



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: MAY 4, 2022 REPORT NO. HO-22-020

HEARING DATE: MAY 11, 2022

SUBJECT: MESA COLLEGE MAP WAIVER, Process Three Decision

PROJECT NUMBER: [670053](#)

OWNER/APPLICANT: 711 MESA COLLEGE, LLC, Owner/Applicant

SUMMARY

Issue: Should the Hearing Officer approve a Tentative Map Waiver for the creation of two (2) commercial condominium units on one existing lot: one commercial unit with an 18-unit residential apartment building, and one commercial unit with a retail commercial building recently constructed at 7484-7488 Mesa College Drive within the Clairemont Community Plan area?

Staff Recommendation: **Approve** Tentative Map Waiver No. 2456030.

Community Planning Group Recommendation: On November 17, 2020, the Clairemont Community Planning Group voted 8-3-0 to recommend approval of the proposed project without conditions/recommendations (Attachment 7).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Minor Alterations in Land Use Limitations) of the State CEQA Guidelines. There is no pending appeal of the environmental determination. The environmental exemption determination for this project was made on April 7, 2022 and the opportunity to appeal that determination ended April 21, 2022 (Attachment 6).

BACKGROUND

The Mesa College Tentative Map Waiver project (Project) site is located at 7484 and 7488 Mesa College Drive (Attachments 1 & 2). The 0.647-acre site is zoned CN-1-2 (Commercial-Neighborhood) within the Airport Land Use Compatibility Overlay Zone (Montgomery Field), Airport Influence Area (Montgomery Field Area 2), FAA Part 77 Notification Area, Clairemont Mesa Height Limit Overlay Zone, and Transit Priority Area and is designated Commercial per Figure 40 in the [Clairemont Mesa Community Plan](#) (Attachment 3). The Project site is within an urban, developed neighborhood,

surrounded by a mix of single, multi-family, mixed-use, and commercial development on all sides and an alley running along the rear/north side of the site. Kearny High School is across the street to the south and San Diego Mesa College Campus is less than a half a mile to the northwest.

The proposed project is a condominium project only and does not propose any additional development. The proposed commercial condominium units were recently constructed under separate, previously issued permits for the construction of an 18-unit, 3-story apartment building located at 7484 Mesa College Drive and a 1-story commercial shell building located at 7488 Mesa College Drive. The construction permits were approved by the City on December 10, 2019 as part of Project No. [652145](#). Project No. 652145 was a ministerial action, constructed by right in accordance with the San Diego Municipal Code (SDMC) base Zone regulations section [131.0522](#) and did not require discretionary action. Therefore, this project's design is consistent with the policies, goals, and objectives of the applicable land use plan.

DISCUSSION

The project requires a Tentative Map Waiver per SDMC section [125.0120](#) to create two (2) commercial condominium units recently constructed on one existing lot. The project is a condominium project only and no further development is proposed. Pursuant to SDMC section [125.0122](#), the project as proposed requires a Process Three, Hearing Officer decision with appeal rights to the Planning Commission. According to SDMC section [125.0123](#), Findings for Map Waivers, the decision maker may approve a Tentative Map Waiver 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.

Project Description:

The proposed Tentative Map Waiver would create two (2) condominium units comprised of:

- (1) commercial unit with a 21,829 square-foot, 18-unit, 3-story residential apartment building; and
- (1) commercial unit with a 3,122 square-foot retail commercial building.

Both units are on one existing lot. While apartment buildings are designated as residential use, apartment complexes are considered commercial property because space is leased out to others as part of a rental business. (Per California Code, Civil Code - CIV § 6531) and therefore is considered a commercial unit. The development is being constructed by right in accordance with the SDMC base Zone regulations (SDMC section [131.0522](#) (CN-1-2)) and was approved ministerially as part of Project No. [652145](#), which did not require a discretionary action. Per SDMC Section 131.0522, residential development is allowed in commercial zones where indicated in Table [131-05-B](#) when a commercial structure exists on the premises or is a part of the proposed development. The development regulations of the RM-2-5 Zone (Residential-Multiple Unit) apply according to the maximum permitted residential density, except that the lot area, lot dimensions, setback, floor area ratio, and structure height requirements of the applicable commercial zone apply.

The property is located on the northwest corner lot of Mesa College Drive and Ashford Street. The 3,122 square-foot retail commercial building is situated in the front/southeast corner of the lot and

the 21,829 square-foot 18-unit, 3-story residential apartment building is along the rear/northern side of the lot along an unnamed alley. The two units are separated by a parking lot connecting driveways on Mesa College Drive and Ashford Street which provide vehicular and pedestrian access in addition to the rear alley. Eighteen (18) commercial parking spaces and twenty five (25) residential parking spaces are provided per the General Development Parking Regulations SDMC sections [142.0525](#). No additional development is proposed with this application.

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, Land Development Code regulations, and the Subdivision Map Act. The Project conforms to the Clairemont Community Plan and General Plan. Staff has provided draft findings and Tentative Map Waiver conditions (Attachments 4 & 5) and recommends the Hearing Officer APPROVE Tentative Map Waiver No. 2456030.

1. Approve Tentative Map Waiver No. 2456030, with modifications.
2. Deny Tentative Map Waiver No. 2456030, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



