



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: April 15, 2026 REPORT NO. HO-26-019  
HEARING DATE: April 22, 2026  
SUBJECT: 3321-3323 Apache Avenue  
PROJECT NUMBER: [PRJ-1111403](#)  
OWNER/APPLICANT: Brent Hoag of the Brent Hoag Trust

### SUMMARY

Issue: Should the Hearing Officer approve a Map Waiver to convert two existing dwelling units and two accessory dwelling units into four new condominiums located at [3321-3323 Apache Avenue](#) within the [Clairemont Mesa Community Plan?](#)

Fiscal Considerations: The applicant has paid a flat fee pursuant to the Development Services Department's fee schedule.

Code Enforcement Impact: There are currently no code violations associated with the property.

Housing Impact Statement: The project will create four new condominiums where an existing duplex and two accessory dwelling units exist. The proposed project will not demolish any existing units and will retain four units on site. Prior to the issuance of the final map, the permittee shall demonstrate compliance with the provisions of the San Diego Municipal Code, specifically the Inclusionary Affordable Housing Regulations of Chapter 14, Article 2, Division 13, and the Inclusionary Housing Procedures Manual, by paying the applicable Inclusionary Affordable Housing In Lieu Fee.

Community Planning Group Recommendation: On May 21, 2024, the Clairemont Mesa Community Planning Group voted 7-1-0 to recommend approval of the project with no conditions.

Environmental Impact: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to section 15303 (New Construction or Conversion of Small Structures) of the State CEQA Guidelines. This project is not pending an appeal of the environmental determination. The environmental determination for this project was made on February 6, 2026, and the opportunity to appeal that determination ended on February 23, 2026 (Attachment 6)

## BACKGROUND

The 0.142-acre site is zoned RM-1-1 (Residential-Multiple Unit) and is located at 3321-3323 Apache Avenue in an urbanized area of the Clairemont Mesa Community Plan area, which designates it for residential use. The site contains an existing duplex containing two dwelling units and two accessory dwelling units.

### Project Description:

The project proposes a Map Waiver to convert two existing dwelling units and two accessory units dwelling units into four condominiums on a fully developed site. This action would not result in a distinguishable change to the density, use, or physical nature of the properties. The subdivision will not affect access to the adjacent properties, as all parcels will continue to have access to Apache Avenue and the rear alley. Additionally, existing public utility services to the subdivision will continue to be provided to Apache Avenue.

The four condominiums will not adversely affect housing needs, as the same number of units will remain on site. The permittee shall either show evidence that relocation assistance has been paid to eligible tenants or enter into a written agreement with the San Diego Housing Commission, which incorporates applicable relocation benefit conditions consistent with the San Diego Municipal Code (SDMC). The project is also subject to the provisions of the San Diego Municipal Code, specifically the Inclusionary Affordable Housing Regulations of Chapter 14, Article 2, Division 13 and the Inclusionary Housing Procedures Manual by payment of the applicable Inclusionary Affordable Housing In Lieu Fee.

### Permits Required

- Map Waiver: Pursuant to [SDMC Sections 125.0120 and 125.0122](#), a Map Waiver is required to subdivide a single parcel into four condominium parcels in accordance with a Process Three Decision by the Hearing Officer, appealable to the Planning Commission.

### Community Plan Analysis:

The project site consists of an existing duplex with two accessory dwelling units located at 3321-3323 Apache Avenue. The 0.142-acre site is zoned RM-1-1 and designated residential in the Clairemont Mesa Community Plan (CMCP), with a density of 10-15 dwelling units per acre. The site is currently in conformance as the property is allowed to have one to two units. The two accessory dwelling units are not subject to the density limitations per the San Diego Municipal Code Section 141.0302(b)(6). The project proposes to convert the existing duplex and the two accessory dwelling units into four new condominiums. The current RM-1-1 zone allows one dwelling unit per 3,000 square feet of lot area, and the site area is 6,180 square feet, allowing for two units. The two existing accessory dwelling units are not subject to the density limitations of the base zone for the premises, as per San Diego Municipal Code Section 141.0302(b)(6), and therefore, the project conforms to the allowed density.

The project is also consistent with the CMCP and specifically complies with the following:

- A. Provide a diversity of housing options in selected locations of the community (CMCP page 11). The project will convert the existing duplex and two accessory dwelling units into four condominiums, creating new housing opportunities and ownership.
- B. Provide development guidelines to help ensure that new development is compatible with the existing neighborhood and does not overburden community or neighborhood facilities (CMCP page 11). The project is not proposing any new development or intensification of the property, as the existing duplex and accessory dwelling units will become condominiums using the existing infrastructure.

The project maintains current land use intensity and does not propose any new development or intensification of the property, nor does it request a rezone.

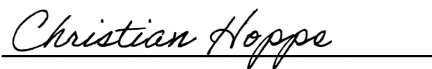
Conclusion:

All issues raised during the review process have been addressed, and the project conforms with the regulations of the Land Development Code and policies of the CMCP. All required information was disclosed and shared with interested parties during the review process. Therefore, City staff recommends that the Hearing Officer approve Map Waiver No. PMT-3290395.

ALTERNATIVES

1. Approve Map Waiver No. PMT-3290395 with modifications.
2. Deny Map Waiver No. PMT-3290395 if the required findings for the project cannot be affirmed.

Respectfully submitted,



Christian Hoppe  
Development Project Manager  
Development Services Department

Attachments:

1. Aerial Photographs
2. Community Plan Land Use Map

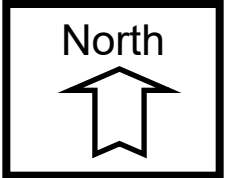
3. Map Waiver Conditions
4. Draft Resolution with Findings
5. Community Planning Group Recommendation
6. Environmental Exemption
7. Ownership Disclosure Statement
8. Project Plans

