential condominium units, currently under construction, and to waive the requirements to underground existing offsite overhead utilities. The 0.161-acre site is located at 4365 through 4369 Ohio Street in the RM-3-9 zone, within the North Park Community Plan area. The proposed Tentative Map is to create residential condominium units for individual ownership with no enlargement or expansion of use.

The site is located in an urban developed neighborhood with level topography, is served by existing public infrastructure/utilities and fronts on the fully developed Ohio Street and rear alley right-of-way. The site is being constructed in compliance with all geologic, engineering and building code requirements, as reviewed under the issued building permit (Project No. 528105) and right-of-way permit (Project No. 559909). The approved construction permits also include the requirement to install City-standard sidewalk, curb and gutter along Ohio Street and improve the full width of the alley along the length of the project site. 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 project proposes a Tentative Map to consolidate two existing lots into one and create six residential condominium units, currently under construction, and to waive the requirements to underground existing offsite overhead utilities. The site is within an existing, developed, in-fill urban area surrounded on all sides by existing residential development. The site does not contain nor is adjacent to any fish or wildlife habitats, environmentally sensitive lands or Multiple Habitat Planning Area lands. The project is exempt from the California Environmentally Quality Act (CEQA) pursuant to Section 15301(k) of the State CEQA Guidelines. Therefore, the design of the proposed subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

**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 to consolidate two existing lots into one and create six residential condominium units for home ownership opportunities and does not affect the previously approved construction permits. The project has been reviewed and is in compliance with the San Diego Municipal Code (SDMC) and the Subdivision Map Act. The Tentative Map includes conditions and corresponding exhibits of approvals relevant to adequate parking, public improvements, and payment of applicable fees in order to achieve compliance with the regulations of the SDMC. The site is being constructed in compliance with all applicable geologic, engineering and building code requirements, as reviewed under the issued building permit (Project No. 528105) and right-of-way permit (Project No. 559909). The proposed subdivision is consistent with the development regulations of the underlying zone of the Land Development Code regulations and permitted requirements continue to govern this project. Therefore, the design of the subdivision or the type of improvements 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.**

The proposed subdivision does not contain any easements acquired by the public at large for access through or use of property within the subdivision. The site fronts on Ohio Street and is accessed from the alley right-of-way at the rear of the site. Therefore, the design of the subdivision and proposed improvement would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

The proposed subdivision to consolidate two existing lots into one and create six residential condominium units will not impede or inhibit any future passive or natural heating and cooling opportunities. Each residential unit, currently under construction is exposed on two sides (north and south) to ensure passive cooling through cross-ventilation for the interior spaces. Therefore, the design of the proposed subdivision provides sufficient 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 proposes a Tentative Map to consolidate two existing lots into one and create six residential condominium units, currently under construction, and to waive the requirements to underground existing offsite overhead utilities. The 0.161-acre site is located at 4365 through 4369 Ohio Street in the RM-3-9 zone, within the North Park Community Plan area. The proposed Tentative Map is to create residential condominium units for individual ownership with no enlargement or expansion of use.

All applicable Development Impact Fees (DIF), school, water/sewer connection and other impact fees have been paid at building permit issuance under Project No. 528105. The applicant has complied with the City's Affordable Housing Regulations through payment of the in-lieu fee at the time of building permit issuance. The project is located in an urban, developed neighborhood and served by existing public infrastructure, including improved right-of-way and water, sewer, electrical and gas lines. The decision maker has reviewed the administrative record including the project plans, environmental documentation and public testimony to determine the effects of the proposed subdivision on the housing needs of the region. Those needs were balanced against the needs for public services and the available fiscal and environmental resources and found that the proposed subdivision will not adversely impact the housing needs of the North Park Community Planning area.

## ATTACHMENT 4

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. 2002839, including the waiver of the requirement to underground existing offsite overhead utilities, hereby granted to B&B 4365 Ohio St LLC, subject to the attached conditions which are made a part of this resolution by this reference.

By \_\_\_\_\_  
Hugo Castaneda  
Development Project Manager  
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24007393

PLANNING COMMISSION  
CONDITIONS FOR TENTATIVE MAP NO. 2002839  
OHIO ST. TM - PROJECT NO. 564139  
ADOPTED BY RESOLUTION NO. R-\_\_\_\_\_ ON \_\_\_\_\_

**GENERAL**

1. This Tentative Map will expire on August 2, 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 recordation of the Final Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
4. The 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**

5. The following will be conditions of the Tentative Map Resolution that the subdivider will need to satisfy/assure before the Final Map is recorded.
6. The Subdivider shall ensure that all 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.
7. The Subdivider shall construct the required Public Improvements per approved Right-of-Way Permit No. 1970311 - Project No. 559909 including reconstruction of curb, gutter, sidewalk and full width alley per current city standards along entire property frontage.

8. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
9. 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**

10. "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].
11. 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.
12. The Final Map shall be based on field survey and all lot corners must be marked with durable survey monuments pursuant to Section 144.0311(d) of the City of San Diego Land Development Codes and Subdivision Map Act Section 66495.

All survey monuments shall be set prior to the recordation of the Final Map, unless the setting of monuments is deemed impractical due to the proposed improvements and/or grading associated with the project, in which case, delayed monumentation may be applied on the Final Map in accordance with Section 144.0130 of the City of San Diego Land Development Codes.

13. Prior to the expiration of the Tentative Map, a Final Map to consolidate and subdivide the properties into 6 residential condominium units shall be recorded in the Office of the San Diego County Recorder.
14. 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.

If tax bond is required as indicated in the tax certificate, ensure that it is paid or posted at the County Clerk of the Board of Supervisors Office along with the associated compliance fee to avoid delaying the recordation of the Final Map.

15. "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."

16. The Final Map shall:

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

**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. 24007393

**NOTICE OF EXEMPTION****ATTACHMENT 5**

(Check one or both)

TO:   X   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 No.: **564139**

Project Title: **Ohio Street Tentative Map**

Project Location-Specific: 4365 - 4369 Ohio Street, San Diego, CA 92104

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

Description of nature and purpose of the Project:

TENTATIVE MAP #2002839 for the subdivision of two existing parcels for the creation of six condominium units currently under construction and to waive the requirements to underground existing utilities located at 4365 through 4369 Ohio Street. The 0.161-acre site is in the RM-3-9 zone, Transit Area Overlay Zone (TAOZ), Airport FAA Pt. 77-Montgomery Field, Greater North Park Community Plan Area. Council District 3. (LEGAL DESCRIPTION: Lot 7 and 8 in Block 112 of University Heights, in the City of San Diego, in the office of the County Recorder of San Diego County, APN: 446-183-03).

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: John Murphy, MCW Inc.  
5345 Timken Street, Unit 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))
- (x) Categorical Exemption: 15301 (k), Existing Facilities
- ( ) Statutory Exemptions:

Reasons why project is exempt: The City of San Diego conducted an environmental review that determined that the proposed Tentative Map would not have the potential for causing a significant effect on the environment in that the project is consistent with the community plan and the applicable zone. The proposed Tentative Map proposes no construction therefore, no environmental affects would occur. Therefore the activity meets the criteria set forth in sections 15301 (k), Existing Facilities; and the exceptions listed in CEQA section 15300.2 would not apply.

Lead Agency Contact Person: Rachael Lindquist, Planner

Telephone: (619) 446-5129


If filed by applicant:

Revised 010410mjh

## ATTACHMENT 5

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

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

  
Signature/Title

CHRIS TRACY, AICP  
SENIOR PLANNER

5/21/18  
Date

Check One:

(X) Signed By Lead Agency

☐ Signed by Applicant

Date Received for Filing with County Clerk or OPR:



THE CITY OF SAN DIEGO

Date of Notice: May 4, 2018

## NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24007393

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**PROJECT NAME / NUMBER:** OHIO ST TM / 564139

**COMMUNITY PLAN AREA:** GREATER NORTH PARK

**COUNCIL DISTRICT:** 3

**LOCATION:** 4365-4369 OHIO STREET, San Diego CA, 92104

**PROJECT DESCRIPTION:** Tentative Map #2002839 for the subdivision of two existing parcels for the creation of six condominium units currently under construction and to waive the requirements to underground existing utilities. The 0.161-acre site is in the RM-3-9 zone, Transit Area Overlay Zone (TAOZ), Airport FAA Pt. 77-Montgomery Field, Greater North Park Community Plan Area. Council District 3. (LEGAL DESCRIPTION: Lot 7 and 8 in Block 112 of University Heights, in the City of San Diego, in the office of the County Recorder of San Diego County, APN: 446-183-03).

**ENTITY CONSIDERING PROJECT APPROVAL:** City of San Diego Planning Commission.

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15301 (K), EXISTING FACILITIES.