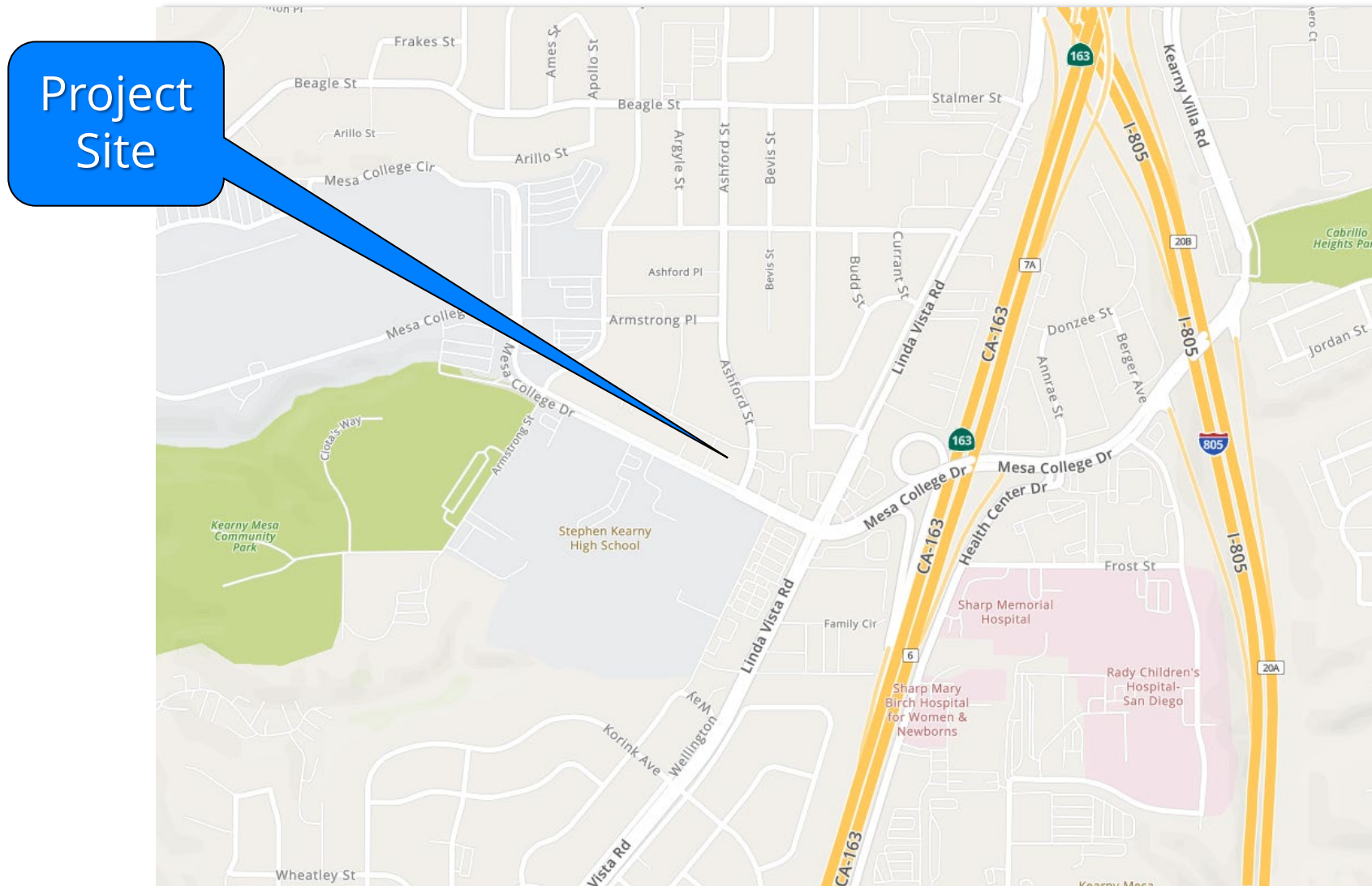
Carrie Lindsay, Development Project Manager

Attachments:

1. Project Location Map
2. Aerial Photograph
3. Community Plan Map
4. Draft Resolution with Findings
5. Draft Conditions
6. Environmental Notice of Exemption
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Tentative Map Waiver Exhibit