# Project Location

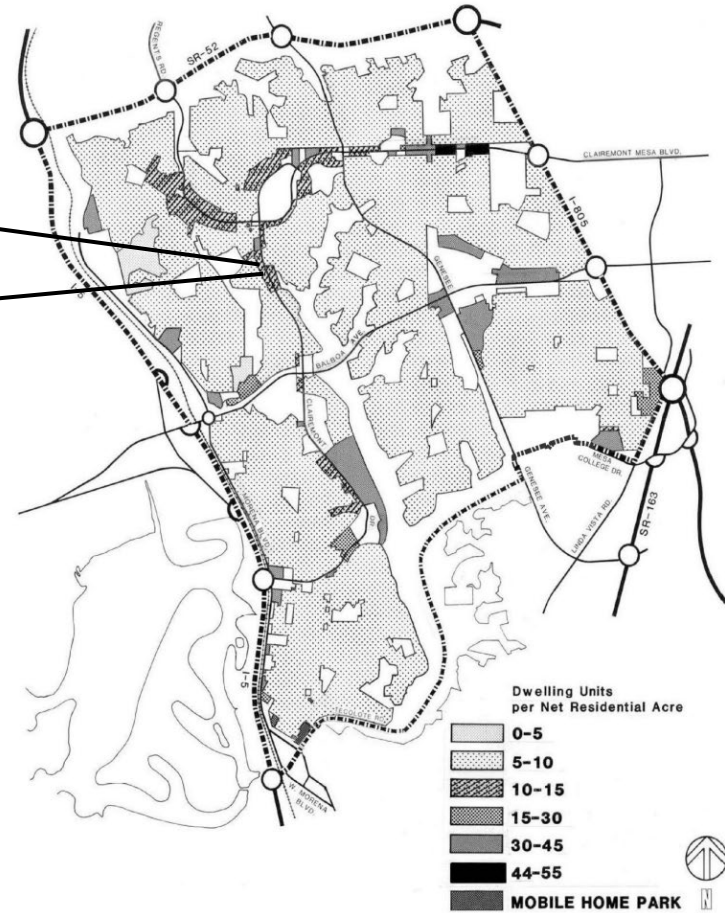
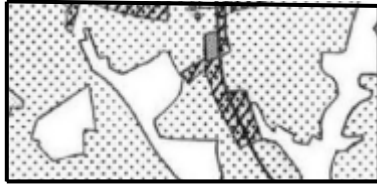


## Aerial Photograph

3321-3323 Apache Avenue, Map Waiver  
Project No. 1111403



# Community Plan Location



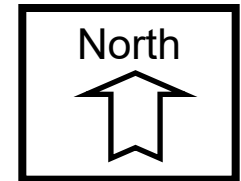
Existing Residential Development  
 Clairemont Mesa Community Plan

4  
 FIGURE



## Community Plan Land Use Map

3321-3323 Apache Avenue, Map Waiver  
 Project No. 1111403



## ATTACHMENT 03

HEARING OFFICER  
CONDITIONS FOR MAP WAIVER NO. PMT-3290395  
APACHE AVENUE **PROJECT NO.** PRJ-1111403  
ADOPTED BY RESOLUTION NO. \_\_\_\_\_ ON \_\_\_\_\_

### **GENERAL**

1. This Map Waiver will expire April 22, 2029.
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 Certificate of Compliance unless otherwise noted.
3. A Certificate of Compliance shall be recorded in the Office of the San Diego County Recorder, prior to the Map Waiver expiration date.
4. Prior to the recordation of the Certificate of Compliance, 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 Certificate of Compliance shall conform to the provisions of Map Waiver PMT-3290395.
6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify the Subdivider of any claim, action, or proceeding, or if the 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 bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

### **CONDOMINIUM CONVERSION**

7. The Subdivider shall provide a Notice of Tenants' Rights and Notices for Condominium Conversion, consistent with the Land Development Manual, to be provided as follows:
  - a. For existing tenants, within 10 days of the project application for the condominium conversion being deemed complete; or
  - b. For prospective tenants, upon application for the rental of a unit in the proposed condominium conversion.

## **ATTACHMENT 03**

8. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the Subdivision Map Act.
9. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion in conformance with Subdivision Map Act section 66427.1(a)(2)(E). The provisions of this condition shall neither alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Civil Code sections 1941, 1941.1 and 1941.2.
10. The Subdivider shall provide the tenants of the proposed condominiums with written notification within 10 days after approval of a Certificate of Compliance for the proposed conversion, in conformance with Subdivision Map Act section 66427.1(a)(2)(D).
11. The Subdivider shall give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (San Diego Municipal Code § 125.0431(a)(4)).
12. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Subdivision Map Act section 66427.1(a)(2)(F) and San Diego Municipal Code section 125.0431(a)(5). The right shall commence on the date the subdivision public report is issued, as provided in section 11018.2 of the Business and Professions Code, and shall run for a period of not less than 90 days, unless the tenant gives prior written notice of his or her intention not to exercise the right. (San Diego Municipal Code § 125.0431(a)(5)).
13. The Subdivider shall provide a copy of the Building Conditions Report to a prospective purchaser prior to the opening of an escrow account. (San Diego Municipal Code § 144.0504(c)).
14. Prior to the recordation of the Parcel Map, the Subdivider shall demonstrate conformance with the San Diego Municipal Code provisions for building and landscape improvements (San Diego Municipal Code § 144.0507), to the satisfaction of the City Engineer.

### **AFFORDABLE HOUSING**

15. Prior to issuance of the final map, the Owner/Permittee shall demonstrate compliance with the provisions of the San Diego Municipal Code, including the Condominium Conversion Regulations of Chapter 14, Article 4, Division 5; the Inclusionary Affordable Housing Regulations of Chapter 14, Article 2, Division 13; and the Inclusionary Housing Procedures Manual by payment of the applicable Inclusionary Affordable Housing In-Lieu Fee.
16. The Owner/Permittee shall either show evidence that relocation assistance has been paid to eligible tenants or enter into a written Agreement with the San Diego Housing Commission which shall be drafted and approved by the San Diego Housing Commission, executed by

## **ATTACHMENT 03**

the Owner/Permittee, and secured by a deed of trust which incorporates applicable relocation benefit conditions consistent with the San Diego Municipal Code.

### **ENGINEERING**

17. The Subdivider shall dedicate and improve an additional two (2) feet along Apache Avenue for a 12-foot-wide parkway, satisfactory to the City Engineer.
18. The Subdivider shall reconstruct the existing damaged/unaligned sidewalk panels to the current City Standards adjacent to the site on Apache Avenue, satisfactory to the City Engineer.
19. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement (EMRA) for the landscape, irrigation and private concrete walkway located within the City's right-of-way, satisfactory to the City Engineer.
20. The Subdivider shall ensure that all onsite utilities serving the subdivision are undergrounded under the appropriate permits. The subdivider shall provide written confirmation from applicable utility providers that the conversion has been completed, or provide other means of assurance, to the satisfaction of the City Engineer.