**ENTITY MAKING ENVIRONMENTAL DETERMINATION:** City of San Diego

**STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:** The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Sections 15301 (k), Existing Facilities. There is no physical development in conjunction with this tentative map and therefore, would not cause any impacts on the environment under this action.

**DEVELOPMENT PROJECT MANAGER:**

Hugo Castenada

**MAILING ADDRESS:**

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

**PHONE NUMBER / EMAIL:**

(619) 446-5337 / HCastenada@sandiego.gov

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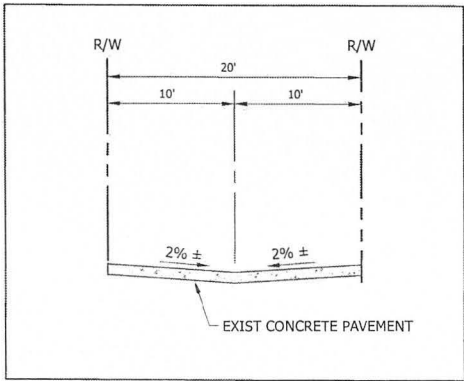
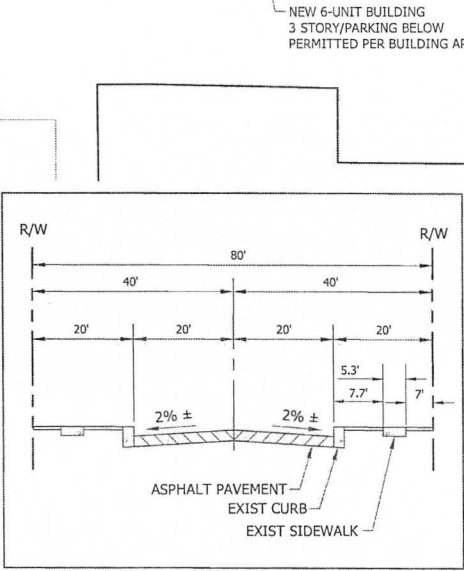
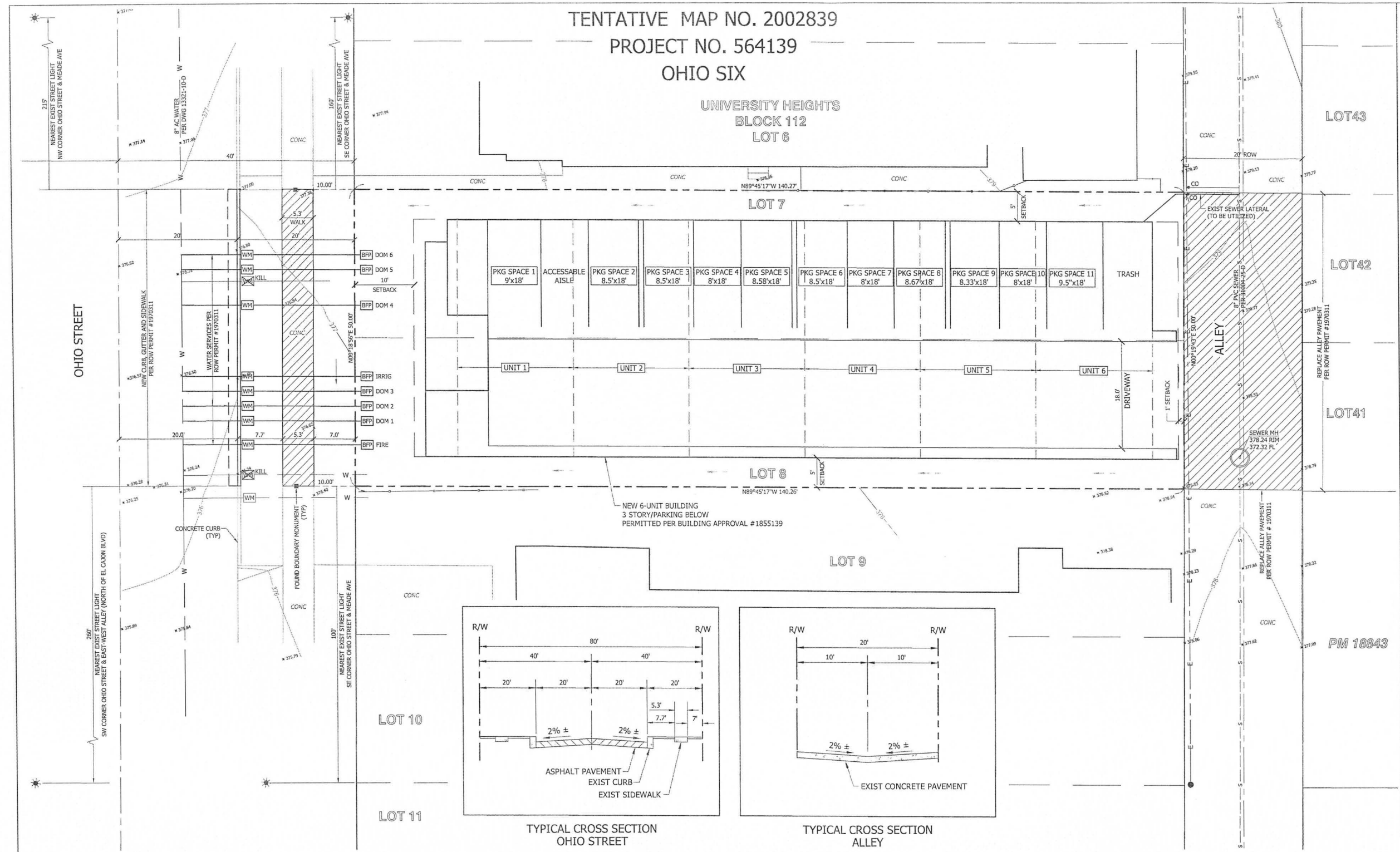
On May 4, 2018 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