Project Location Map

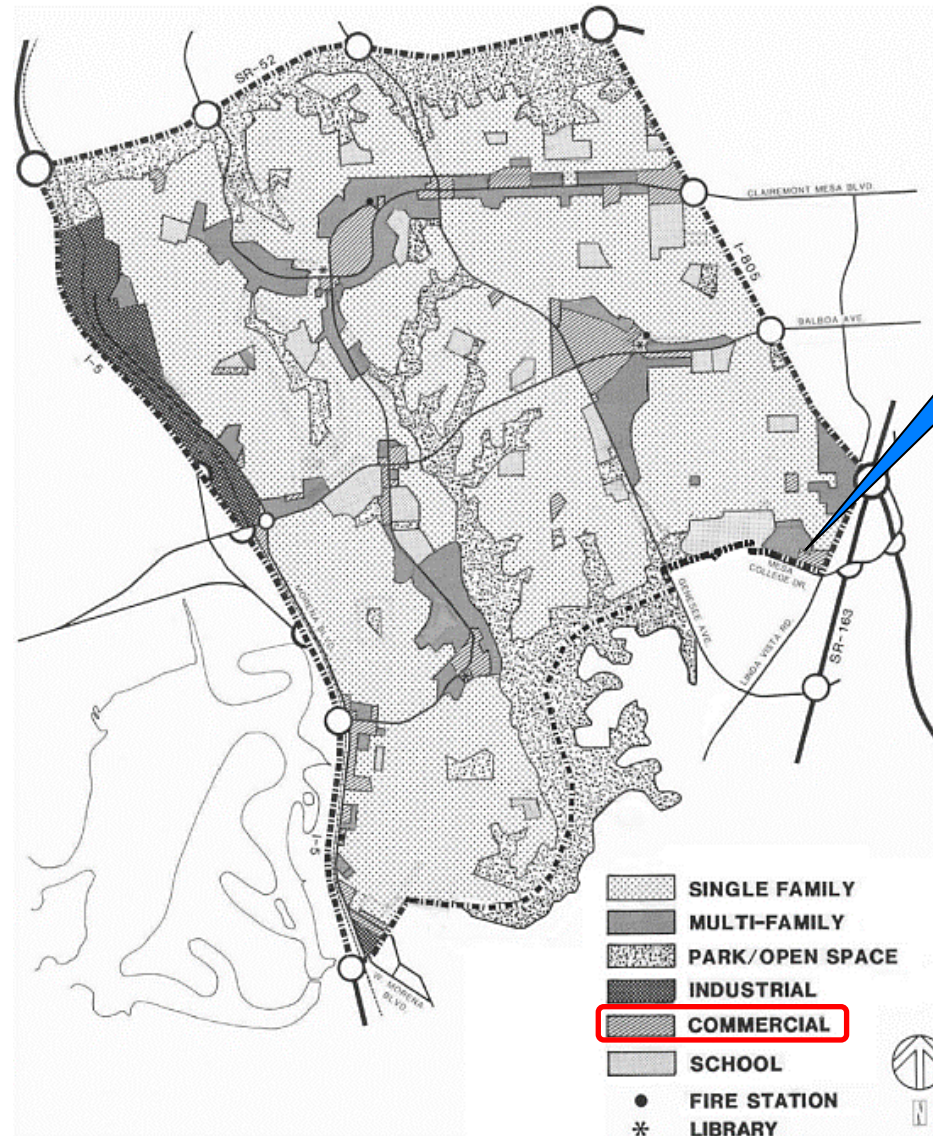


Aerial Photo





Clairemont Mesa Community Plan



Mesa College Map Waiver, Project Number 670053
7484 and 7488 Mesa College Drive



RESOLUTION NO. _____
DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE HEARING OFFICER ADOPTING THE FINDINGS
AND APPROVING TENTATIVE MAP WAIVER NO. 2456030 FOR THE
MESA COLLEGE MAP WAIVER – PROJECT NO. 670053

WHEREAS, 711 MESA COLLEGE, LLC, a California Limited Liability Company, Subdivider, and LUNDSTROM ENGINEERING AND SURVEYING, Surveyor, submitted an application with the City of San Diego for Tentative Map Waiver No. 2456030, to waive the requirement for a Tentative Map for the creation of two (2) commercial condominium units: one (1) commercial unit with an a 21,829 square foot, 18-unit, 3-story residential apartment building, and one (1) commercial unit with a 3,122 square foot retail commercial building. The project site is located at 7484 Mesa College Drive and 7488 Mesa College Drive, in the CN-1-2 Zone, within the Clairemont Mesa Community Plan area. The property is legally described as “LOT 63 OF PUEBLO VISTA UNIT NO. 4 IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEROF NO. 5349, FILED IN THE OFFICE OF THE COUNYTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 20, 1964, EXCEPT FOR THE WESTERLY 60 FEET THEROF”; and

WHEREAS, the Map proposes the subdivision of a 0.647-acre site into two commercial condominium units; and

WHEREAS, on April 7, 2022, 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 15305 (Minor Alterations in Land Use Limitations) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code section 112.0520; and

WHEREAS, a preliminary soils and geological reconnaissance report is 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 commercial condominium units is two; and

WHEREAS, on May 11, 2022 the Hearing Officer of the City of San Diego considered Tentative Map Waiver No. 2456030 , and pursuant to section 125.0122 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 Tentative Map Waiver No. 2456030:

Findings for a Map Waiver – SDMC 125.0123

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

The Mesa College Map Waiver proposes to create two (2) commercial condominium units: (1) commercial unit with a 21,829 square foot, 18-unit, 3-story residential apartment building and (1) commercial unit with a 3,122 square foot retail commercial. The 0.647-acre site is located at 7484 Mesa College Drive and 7488 Mesa College Drive in the CN-1-2 (Commercial-Neighborhood) Zone and the Commercial land use designation within the Clairemont Community Plan. The project site is adjacent to properties within the same zone. The immediate area contains a varied mix of commercial, multi-family and single-family development zoned CC-1-1, RM-3-7, RM-2-5, and RS-1-7.

The purpose of the Commercial-Neighborhood (CN) zone is to provide residential areas with access to a limited number of convenient retail and personal service uses. The CN zones are intended to provide areas for small scale, low intensity developments that are

consistent with the character of the surrounding residential areas. The zones in this category may include residential development.

Per SDMC Section 131.0522, residential development is allowed in commercial zones where indicated in Table 131-05-B when a commercial structure exists on the premises or is a part of the proposed development. The development regulations of the RM-2-5 Zone (Residential-Multiple Unit) applies according to the maximum permitted residential density, except that the lot area, lot dimensions, setback, floor area ratio, and structure height requirements of the applicable commercial zone apply.

The proposed commercial condominium units were recently constructed under separate, previously issued permits for the construction of a 21,829 square foot 18-unit, 3-story apartment building located at 7484 Mesa College Drive and a 3,122 square foot, 1-story commercial shell building located at 7488 Mesa College Drive. The construction permits were approved by the City on December 10, 2019 as part of Project No. 652145. Project No. 652145 was a ministerial action, constructed by right in accordance with the San Diego Municipal Code (SDMC) base Zone regulations section 131.0522 and did not require discretionary action. Therefore, the proposed subdivision and its design or improvement 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 is a subdivision only and does not facilitate any additional development. The proposed commercial condominium units were constructed under separate, previously issued permits for the construction of a 21,829 square foot, 18-unit, 3-story apartment building located at 7484 Mesa College Drive and a 3,122 square foot, 1-story commercial shell building located at 7488 Mesa College Drive. Per SDMC Section 131.0522, residential development is allowed in commercial zones where indicated in Table 131-05-B when a commercial structure exists on the premises or is a part of the proposed development. The development regulations of the RM-2-5 Zone (Residential-Multiple Unit) apply according to the maximum permitted residential density, except that the lot area, lot dimensions, setback, floor area ratio, and structure height requirements of the applicable commercial zone apply. The construction permits were approved by the City on December 10, 2019 as part of Project No. 652145. During ministerial review the project was determined to comply with the CN-1-2 Zone and development regulations of the Land Development Code including lot area, lot dimensions, setback, floor area ratio, and structure height requirements. No deviations are requested as part of this Project. Future purchasers of the units will be required to observe the requirements of the CN-1-2 Zone. Therefore, 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.