### **MAPPING**

21. Prior to the expiration of the Map Waiver, a Certificate of Compliance shall be recorded in the San Diego County Recorder's Office for the purpose of conferring condominium development rights for the conversion development project.
22. Prior to the recordation of the Certificate of Compliance, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition.

### **LANDSCAPE/BRUSH MANAGEMENT**

23. Prior to issuance of any construction permit for public improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.
24. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

## ATTACHMENT 03

25. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction Plans is damaged or removed, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

### **PLANNING**

26. Prior to approval of a Certificate of Compliance, the Owner/Permittee shall demonstrate compliance with the provisions of the San Diego Municipal Code, including the Condominium Conversion Regulations of Chapter 14, Article 4, Division 5; the Inclusionary Affordable Housing Regulations of Chapter 14, Article 2, Division 13; and the Inclusionary Housing Procedures Manual by payment of the applicable Inclusionary Affordable Housing In-Lieu Fee. The Owner/Permittee shall either show evidence that relocation assistance has been paid to eligible tenants or enter into a written Agreement with the San Diego Housing Commission which shall be drafted and approved by the San Diego Housing Commission, executed by the Owner/Permittee, and secured by a deed of trust which incorporates applicable relocation benefit conditions consistent with the San Diego Municipal Code.

### **INFORMATION:**

- The approval of this Map Waiver by the Hearing Officer of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies, including but not limited to the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. § 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 Map Waiver 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 Map Waiver, may protest the imposition within 90 days of the approval of this Map Waiver 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 the 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. 11004543

HEARING OFFICER RESOLUTION NO. \_\_\_\_\_  
MAP WAIVER NO. PMT-3290395  
APPACHE AVENUE – PRJ-1111403

WHEREAS, BRENT HOAG of the BRENT HOAG TRUST, Subdivider, and ROBERT J. BATEMAN, surveyor, submitted an application with the City of San Diego for Map Waiver No. 3290395, to waive the requirement for a tentative map to convert an existing duplex and two accessory dwelling units into four condominiums. The project site is located at 3321-3323 Apache Avenue (Assessor's Parcel Number [APN] 425-252-07) in the RM-1-1 (Residential Multiple) zone, within the Clairemont Mesa Community Plan and the following overlay zones and/or geographic areas: Airport Land Use Compatibility Zone (Montgomery Field), Airport Influence Area (Montgomery Field, Review Area 2), FAA Part 77 Noticing Area (Montgomery Field), Clairemont Mesa Height Limit Overlay Zone, Sustainable Development Area, and Affordable Housing Parking Demand (High). The property is legally described as Lot 692 of CLAIREMONT UNIT No. 5, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 2845, filed in the office of the County Recorder of San Diego County, February 20, 1952, and as is more commonly known as 3321-3323 Apache Avenue, San Diego, California, 92117.

WHEREAS, the map proposes the subdivision of a 0.142-acre site into four new condominiums; and

WHEREAS, on February 6, 2026, 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 Guidelines Section 15303 (New Construction or Conversion of Small Structures) and there was no appeal of the environmental determination filed within the time period provided by San Diego Municipal Code section 112.0520;

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

WHEREAS, the request to waive the undergrounding of existing overhead utilities has been determined to be appropriate pursuant to San Diego Municipal Code section 144.0242(c).

WHEREAS, on April 22, 2026, the Hearing Officer of the City of San Diego considered Map Waiver No. PMT-3290395, including the waiver of the requirement to underground existing offsite overhead utilities, and pursuant to sections 125.0122 (map waiver), 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 Hearing Officer having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Map Waiver No. PMT-3290395:

**A. Findings for a Tentative Map Waiver – SDMC Sections 125.0123 and 125.0440**

**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 site contains an existing duplex with two accessory dwelling units located at 3321-3323 Apache Avenue. The 0.142-acre site is zoned RM-1-1 and designated residential in the Clairemont Mesa Community Plan (CMCP), with a density of 10-15 dwelling units per acre. The site is currently in conformance as the property is allowed to have one to two units. The two accessory dwelling units are not subject to the density limitations per the San Diego Municipal Code Section 141.0302(b)(6). The RM-1-1 allows for multiple dwelling units that contain some characteristics of single dwelling units. The project proposes to convert an existing duplex and the two accessory dwelling units into four new condominiums.

The project is consistent with the CMCP and specifically complies with the following:

- A. Provide a diversity of housing options in selected locations of the community (CMCP page 11). The project will convert the existing duplex and two accessory

dwelling units into four condominiums, allowing new housing opportunities and ownership.

- B. Provide development guidelines to help ensure that new development is compatible with the existing neighborhood and does not overburden community or neighborhood facilities (CMCP page 11). The project is not proposing any new development or intensification of the property, as the existing duplex and accessory dwelling units will become condominiums using the existing infrastructure.

The project maintains current land use intensity and does not propose any new development or intensification of the property, nor does it request a rezone. Converting existing units into condominiums preserves the neighborhood's character. Therefore, the project is 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 0.142-acre site is located at 3321-3323 Apache Avenue in the RM-1-1 zone, and the following overlays: Airport Land Use Compatibility Zone (Montgomery Field), Airport Influence Area (Montgomery Field, Review Area 2), FAA Part 77 Noticing Area (Montgomery Field), Clairemont Mesa Height Limit Overlay Zone-30 Feet, Sustainable Development Area, and the Affordable Housing Parking Demand (High) within the Clairemont Mesa Community Plan. The project proposes to convert an existing duplex and two accessory dwelling units into two new condominiums.

The project site is fully developed, and no additional development will occur. Conversion from rental units to condominium ownership does not represent a distinguishable change in either the density or use of the property. The purpose of the RM zones is to provide for multiple-dwelling-unit developments at varying densities. The current RM-1-1 zone allows one dwelling unit per 3,000 square feet of lot area, and the site area is 6,180 square feet, allowing for two units. The two existing accessory dwelling units are not subject to the density limitations of the base zone for the premises, as per San Diego Municipal Code Section 141.0302(b)(6), and therefore, the project conforms to the allowed density. The project will provide four condominium units and is consistent with the development regulations of the RM-1-1 zone, including a 10-foot rear-yard setback. The surrounding parcels are of similar size and character to the existing project site. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code and no deviations are being requested pursuant to the Land Development Code.