## ATTACHMENT 5

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 (May 18, 2018). 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.

POSTED IN THE OFFICE OF D&D	
Posted	MAY 02 2018 <i>ml</i>
Removed	MAY 21 2018
Posted by	<i>myrabel</i>

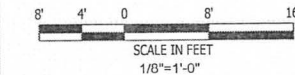


ABBREVIATIONS	
APPROX.	APPROXIMATE
BLDG	BUILDING
CMU	CONCRETE MASONRY UNIT
CO	CLEAROUT
CONC	CONCRETE
DI	DRAIN INLET
DWAY	DRIVEWAY
EL	ELEVATION
FF	FINISHED FLOOR
FL	FLOWLINE
FTG	FOOTING
GB	GRADE BREAK
PP	UTILITY POLE
R/W	RIGHT OF WAY
TG	TOP OF GRATE (DRAIN)
TC	TOP OF CURB
TYP	TYPICAL
TW	TOP OF WALL
UP	UP (STEP)
WM	WATER METER

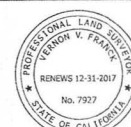
LEGEND	
	PROPERTY LINE/RIGHT OF WAY BOUNDARY
	CENTER LINE
	LOT LINE
	FENCE-WOOD BUILDING LINE
	EDGE OF CONCRETE CMU WALL
	CONCRETE SURFACE
	WATER LINE
	SEWER LINE
	GAS LINE
	OVERHEAD ELECTRIC LINE
	SURFACE FLOW
	GROUND CONTOUR (1' INTERVAL)
(NOTE: LABEL ORIENTATION INDICATES POSITIVE SLOPE)	
	ELECTRIC METER
	GAS METER
	WATER METER
	SPOT ELEVATION
	BOUNDARY LINE DATA
	PROPERTY BOUNDARY MONUMENT