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

The project is a subdivision only. The proposed commercial condominium units were recently constructed as part of project No. 652145 which was approved by the City on December 10, 2019. Project No. 652145 was a ministerial action, constructed by right in

accordance with the San Diego Municipal Code (SDMC) base Zone regulations section 131.0522 and does not require discretionary action. The 0.647-acre site is in the CN-1-2 (Commercial-Neighborhood) Zone within the Clairemont Mesa Community Plan Area. The project consists of two detached buildings, a 21,829 square foot, 18-unit, 3-story apartment building located at 7484 Mesa College Drive and a 3,122 square foot, 1-story commercial shell building located at 7488 Mesa College Drive, both located on one lot. The proposed commercial condominium units are located in a medium-high density residential neighborhood and is surrounded by a mix of single, multi-family, mixed-use, and commercial development on all sides. Per SDMC Section 131.0522, residential development is allowed in commercial zones where indicated in Table 131-05-B when a commercial structure exists on the premises or is a part of the proposed development. The development regulations of the RM-2-5 Zone (Residential-Multiple Unit) applies according to the maximum permitted residential density, except that the lot area, lot dimensions, setback, floor area ratio, and structure height requirements of the applicable commercial zone apply. The construction permits were approved by the City on December 10, 2019 as part of Project No. 652145. During ministerial review the project was determined to comply with the CN-1-2 Zone, and RM-2-5 Zone where applicable, and development regulations of the Land Development Code including lot area, lot dimensions, setback, floor area ratio, and structure height requirements. Parking requirements have been met with 25 residential parking spaces provided and 18 commercial spaces provided. No changes are proposed for the lot size and no deviations are requested as part of this project. Therefore, the subdivision to create two commercial condominium units 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 project is a subdivision only and does not facilitate any additional development. The infill project site is located in a developed area. No additional development is proposed with this Tentative Map Waiver. Future development at the site would be required to comply with the Land Development Code Regulations and construction permit requirements. The site is in a developed, urban neighborhood with no Environmentally Sensitive Lands or Multi-Habitat Planning Area lands located 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 proposes to create two commercial condominium units in a developed urban neighborhood. The Tentative Map Waiver includes conditions and corresponding exhibits of approval and is consistent with the requirements of the Land Development Code and the Subdivision Map Act. The developed project site is served by existing utilities and public improvements within the right-of-way were previously approved by the City on December 19, 2019 as part of Project No. 619925 and on January 1, 2021 as part of project no. 672505. The 3,122 square foot retail commercial building is situated in the

front/southeast corner of the lot and the 21,829 square foot 18-unit, 3-story residential apartment building is along the rear/northern side of the lot along an unnamed alley. The two units are separated by a parking lot connecting two driveways on Mesa College Drive and Ashford Street which provide vehicular and pedestrian access in addition to the rear alley. Future development would be required to comply with Land Development Code Regulations and building permit requirements. Therefore, the design of the subdivision or the types of improvements will not be detrimental to 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 proposes to create two commercial condominium units only and does not facilitate any additional development and will not conflict with the existing San Diego Gas and Electric easement for underground facilities and appurtenances onsite which will be maintained. Pedestrian access is provided via public street on both Mesa College Drive, Ashford Street, and the northern alley, and vehicle access via private driveways on Mesa College Drive and Ashford Street as well as the northern alley. Therefore, the design of the subdivision and proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

The project proposes to create two commercial condominium units only and does not facilitate any additional development. The project site was recently constructed as part of Project No. 652145 which was approved by the City on December 10, 2019 which complies with all current codes and the California Code of Regulations Title 24 Standards. It is located in a developed urban neighborhood and the underlying zone provides opportunity through building materials, site orientation, architectural treatments, placements and selection of plant materials to provide, to the extent feasible, 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 project site was recently constructed and is within a medium-high density urban neighborhood as part of Project No. 652145 which was approved by the City on December 10, 2019. It is not anticipated to have employment or housing impacts beyond those which have already occurred. Future development on the property would be subject to the underlying zone regulations at the time of application. The site is served by existing public infrastructure including public transit in the immediate area, the proximity of shopping, and essential services, recreation, and schools in the nearby developed urban area. Impacts to environmental resources would be avoided because the site is in a developed urban neighborhood and does not contain, nor is adjacent to such resources. Therefore, there

ATTACHMENT 4

would be no additional demand for public services or available fiscal and environmental resources associated with the creation of two new condominium units.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Tentative Map Waiver No. 2456030 is hereby granted to 711 MESA COLLEGE, LLC, subject to the attached conditions which are made a part of this resolution by this reference.

By _____
Carrie Lindsay
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Waiver Conditions

Internal Order No. 11004543

ATTACHMENT 5

HEARING OFFICER
CONDITIONS FOR MAP WAIVER NO. 2456030
MESA COLLEGE TENTATIVE MAP WAIVER - PROJECT NO. 670053
ADOPTED BY RESOLUTION NO. _____ ON MAY 11, 2022

GENERAL

1. This Map Waiver will expire May 11, 2025.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map unless otherwise noted.
3. Prior to the Map Waiver expiration date, a Consolidation Parcel Map shall be recorded in the Office of the San Diego County Recorder.
4. Prior to the recordation of the Parcel Map, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition. If a 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 and supply proof prior to the recordation of the Parcel Map.
5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify 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 be required to pay or perform any settlement unless such settlement is approved by the Subdivider.

ENGINEERING

6. The Subdivider shall complete construction of required Public Improvements per approved Right-of-Way Approval No. 2207621.
7. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
8. The Subdivider shall comply with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980. Only those

ATTACHMENT 5

exceptions to the General Conditions which are shown on the Map Waiver 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

9. The Parcel 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 Parcel 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 Parcel Map in accordance with Section 144.0130 of the City of San Diego Land Development Codes.

10. 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.
11. The Parcel 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 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

ATTACHMENT 5

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 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

NOTICE OF EXEMPTION**ATTACHMENT 6**

(Check one or both)

TO: ☒ RECORDER/COUNTY CLERK
P.O. Box 1750, MS A-33
1600 PACIFIC HWY, ROOM 260
SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO
DEVELOPMENT SERVICES DEPARTMENT
1222 FIRST AVENUE, MS 501
SAN DIEGO, CA 92101

☐ OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET, ROOM 121
SACRAMENTO, CA 95814

Project No.: 670053

Project Title: Mesa College Map Waiver

PROJECT LOCATION-SPECIFIC: 7484-7488 Mesa College Drive, San Diego, CA.