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

The project proposes to subdivide an existing duplex and two accessory dwelling units into four new condominium units that are consistent with the land use and density in the Community Plan as described in Finding 1 above. There will be no physical development as part of the project.

No additional development or modifications are being requested for the existing structures. The establishment of new condominiums would have no distinguishable change in either the use or the physical nature of the properties.

The new condominiums will continue to have access to Apache Avenue. In addition, the project site is not located within or adjacent to the Multiple Habitat Planning Area (MHPA) of the City's Multiple Species Conservation Program and does not contain Environmentally Sensitive Lands (ESL) as defined in SDMC section 113.0103. Therefore, the site is physically suitable for the type and density 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 proposed Map Waiver will convert an existing duplex and two accessory dwelling units into four condominiums. The site is located within a developed neighborhood served by existing public services and utilities and is surrounded by existing development on all sides. There will be no physical development as part of the project other than the subdivision.

As described in Finding 3 above, the establishment of four condominiums would have no distinguishable change in either the use or the physical nature of the properties. The project site is not located within or adjacent to a floodplain or floodway area, MHPA lands, riparian habitat, or wetlands. The project was reviewed for conformance with the applicable zoning and development regulations of the Land Development Code. The project shall comply with the Map Waiver and conditions of approval, such as the improvement of an additional 2 feet along Apache Avenue for a 12-foot-wide parkway, satisfactory to the City Engineer.

The project is located within an urbanized and built environment where there are no watercourses on or adjacent to the site. Therefore, 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.

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

The project is located within a developed neighborhood, surrounded by similar development and served by existing right-of-way improvements and public utilities. The proposed subdivision was reviewed and found to be in conformance with the San Diego Municipal Code (SDMC) and the State's Subdivision Map Act. The subject property is served by existing utilities, and access to the site is provided via Apache Avenue. The Map Waiver includes conditions of approval, including installation of public improvements to be current to city standards, along with additional dedication of public right of way. The proposed subdivision is consistent with the development regulations of the underlying zone as demonstrated above in Findings 2 and 3. Therefore, the design of the subdivision or 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 project is located on a private lot with no existing public access easements, and where none are required by the community plan. The dwelling units will continue to have access to Apache Avenue, the existing alley and the public right-of-way. Therefore, the design of the subdivision and proposed improvements would not conflict with 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 will divide the existing parcel into four new condominium units. No physical development is proposed. The establishment of four condominiums would not change the use or the physical nature of the property, as there are currently already four existing units, and the only action is the conversion to condominiums and as discussed above, the project is consistent with the underlying zone and development regulations.

Additionally, any future development must comply with all applicable building and zoning reviews and requirements, including setbacks, building materials, site orientation, architectural treatments, and landscaping to provide for future passive or natural heating and cooling opportunities. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

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

The creation of four residential condominiums does not adversely impact public services and available fiscal and environmental resources as the residential dwelling units currently exist on site and are adequately served by public services and resources. All appropriate public services, including fire, police, schools, public parks, libraries, and medical services, as well as necessary utilities such as electricity, water, and sewer, exist within the built-out urbanized community. Thus, the project will provide adequate services for the proposed subdivision. Other than the subdivision to allow for the creation of condominium units for individual ownership within a built-out developed, urbanized neighborhood, the project does not include additional development of the property and no other modifications to the site, or structures are requested with this subdivision other than site improvements and public right of way improvements that are a part of the permit conditions of approval. The proposed subdivision is required to pay the City of San Diego's Affordable Housing Inclusionary In Lieu Fee as a required condition of approval.

The project has been analyzed and determined to be exempt from environmental review. 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 and determined that the proposed subdivision for the creation of four residential condominiums is consistent with the housing needs of the Clairemont Mesa community.

Therefore, 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.

**B. Findings for Tentative Maps for Condominium Conversion - SDMC Section 125.0444**

**1. The notices required by San Diego Municipal Code section 125.0431 have been given in the manner required.**

The applicant is required to provide all notices required by the San Diego Municipal Code Section 125.0431. The initial Notice of Application of the Map Waiver for the condominium conversion was dated March 21, 2024. The notice was also posted at the subject premises. Furthermore, conditions of approval require that notice as required by the San Diego Municipal Code section 125.0431 will be given in the manner required.

**2. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing.**

This project is privately financed, and no funds were obtained from a governmental agency to provide for elderly, disabled, or low-income housing.

**3. For any project that was developed to provide housing for the elderly, disabled or to provide low-income housing, provisions have been made to perpetuate the use for which the project was developed.**


The project was not developed to provide housing for the elderly, disabled, or to provide low-income housing. Therefore, this finding is not applicable.

That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Map Waiver No. PMT-3290395 is hereby granted to BRENT HOAG subject to the attached conditions which are made a part of this resolution by this reference.

By \_\_\_\_\_  
Christian Hoppe  
Development Project Manager  
Development Services Department

ATTACHMENT: Map Waiver Conditions  
Internal Order No. 11004543

|  |   |   |  |
|--|---|---|--|
|   | <b>City of San Diego<br/>Development Services</b><br>1222 First Ave., MS-302<br>San Diego, CA 92101 | <h1>Community Planning<br/>Committee Distribution<br/>Form</h1> |  |
| Project Name:<br>3321-3323 Apache St   |   | Project Number:<br>1111403                                      |  |
| Community: Clairemont Mesa   |   |   |  |
| <p>For project scope and contact information (project manager and applicant),<br/>log into OpenDSD at <a href="https://aca.accela.com/SANDIEGO">https://aca.accela.com/SANDIEGO</a>.</p> <p>Select "Search for Project Status" and input the Project Number to access project information.</p> |   |   |  |
| <input checked="" type="radio"/> Vote to Approve<br><input type="checkbox"/> Vote to Approve with Conditions Listed Below<br><input type="checkbox"/> Vote to Approve with Non-Binding Recommendations Listed Below<br><input type="checkbox"/> Vote to Deny                                   |   | Date of Vote:<br>May 21, 2024                                   |  |
| # of Members Yes<br>7  | # of Members No<br>1  | # of Members Abstain<br>0                                       |  |
| Conditions or Recommendations:<br>Conditional approval   |   |   |  |
| <input type="checkbox"/> No Action<br>(Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)   |   |   |  |
| NAME: Matthew Wang   |   |   |  |
| TITLE: Chair   |   | DATE: April 12, 2025  |  |
|  |   |   |  |

Visit our web site at [www.sandiego.gov/development-services](http://www.sandiego.gov/development-services).