EXISTING FRANCHISE UTILITY TABLE	
(TYPE)	(STATUS)
ELECTRIC	OVERHEAD
TELEPHONE	OVERHEAD
CABLE TELEVISION	OVERHEAD

CITY OF SAN DIEGO DEVELOPMENT SUMMARY	
<b>SUMMARY OF REQUEST</b> TENTATIVE MAP (FOR CONDOMINIUM PURPOSES) EXISTING LOTS = 2 PROPOSED LOTS = 1	
<b>EXISTING SITE DATA</b> <b>SITE ADDRESS</b> 4365-69 OHIO STREET SAN DIEGO, CA 92104 (BETWEEN EL CAJON BLVD AND MEADE AVE) <b>SITE AREA</b> 7,000 SF / 0.161 ACRES	
<b>EXISTING ZONING</b> BASE ZONE: RM-3-9 THE CURRENT ZONE IS RM-3-9 AND THE PROPOSAL WAS PROCESSED UNDER THE CONFORMING ZONE MCCPD-MR-800	
<b>OVERLAY ZONES</b> TRANSIT AREA SAN DIEGO INTERNATIONAL AIRPORT INFLUENCE AREA	
<b>GEOLOGIC HAZARD CATEGORY: 52</b>	
<b>BUILDING SETBACKS</b> FRONT: 10' SIDE: 5' REAR: 1'	
<b>PROPOSED BUILDING DATA</b> NUMBER OF RESIDENTIAL UNITS: 6 TOTAL FLOOR AREA OF RESIDENTIAL UNITS: 8,891 SF NUMBER OF STORIES: 3 NUMBER OF BUILDINGS: 1 NUMBER OF UNITS: 6 (3 BEDROOM UNITS)	
<b>OFF-STREET PARKING SPACE REQUIREMENTS</b> PARKING REQUIRED: 6 UNITS @ 2BR EACH (6 x 1.75) = 10.50 <b>[TOTAL PROVIDED: 11 SPACES]</b>	
<b>DEVELOPMENT NOTES</b> THIS IS A MAP OF A 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>MAPPING NOTES</b> A FINAL MAP SHALL BE FILED AT THE COUNTY RECORDERS OFFICE PRIOR TO THE EXPIRATION OF THE TENTATIVE MAP, IF APPROVED. A DETAILED PROCEDURE OF SURVEY WILL BE SHOWN ON THE FINAL MAP AND ALL PROPERTY CORNERS SHALL BE MARKED WITH DURABLE SURVEY MONUMENTS.	
<b>REFERENCE DRAWINGS</b> UNIVERSITY HEIGHTS D'HAMECOURT MAP DWG 31004-25-D, DWG 13321-10-D	
<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. 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. 3. THERE ARE NO EXISTING PUBLIC OR PRIVATE EASEMENTS ON THIS SITE. 4. NEW BUILDING IS PERMITTED PER BUILDING APPROVAL #1855139 5. PROJECT SHALL RECONSTRUCT PUBLIC IMPROVEMENTS IN THE RIGHT OF WAY INCLUDING: NEW WATER METER, SEWER LATERAL, AND REPLACEMENT OF CURB GUTTER, SIDEWALK AND FULL-WIDTH ALLEY REPLACEMENT ALONG THE ENTIRE 50' PROPERTY FRONTAGE, PER PIS# 559909	
<b>PROJECT PERMITS REQUIRED</b> TENTATIVE MAP FINAL MAP FOR CONDOMINIUM PURPOSES	
<b>PROJECT OWNER</b> B&B 4365 LLC 4365 CARMEL MOUNTAIN ROAD, SUITE 308, SAN DIEGO, CA 92130  JOHN MURPHY, MANAGING PARTNER      DATE	
<b>LEGAL DESCRIPTION</b> LOTS 7 AND 8 IN BLOCK 112 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'HAMECOURT FILED 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, MAY, 2017	
<b>BASIS OF ELEVATIONS</b> CITY OF SAN DIEGO BENCHMARK      DESCRIPTION: BRASS PLUG (NEBP) TOP OF CURB, NORTHWEST CORNER, OHIO STREET AND MONROE AVE ELEVATION: 391.305 FEET      DATUM: MEAN SEA LEVEL (NGVD 29)	
<b>BASIS OF BEARINGS</b> THE EASTERLY ROW OF OHIO STREET AS SHOWN ON PM 18956 I.E., N0°18'56"E	
<b>COORDINATES</b> NAD 27: 214-1729      CCS 83: 1854-6289	
<b>ASSESSOR'S PARCEL NUMBERS</b> APN 446-183-03	
<b>PROJECT NAME</b> OHIO SIX	
<b>SHEET TITLE</b> TENTATIVE MAP NO. 2002839	
PTS NO. 564139	I.O. NO. 24007393
SHEET 1 OF 1	



PREPARED BY:  
METROPOLITAN MAPPING  
3712 30TH STREET  
SAN DIEGO, CA 92104  
TEL: 619-431-5250  
FAX: 619-330-1830  
email: metromap.sd@gmail.com



VERNON V. FRANCK, PLS 7927

06/11/2018  
DATE



**NORTH PARK PLANNING COMMITTEE**

<http://www.northparkplanning.org>

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

March 27, 2018

To: Hugo Castaneda, DSD Project Manager  
Maggie Roland, Applicant Representative

Re: 4365 Ohio St. Tentative Map, PTS 564139.