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: Tentative Map Waiver to create a two-unit condominium project (one residential unit consisting of 18 residential apartments, and one commercial unit) for a previously approved apartment building. The 0.64-acre site is located at 7484-7488 Mesa College Drive in the CN-1-2 Zone, and the Clairemont Mesa Height Limit, Airport Land Use Compatibility (Montgomery Field), Airport Influence Area – Review Area 2 (Montgomery Field), and the Transit Priority Area Overlay Zones.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Kevin Held- 4747 Executive Drive San Diego CA, 92121. (858) 546-5428

EXEMPT STATUS: (CHECK ONE)

- ☐ MINISTERIAL (SEC. 21080(b)(1); 15268);
- ☐ DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a));
- ☐ EMERGENCY PROJECT (SEC. 21080(b)(4); 15269 (b)(c)..
- ☒ CATEGORICAL EXEMPTION: 15305 (Minor Alterations in Land Use)
- ☐ STATUTORY EXEMPTION:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an environmental review and determined that this project meets the criteria set forth in CEQA Section 15305, which allows for minor alterations to land as long as the average slope on site is less than 20% and would not result in any changes in land use or density. Since the project site does not contain slopes greater than 20%, due in part to the fact that the site has been flattened for development and would not change land use or increase density the exemption does apply. The site is currently under development and would not trigger any of the exceptions to categorical exemptions found in State CEQA Guidelines, Section 15304.2.

ATTACHMENT 6

LEAD AGENCY CONTACT PERSON: Jeffrey Szymanski

TELEPHONE: 619 446-5324

IF FILED BY APPLICANT:

1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?
() YES () NO

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA



_____/SENIOR PLANNER

SIGNATURE/TITLE

4/26/2022

DATE

CHECK ONE:

(X) SIGNED BY LEAD AGENCY

DATE RECEIVED FOR FILING WITH COUNTY

CLERK OR OPR:

Clairemont Community Planning Group
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Minutes of the Meeting of
November 17th, 2020
ZOOM Virtual Meeting

P Naveen Waney - Chair P Nicholas Reed – Vice Chair A Gary Christensen - Secretary P Cecelia Frank - Treasurer	A Harry Backer A Kevin Carpenter P Lisa Johnson P Chad Gardner	Vacant P Carol Schleisman P Glen Schmidt P Susan Mournian	P Billy Paul P Erin Cullen P Briar Belair A Marc Gould
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P – Present A – Absent L-Late

Item 1. Call to Order / Roll Call

Chair Naveen Waney called the meeting to order at 6:02 p.m. Roll call was taken and a quorum present.

Item 2. Non-Agenda Public Comment – Issues that are not on the agenda and are within the jurisdiction of the Clairemont Community Planning Group. **NOTE:** 1-minute time limit per speaker.

Non-Committee Members:

- Irene – From Linda Vista regarding the construction along Morena. Morena United has filed a lawsuit and has a court date in January. We are looking donations.

Committee Members:

- Remind everyone to please wear a mask.

Item 3. Modifications to the Agenda – Requires 2/3 approval

- Move item 2 to after item 7.

Item 4. Approval of Minutes-

- Motion - Naveen
- Second - Nick
- Vote 8-0-3 (Lisa, Erin & Billy abstain)

Item 5. Council Representative Reports

District 2 Council Report, Carrie Munson, Community Liaison, cmunson@sanidiego.gov

- Council Members Campbell and Cate cosponsored ballot measure E which passed.
- STVR memorandum of understanding sent to city attorney and planning commission then sent back to DSD regarding questions of permit fees and enforcement.
- 12/18/20 Council Member Campbell to hold a zoom call with residents of Clairemont.

District 6 Council Report, Jon Shiner, Community Liaison, jshiner@sanidiego.gov

- John unable to attend sent report to Nicholas.
- Council Members Cate and Campbell have sent a letter to the Library Directory to get a library open for Clairemont. Library responded that all Clairemont Libraries will remain closed until phase 3 due to their size.
- Mt. Etna demolition is under way, 12/2020 estimated completion Chelsea is in talks with SDG&E to obtain small parcel of land.
- Sandbags available for storms 10 per person. North Clairemont Rec Center. M-F 1-7, S-Su 12-2
- Annual Christmas Tree event for military family to be held on 12/5 8-1.
- 12/12 Toys for Tots drive.

City of San Diego Planning Department Update, Marlon Pangilinan, mpangilinan@sanidiego.gov

- No CPU updates revised draft underway.
- Planning department providing updates for elections planning underway.

Item 6. Consent Agenda**101. CCPG Support of Clairemont Town Council Letter Regarding Complete Communities**

- Glen requests Discussion. City has already approved this plan with the exception of the Parks & Rec natural plan from land use portion
- Naveen-The officers discussed and felt the planning group should take a vote and have an official stance.
- Eden-There is still a second reading to be held by City Council.

Item 7. Action Items**201. Appointment of Vacant CCPG Member Seat – Nicholas Reed, Vice-Chair**

- Brett Montgomery is the only applicant.
- Questions:
 - Carol – What is your feeling about eliminating the 30' height limit in Clairemont?
 - Brett – I feel it's a little bit of a loaded question in some areas it should be kept and in others it would be wise to go higher to allow for development
 - Carol – What areas do you think it is best to go higher?
 - Brett – Along the transit corridors to allow denser housing and mixed-use.
 - Carol – What are your thoughts about allowing it on Morena?
 - Brett – I think there are some along Morena that would be beneficial.
 - Carol – What about Clairemont Town Square?
 - Brett – Absolutely, I live near the square and if things are done appropriately.
 - Billy – I have a concern with the height limit and I'm concerned with his position.
 - Erin – Do you work for a developer?
 - Brett – I do work in the real estate industry.
 - Susan – I would like to conclude the questioning; Brett is being asked things that no other candidate is subject to.
- Motion – Susan
- Second – Glen
- Vote – 7-3-1 (Erin Abstains)