Upon request, this information is available in alternative formats for persons with disabilities.

DS-5620 (08-18) ONLINE FORM



THE CITY OF SAN DIEGO

DATE OF NOTICE: February 6, 2026

# NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No.11004500

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**PROJECT NAME / NUMBER:** 3321 Apache /PRJ 1111403

**COMMUNITY PLAN AREA:** Clairemont Mesa Community Plan

**COUNCIL DISTRICT:** 2

**LOCATION:** 3321 and 3323 Apache Avenue, San Diego, CA 92117

**PROJECT DESCRIPTION:** Map Waiver to convert an existing duplex and two existing accessory dwelling units (ADU) into four condominium units. No new construction is proposed as part of this permit. The 0.14-acre project site is located at 3321 and 3323 Apache Avenue, zoned RM-1-1 (Residential-Multiple Unit) and designated for low-medium density residential (10-15 dwelling units per acre) in the Clairemont Mesa Community Plan. The site is also located in the following overlay and planning areas: Clairemont Mesa Height Limit Overlay Zone, Affordable Housing Parking Demand, Sustainable Development Area, Airport Land Use Compatibility Overlay Zone, Airport Influence Area (Montgomery Field, Review Area 2), and the Federal Aviation Administration Part 77 Noticing Area. **LEGAL DESCRIPTION:** Lot 692 of Clairemont Unit No. 5, in the City of San Diego, County of San Diego, According to Map Thereof of No. 2845, Filed in the Office of the County Recorder of San Diego County, February 20, 1952, APN 425-252-0700.

**ENTITY CONSIDERING PROJECT APPROVAL:** City of San Diego Hearing Officer

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15303 (New Construction or Conversion of Small Structures).

**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 Section 15303, New Construction or Conversion of Small Structures. Class 3 of CEQA Section 15303 consists of, but is not limited to, the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. CEQA Section 15303(b) applies to a duplex or similar multi-family residential structure, totaling no more

than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes and similar structures designed for not more than six dwelling units. Since the project is in an urbanized area and proposes the conversion of four existing dwelling units (duplex and two ADUs) into four condominiums the project meets the criteria of this exemption. The exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environment was identified; and the project is not adjacent to a scenic highway. **The site is not included on any list compiled pursuant to Government Code Section 65962.5 for hazardous waste sites.**

**DEVELOPMENT PROJECT MANAGER:** Christian Hoppe

**MAILING ADDRESS:** 7650 Mission Valley Road, MS DSD-1A, San Diego, CA 92108

**PHONE NUMBER / EMAIL:** (619) 446-5293/ [CHoppe@sandiego.gov](mailto:CHoppe@sandiego.gov)

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On February 6, 2026, the City of San Diego (City), as Lead Agency, has made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk by 5:00pm within ten (10) business days from the date of the posting of this Notice (February 23, 2026). Appeals to the City Clerk must be filed by email or in-person as follows:

- 1) Appeals filed via E-mail: The Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031>. Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to [Hearings1@sandiego.gov](mailto:Hearings1@sandiego.gov) by 5:00p.m. on the last day of the appeal period; your email appeal will be acknowledged within 24 business hours. You must separately mail the appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be United States Postal Service (USPS) postmarked) before or on the final date of the appeal. Please include the project number on the memo line of the check.
- 2) Appeals filed in person: Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Bring the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation) to the City Administration Building-Public Information Counter (Open 8:00am to 5:00pm Monday through Friday excluding City-approved holidays), 1st Floor Lobby, located at 202 C Street, San Diego, CA 92101, by 5:00pm on the last day of the appeal period. The completed appeal form shall include the required appeal fee, with a check payable to: City Treasurer.

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



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

# Ownership Disclosure Statement

**FORM  
DS-318**

October 2017

**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 Condo Conversion

**Project Title:** Apache 2 **Project No. For City Use Only:** \_\_\_\_\_

**Project Address:** 3321-3323 Apache Ave, San Diego, CA 92117

APN 425-252-07

**Specify Form of Ownership/Legal Status (please check):**

Corporation  Limited Liability -or-  General - What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_

Partnership  Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter 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), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. 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.

**Property Owner**

Name of Individual: Brent Hoag, Trustee  Owner  Tenant/Lessee  Successor Agency

Street Address: 8885 Rio San Diego Dr. #215

City: San Diego State: CA Zip: 92108

Phone No.: 619-961-7190 Fax No.: \_\_\_\_\_ Email: brenthoag@sandiego.twcbc.com

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

Additional pages Attached:  Yes  No

**Applicant**

Name of Individual: Brent Hoag, Trustee  Owner  Tenant/Lessee  Successor Agency

Street Address: 8885 Rio San Diego Dr. #215

City: San Diego State: CA Zip: 92108

Phone No.: 619-961-7190 Fax No.: \_\_\_\_\_ Email: brenthoag@sandiego.twcbc.com

Signature: Brent Hoag Date: 12-20-23

Additional pages Attached:  Yes  No

**Other Financially Interested Persons**

Name of Individual: \_\_\_\_\_  Owner  Tenant/Lessee  Successor Agency

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_

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

Additional pages Attached:  Yes  No

# TENTATIVE PARCEL MAP WAIVER PMT- DISCRETIONARY PERMIT FOR: 3321 + 3323 APACHE AVENUE

## SCOPE OF WORK

TENTATIVE PARCEL MAP TO CONVERT TWO (2) EXISTING SINGLE DWELLING UNITS AND TWO (2) EXISTING ADU UNITS INTO CONDOMINIUMS. NO NEW CONSTRUCTION PROPOSED AS A PART OF THIS PERMIT

## SITE ADDRESS

3321 & 3323 APACHE AVENUE

## APN

425-252-07

## LEGAL DESCRIPTION

LOT 692 OF CLAIREMONT UNIT NO. 5, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 2845, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 20, 1952.