The North Park Planning Committee (NPPC) recommended support for the following project at its March 20, 2018 meeting; the item was noticed on the agenda as follows:

**Tentative Map – 4365 Ohio St.** Tentative Map for the subdivision of two existing parcels for the creation of six condominium units currently under construction and to waive the requirements to underground existing utilities located at 4365 through 4369 Ohio Street. This project falls under the “Process 4” review requirement and will ultimately be heard by the Planning Commission. The 0.161-acre site is in the RM-3-9 zone of the Greater North Park Community Plan area. PTS 564139. Maggie Roland, Project Presenter. Hugo Castaneda, DSD Project Manager [HCastaneda@saniego.gov](mailto:HCastaneda@saniego.gov).

The applicant’s representative was present at the meeting. The item was heard as an action item and the following motion was made:

**MOTION:** The NPPC approves the Tentative Map for 4365 Ohio St. because increasing the amount of owner-occupied housing increases neighborhood stability and desirability. However, the NPPC strongly believes that the often-used “dual tracking” method of initially permitting a building as apartments, to later change to condominiums, does not allow neighborhood input into the design process. The NPPC sees the lack of early community input as a wasted opportunity to properly implement the Community Plan. Ferrier/Vidales 9-3-0 (Callen, Gebreselassie, Nguyen)

Let me know if you have any questions or need additional information.  
Sincerely,

A handwritten signature in black ink, appearing to read 'René A. Vidales'.

René A. Vidales, Chair  
North Park Planning Committee  
[www.northparkplanning.org](http://www.northparkplanning.org)



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

Project No. For City Use Only

OHIO ST Row Homes

564193

Project Address:

4365 OHIO ST SAN DIEGO 92104

## 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:

# ATTACHMENT 8

Project Title:	Project No. (For City Use Only)
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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):  
B E B 4365 OHIO LLC

☒ Owner    ☐ Tenant/Lessee

Street Address: 4653 Carmel mt RD 208

City/State/Zip: San Diego 92130

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

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

Title (type or print): \_\_\_\_\_

Signature: [Signature] Date: 10/5/2017

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:

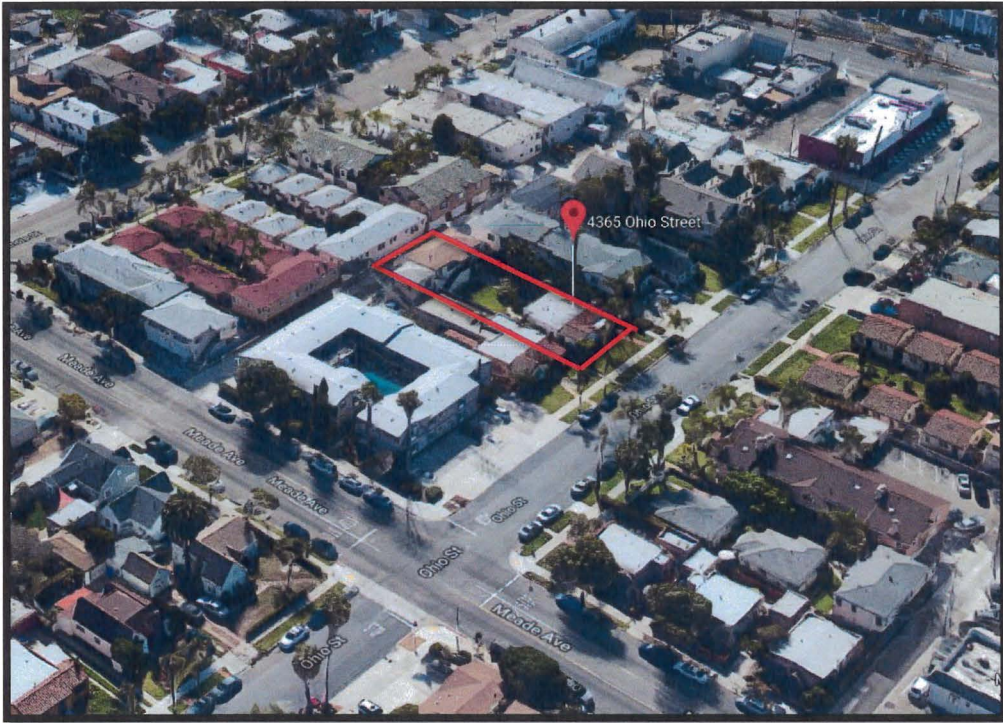
City/State/Zip:

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

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

Title (type or print):

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



Arial view, looking south



Existing multi-unit residential development south of site, project on left



Existing single and multi-residential development north of site, project on right



Existing multi-residential development, west side of Ohio Street across from project site



Looking north down alley, project on the left



Looking south down alley, away from the project site