202. PTS 625003 – Tecolote Canyon Park Master Plan Amendment/NRMP/SDP – Applicant Mark Berninger

- PRS Comments – Motion from PRS was to approve as submitted passing unanimously.
- Discussion:
 - Billy – Doing something with the underpass at balboa is important because of the road and has impacted the natural wildlife.
 - Lisa – The areas marked as new trails look to be in the southern portion of Tecolote appears to be part of the SDG&E easement, is that portion not currently considered trail? Who manages it?
 - Mark – that is currently outside the boundary of the park and there is currently no shared easement with SDG&E which we are asking for with this proposal.
 - Lisa – Is there anything that can be done about the concrete and gravel it's difficult to walk on.
 - Mark – Potential coordination with SDG&E.
 - Darrel (Tecolote Citizens Advisory Committee) – This is something we have been working on for many years and this is the best thing that has come before us in quit a bit and we are hopeful it will move forward.
- Motion – Nicholas motion to approved as presented
- Second – Chad
- Vote – 11-0-0

203. PTS670053 – 7484 Mesa College Dr. Tentative Map Waiver – Applicant Lawrence Cole

- PRS Comments – Motion to approve as submitted with unanimous approval.
- Discussion:
 - Erin – What was the parking issue?
 - PRS – Which spaces will be allocated to whom.
 - Applicant – the HOA will manage the parking.
 - Billy – Concern if there's too much rowdiness or noise at the retail due to separate owners you have no recourse with the owner and need to take city action.

- Applicant – The HOA would need to handle it.
- Carrol – How many parking spaces per unit?
- Nick – This isn't relevant to this application.
- Lisa – I Think it's relevant due to splitting the property.
- Applicant – 25 spaces for 18 units.
- Lisa – Is there any street parking?
- Nick – it's mostly red due to a bus stop.
- Motion – Susan motion to approve as submitted
- Second – Glen
- Vote – 8-3-0

204. PTS 671928 – 1850 Illion St. Tentative Map – Applicant Connor Culleiton

- PRS Comments – Motion to approve as submitted with unanimous approval.
- Discussion:
 - Billy – I assume this is on Illion where the street is steep.
 - Applicant – Yes it's relatively steep.
 - Billy – So I would say there's really no street parking that's available because of that.
 - Applicant – each lot is set to have required parking per code.
 - Nick – Billy I have google maps up and there is street parking available.
 - Lisa – Confirm this is for SFR?
 - Applicant – Yes.
 - Erin – Have you notified the neighbors? Do they know what is being presented?
 - Applicant – Yes when we submit to the city it gets public noticed.
 - Erin – How has the neighborhood response been?
 - Applicant – I haven't personally handled any calls regarding it. I'm not aware of any response.
 - Billy – my understanding is that in the state of California there is no longer a single family residence because you can not build a granny flat and if the property is split it allows 4 units to be built.
- Community Input:
 - Jeff – I am the neighbor directly to the north and am not a fan of the project due to potential soil degradation.
 - Connie B – Lives to the north had has the same concerns as Jeff. Concerned the construction could cause problems for neighbors in regards to the soil. I Have submitted a letter to the planning commission.
 - Applicant – Part of this project will require a grading permit that will handle any of those issues.
 - Peg – Has concerns regarding the traffic with the school and safety of the children during construction.
 - Jeff – is there a plan for the actual dwellings that will be built?
 - Applicant – No plans have been developed at this time but they will have to comply with the current zone.
 - Connie – I want to support Peg's comments. Also to clarify it sounds like soil degradation and retaining walls haven't been explored yet correct?
 - Applicant – No, we have in our preliminary geotechnical investigation and has been submitted to the city.
 - Chad – Coming from a builder the city has become a lot more strict regarding the building issues and the geotechnical because of the last 10-15 years of hillside falls.
- Motion – Briar motion to approve as submitted
- Second – Glen
 - Vote – 8-3-0

205. PTS 634180 Balboa Ave. SDP – Applicant Darren Machulsky

- PRS Comments – A drive-through encourages further automobile use and potential future vehicle congestion from the drive-thru. Motion to deny as presented and passed unanimously.
- Discussion:
 - Billy – As the chair of the Balboa Citizens Advisory Committee the concept along Balboa was to make it a more pedestrian friendly area with sit down/café style restaurants and not have all drive-throughs.
 - Lisa – The PRS denied?
 - Nick – Yes.
 - Glen – Based on the comments and concerns received at PRS what changes have been made?
 - Applicant – The questions and concerns are outside of the scope of this permit.
 - Lisa – Is there any traffic mitigation being implemented?

ATTACHMENT 7

- That is part of the traffic study that has been underway and there is public improvement included in that but there has been no mention of a traffic light.
- Nick – My concerns are we don't need another drive-through in Clairemont right now with idling cars and emissions. Additionally, there's already a coffee shop on this property and they potentially get preference to move into this spot.
- Naveen – This is an amendment to an existing CDP so I'm a little torn on this because of that. We really can't look at everything else we're only weighing in on the amendment to the existing permit.
- Chad – From my recollection we are all in support of changing it from an oil change place and it is a choice to change the CDP/SDP to a drive-through. It can be changed to anything they have chosen a drive-through.
- Applicant – The market is going to dictate what goes in here. I have no control over what end up in this location.
- Billy – The Balboa Ave. community group has put out a document that is a city document that is approved by the city and needs to be taken into account.
- Lisa – For clarification the motion would be to approve this as a drive-through even though the plans are not final and there is no tenant.
- Applicant – this isn't just a drive-through the city has required plans for a patio area, pedestrian access and bicycle parking so it won't be just a drive-through.
- Glen – Can we get a simple clarification on what we are being asked to approve?
- Applicant – An amendment to an SDP that allowed an oil change facility to now allow a drive-through coffee type facility.
- Motion – Susan motion to approve as presented.
- Second - Naveen
- Community Input:
 - Brett – My input is that if nothing happens here this will remain a oil change facility, that is currently vacant and would most likely remain vacant.
- Vote – 2-9-0 Motion Fails.