## OWNER

BRENT HOAG  
OWNER NAME: BRENT HOAG, TRUSTEE FOR THE BRENT HOAG TRUST  
OWNER COMPLETE ADDRESS: 8885 RIO SAN DIEGO DRIVE, #215, San Diego, CA 92108  
OWNER PHONE NUMBER: 619-294-9876  
OWNER EMAIL: brenthoag@sandiego.twcrc.com

## PROJECT TEAM

LAND SURVEYOR/  
CIVIL ENGINEER  
COMPANY: SAN DIEGO LAND SURVEYING & ENGINEERING, INC.  
NAME: ROBERT BATEMAN, PLS  
ADDRESS: 7028 CONVOY CT., SAN DIEGO, CA 92123  
PHONE NUMBER: (858) 244-0420  
EMAIL: RBateman@sdlse.com

## BASIS OF ELEVATION

SOUTHERLY BRASS PLUG  
APACHE AVENUE AND BLACKFOOT AVENUE  
ELEVATION = 296.664 FEET M.S.L.

## BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS MAP WAIVER IS THE NORTHEASTERLY RIGHT-OF-WAY LINE OF APACHE AVENUE AS SHOWN ON MAP NO. 2845, I.E. S 39°08'02" E

## TOPOGRAPHY SOURCE

FIELD SURVEY PERFORMED BY WALSH ENGINEERING & SURVEYING, INC. ON AUGUST 25, 2023.

## LOT SIZE

SQUARE FOOTAGE 6,180 OR 0.142 ACRES

## PROJECT INFORMATION

BASE ZONE - RM-1-1

YEAR BUILT - 1953

## OVERLAY ZONE DESIGNATIONS

COASTAL OVERLAY ZONE - NO  
COASTAL HEIGHT OVERLAY - YES  
VHSZ REQUIREMENTS - NO  
FAA REQUIREMENTS - YES  
GEOHAZARD CATEGORY - 52  
AIRPORT LAND USE COMPATIBILITY OVERLAY ZONE (ALUCOZ) - MONTGOMERY FIELD  
CLAIREMONT HEIGHT LIMITATION OVERLAY ZONE - CMHLOZ - 30'  
ALUCP AIRPORT INFLUENCE AREA (AIA)  
FAA PART 77 NOTICING AREA  
FEMA FLOOD HAZARD ZONE - YES\_\_\_NO\_\_\_X\_\_\_  
MAP: 06073C1612H\_\_\_WATERSHED: SAN DIEGO\_\_\_  
COMMUNITY PLAN AREA (CPA) = CLAIREMONT MESA COMMUNITY PLAN COUNCIL DISTRICT 2  
TRANSIT PRIORITY AREA - YES

## GEOGRAPHIC COORDINATES

NAD83 COORDINATES: 1872-6270  
LAMBERT COORDINATES: 232-1709

## SETBACK

FRONT\_\_\_20' STD./15' MIN.  
SIDEYARD\_\_\_5' MIN/8' STD.  
REAR\_\_\_10'

## PARKING CALCULATIONS

STANDARD PARKING TOTAL: 4  
COMPACT PARKING SPACES: 0  
CLEAN AIR VEHICLE TOTAL: 0  
TOTAL PARKING REQUIRED: 3  
TOTAL PARKING PROVIDED: 4

| TYPE OF UNIT           | NUMBER OF TYPE | PARKING REQUIRED PER UNIT | TOTAL PER TYPE |
|------------------------|----------------|---------------------------|----------------|
| 2 BR UNIT              | 2              | 1.25                      | 3              |
| TOTAL REQUIRED BY ZONE |                |                           | 3              |
| TOTAL PROVIDED ON-SITE |                |                           | 4              |

## EXISTING SEWER & WATER SERVICES

THE EXISTING WATER & SEWER SERVICES CURRENTLY SERVING THE SITE WILL REMAIN. NO NEW SERVICES PROPOSED.

## TRANSIT STOPS:

NONE ADJACENT, NEAREST IS AT CLAIREMONT DRIVE AND BLACKFOOT AVENUE, 600 FEET AWAY

## REFERENCE DRAWINGS:

MAP NO. 2845  
9482-L, 23778-5-D

## EXISTING EASEMENTS:

NONE

## PROPOSED EASEMENTS:

NONE

## EXISTING ENCROACHMENT AGREEMENT

EXISTING ENCROACHMENT MAINTENANCE AND REMOVAL AGREEMENT "EMRA" FOR PRIVATE WALKWAYS, TREE, LANDSCAPE AND IRRIGATION RECORDED FEBRUARY 5, 2024 AS DOCUMENT NO. 2024-0029284.

## LEGEND:

- INDICATES FOUND MONUMENT AS NOTED
- ⬡ INDICATES PARKING SPACE
- FF INDICATES FINISHED FLOOR
- W — INDICATES WATER LINE
- S — INDICATES SEWER LINE
- OH — INDICATES OVERHEAD WIRES
- — INDICATES PROPERTY LINE/MAP WAIVER BOUNDARY
- ← INDICATES DIRECTION OF DRAINAGE

## MAPPING NOTE:

THIS PROJECT PROPOSES TO WAIVE THE TENTATIVE MAP AND PARCEL MAP. A MAP WAIVER WILL BE SUBMITTED AND A CERTIFICATE OF COMPLIANCE WILL BE FILED AFTER MAP WAIVER APPROVAL. MONUMENTS WILL BE SET AND A CORNER RECORD WILL BE FILED.

## DEVELOPMENT NOTES:

- 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. TOTAL NUMBER OF UNITS IS 4.
- NUMBER OF EXISTING LOTS = 1  
NUMBER OF PROPOSED LOTS = 1
- THE SUBDIVIDER SHALL RECORD A DECLARATION OF COVENANTS AND RESERVATION OF EASEMENTS FOR THE SHARED ACCESS EASEMENT FOR THE TWO PROJECT SITES CURRENTLY HELD BY THE SAME OWNER. THE DECLARATION OF COVENANTS AND RESERVATION OF EASEMENTS SHALL STATE: SINCE THE MUTUAL ACCESS EASEMENT AGREEMENT IS PRIVATE AND NOT A PUBLIC ISSUE, THE CITY OF SAN DIEGO IS NOT RESPONSIBLE FOR ANY DISPUTE THAT MIGHT ARISE IN THE FUTURE BETWEEN THE PRIVATE PARTIES.