206. CCPG Support of Clairemont Town Council Letter Regarding Complete Communities

- Motion – Susan
- Second – Chad
- Discussion
 - Chad – For such a broad sweeping comprehensive plan to only be given a couple of months without extensive engagement doesn't feel right.
 - Nicholas – When is the second reading?
 - Carrie – unsure at this time.
 - Brett – City has a website that contains a lot of information about complete communities.
- Vote – 11-0-0

Item 8. Informational Items

301. 2021 CCPG Elections – Nicholas Reed, Vice-Chair

- Marlon already talked about what may be coming forward with the election process. We aren't sure how we will be moving forward yet.
- 8 seats up for election.

Item 9. Workshop Items None

Item 10.--Potential Action Items None

Item 11. Reports to Group

Chair Report – Naveen Waney – no report

Vice-Chair/Parking & Transportation Report – Nicholas Reed – No report

Secretary Report, Gary Christensen – Please make sure you are attending the meetings and adhering to the bylaws.

Sergeant-At-Arms – I sponsored our Zoom membership for 2020 and we need to look into how we will be paying for it in 2021.

Airports – Nicholas Reed – No report

Community Planners – Naveen Waney – Covered STVR with no action. Met about complete communities twice.

MCAS Miramar – Cecelia Frank – No report

Treasurer – Delana Hardacre – Bank Balance \$139.23

Community Plan Update – Susan Mournian – Should be starting final plan update discussions in January concluding in March.

Clairemont Town Council – Lisa Johnson– San Diego public libraries have extended their tutoring for K-8 Monday through Saturday. Police representative, fire department and fire safe council did a presentation on community safety. Police are seeing an increase in crimes of convenience.

Project Review Subcommittee – Kevin Carpenter –


Election – Nicholas Reed – No report.

By-Laws – Briar Belair – No report.

CIP – Erin Cullen – no report

Adjournment at 8:20 PM

The next meeting will be held on January 19th, 6:00 pm.

	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 _____

Project Title: 7484 and 7488 Mesa College Drive

Project No. For City Use Only: _____

Project Address: 7484 and 7488 Mesa College Drive

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

☐ Corporation ☒ Limited Liability -or- ☐ General - What State? CA Corporate Identification No. 82-1757794

☐ 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: Kevin Held ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 4747 Executive Drive 8th Floor

City: San Diego State: CA Zip: 92121

Phone No.: 858-546-5428 Fax No.: N/A Email: kevin.held@cushwake.com

Signature: X [Signature] Date: 7/15/20

Additional pages Attached: ☒ Yes ☐ No

Applicant

Name of Individual: Kevin Held ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 4747 Executive Drive 8th Floor

City: San Diego State: CA Zip: 92121

Phone No.: 858-546-5428 Fax No.: N/A Email: kevin.held@cushwake.com

Signature: X [Signature] Date: 7/15/20

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

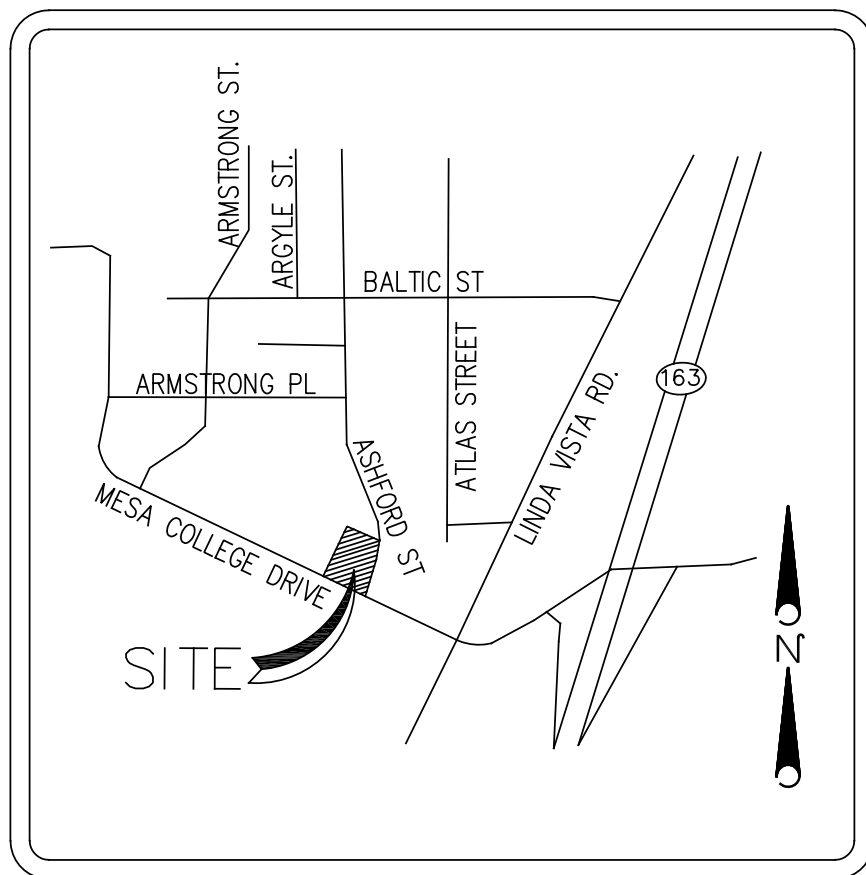
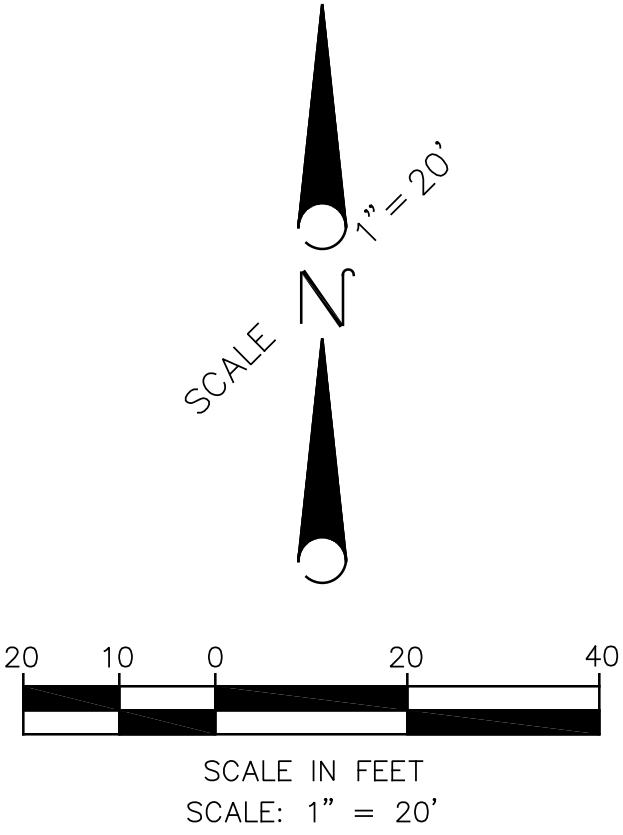
Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services.
 Upon request, this information is available in alternative formats for persons with disabilities.