## PROFESSIONAL LAND SURVEYOR:

SAN DIEGO LAND SURVEYING & ENGINEERING, INC.  
7028 CONVOY COURT  
SAN DIEGO, CALIFORNIA 92111-1017 (858) 565-8362

Robert J. Bateman 12/8/2025  
ROBERT J. BATEMAN, P.L.S. 7046 DATE



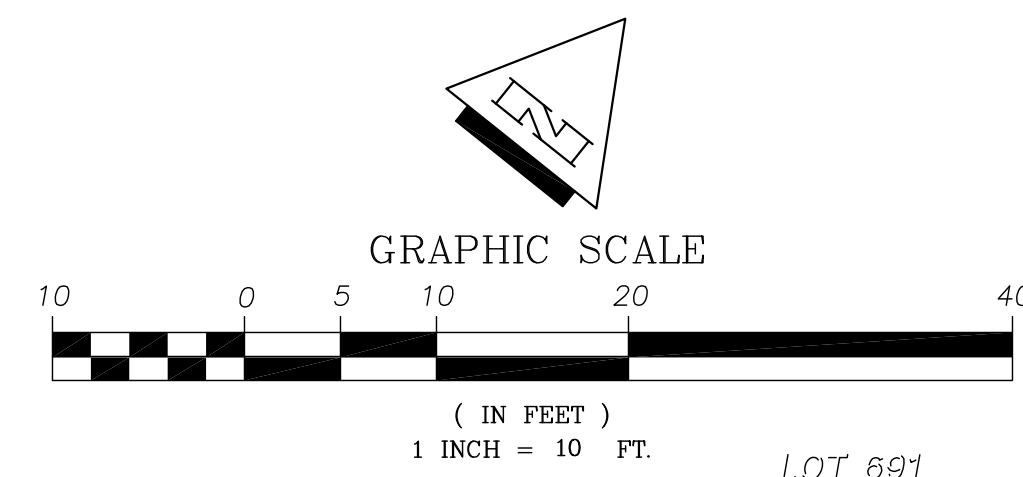
## REVISIONS TABLE

| NO. | DATE | REVISION / ISSUE |
|-----|------|------------------|
| 1   |      |                  |

## COVER SHEET - DISCRETIONARY PERMIT:

ADDRESS: 3321 & 3323 APACHE AVENUE  
MW/VTM NO.:

The City of SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT SHEET 1 OF 1 SHEET PROJECT NO. 1111403 SHEET TITLE: MAP WAIVER



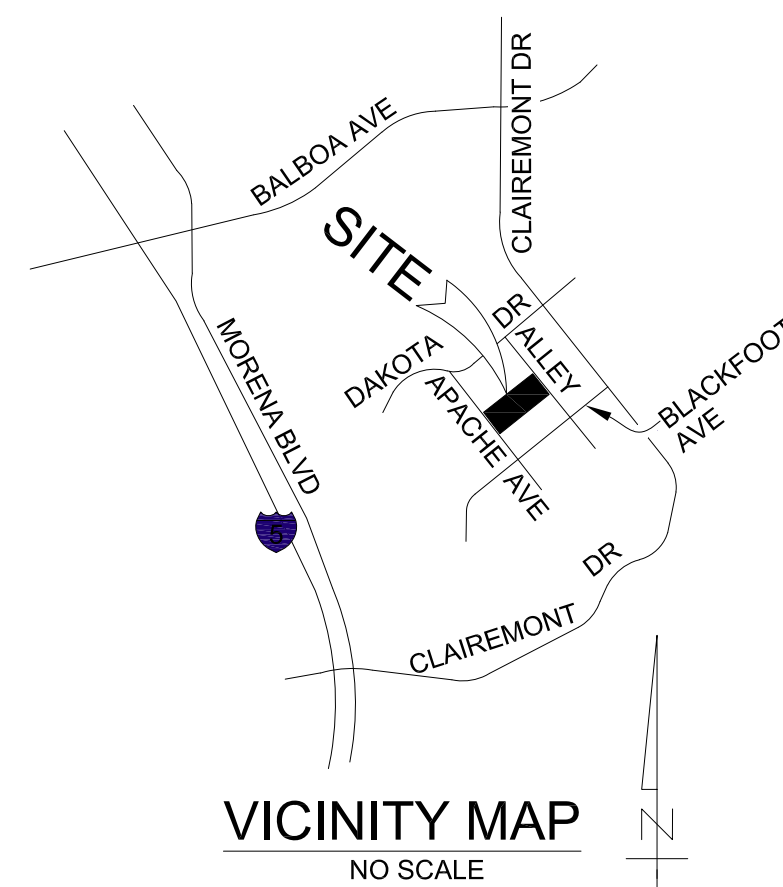
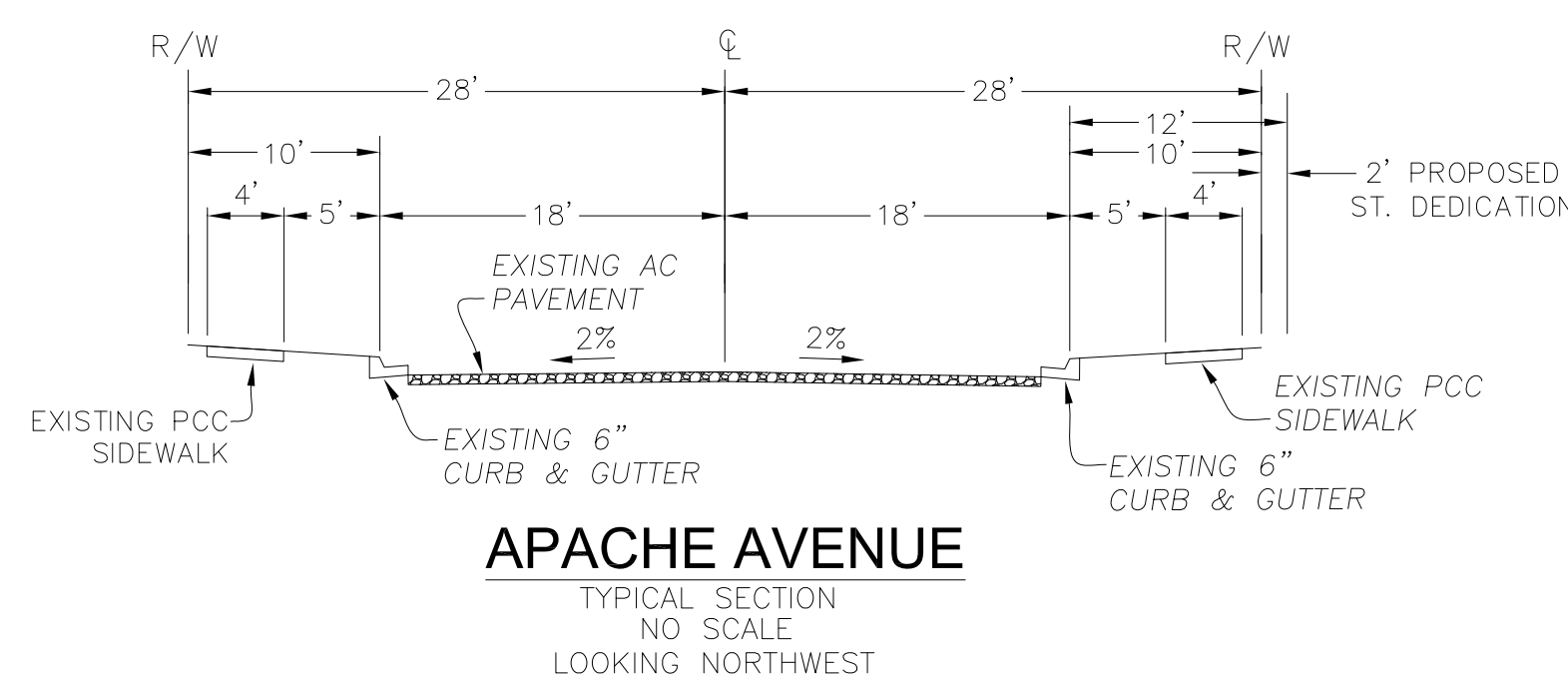
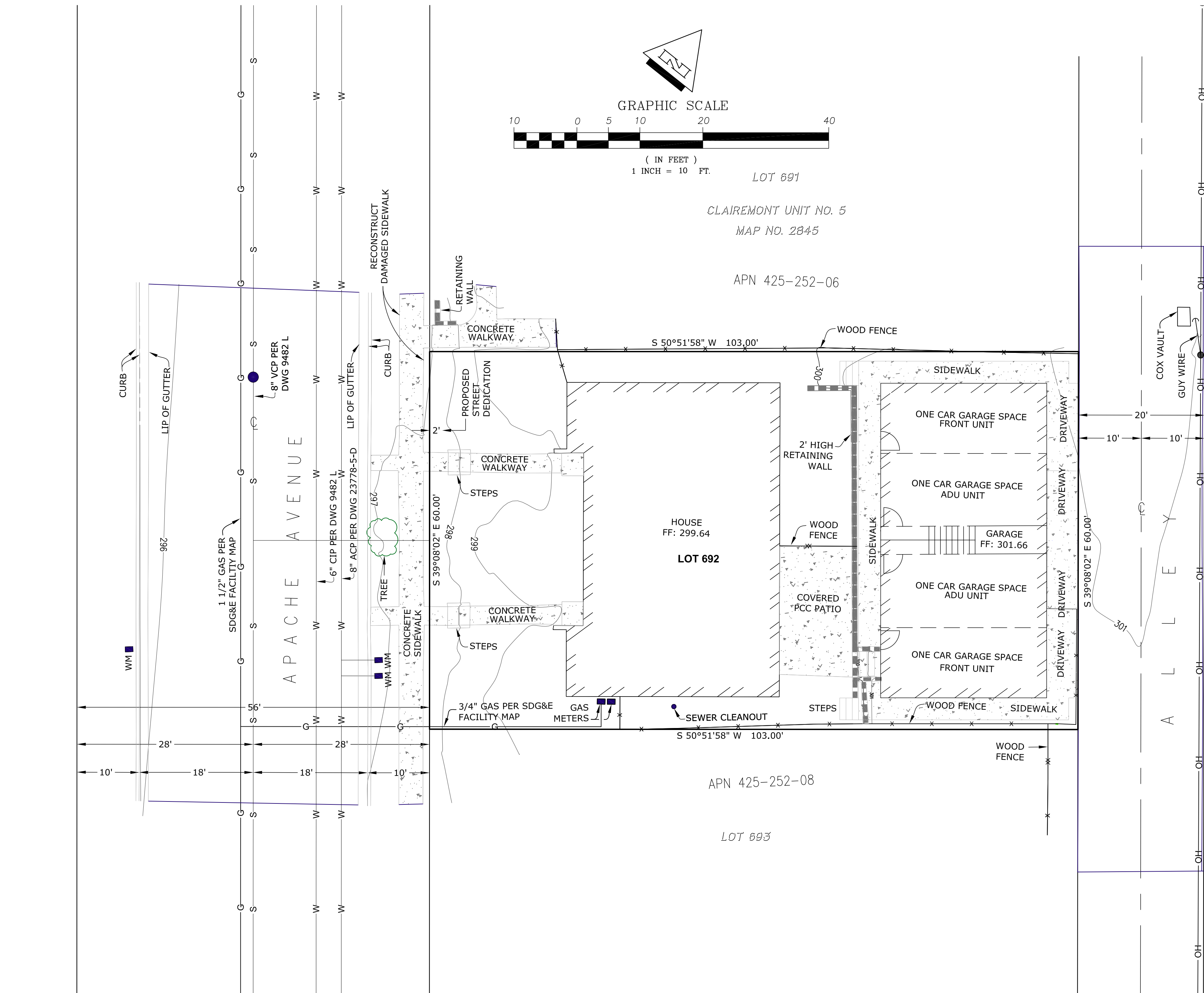
LOT 691

CLAIREMONT UNIT NO. 5  
MAP NO. 2845

APN 425-252-06

APN 425-252-08

LOT 693



## UNIT AREAS LIVING SPACE

| TYPE OF UNIT | NUMBER OF TYPE | SQUARE FOOTAGE PER UNIT |
|--------------|----------------|-------------------------|
| 2 BR UNIT    | 2              | 808                     |
| ADU UNIT     | 2              | 808                     |
| TOTAL        | 2              | 1,616                   |

## UTILITY TABLE:

| UTILITY   | OVERHEAD | UNDERGROUND |
|-----------|----------|-------------|
| CATV      | X        |             |
| ELECTRIC  | X        |             |
| GAS       |          | X           |
| TELEPHONE | X        |             |