DS-318 (10-17)

EXHIBIT "A"MEMBERS; MAILING ADDRESSES; PERCENTAGE;
INITIAL CAPITAL CONTRIBUTION

	Initial Capital Contribution	Membership %	Initial Capital %
Richard Held 264 North Saltair Ave Los Angeles, CA 90049 <u>Rod264@aol.com</u> 818.406.9226	\$500,000	25%	50%
Satpal Singh 1930 Straits View Drive Tiburon, CA 94920 415.246.7067 <u>vini0000@hotmail.com</u>	\$500,000	25%	50%
Kevin Held 7821 Boulevard Place La Jolla, CA 92037 <u>Kevin.held@cushwake.com</u> 619.665.1878		25%	
Tony Cassolato 1345 Encinitas Blvd #813 Encinitas, CA 92924 <u>Tonygc@cox.net</u> 619.823.3602		25%	

TENTATIVE MAP WAIVER NO. 2456030
7484-7488 MESA COLLEGE CONDOMINIUMS P.T.S. 670053



SURVEYOR'S NOTE

THE INFORMATION SHOWN ON THIS SURVEY IS FOR THE PURPOSE OF REPRESENTING THE TOPOGRAPHY OF THIS SITE AS OF THE DATE INDICATED HEREON. A BOUNDARY SURVEY WAS NOT PERFORMED IN THE PREPARATION OF THIS MAP. THE BOUNDARY SHOWN HEREON IS FROM RECORD INFORMATION.

TOPO IS BASED ON FIELD SURVEY PERFORMED ON JULY 17, 2017. ADDITIONAL FIELD SURVEY PERFORMED ON DECEMBER 18, 2019 AND ON JULY 8, 2021.

COORDINATE INDEX:

L.C.: 232-1719
NAD 83: 1872-6279

UTILITY TABLE:

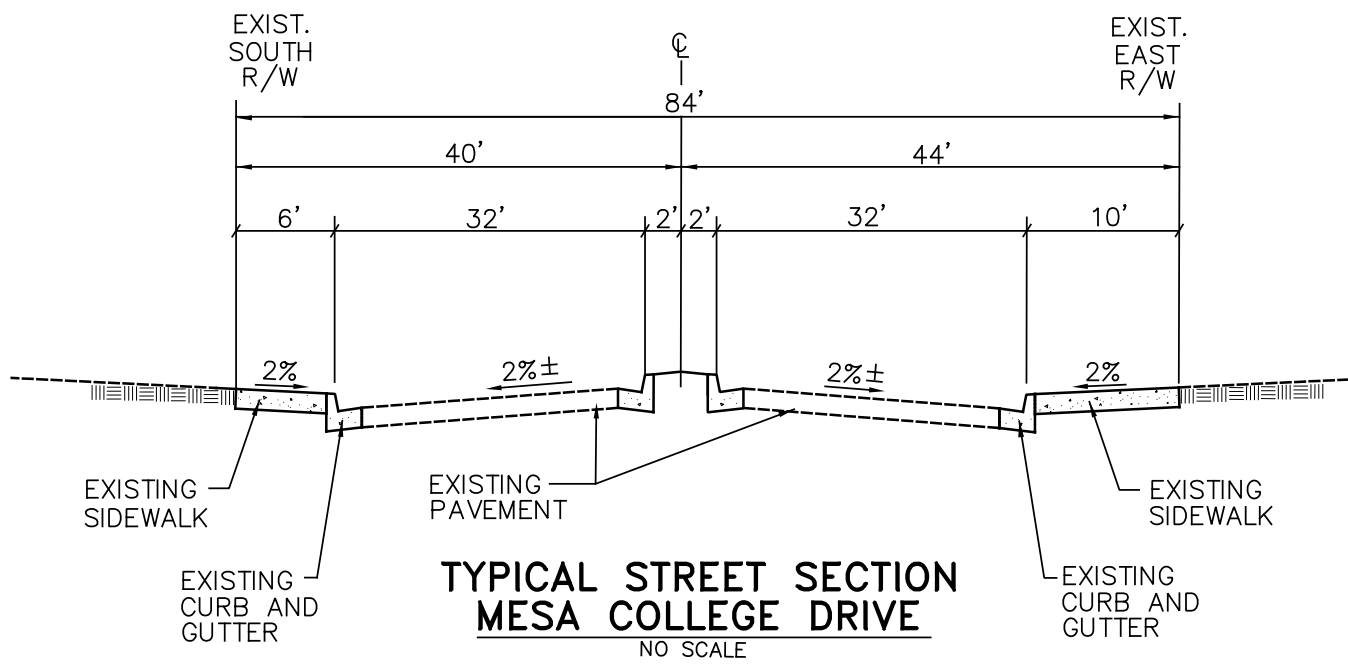
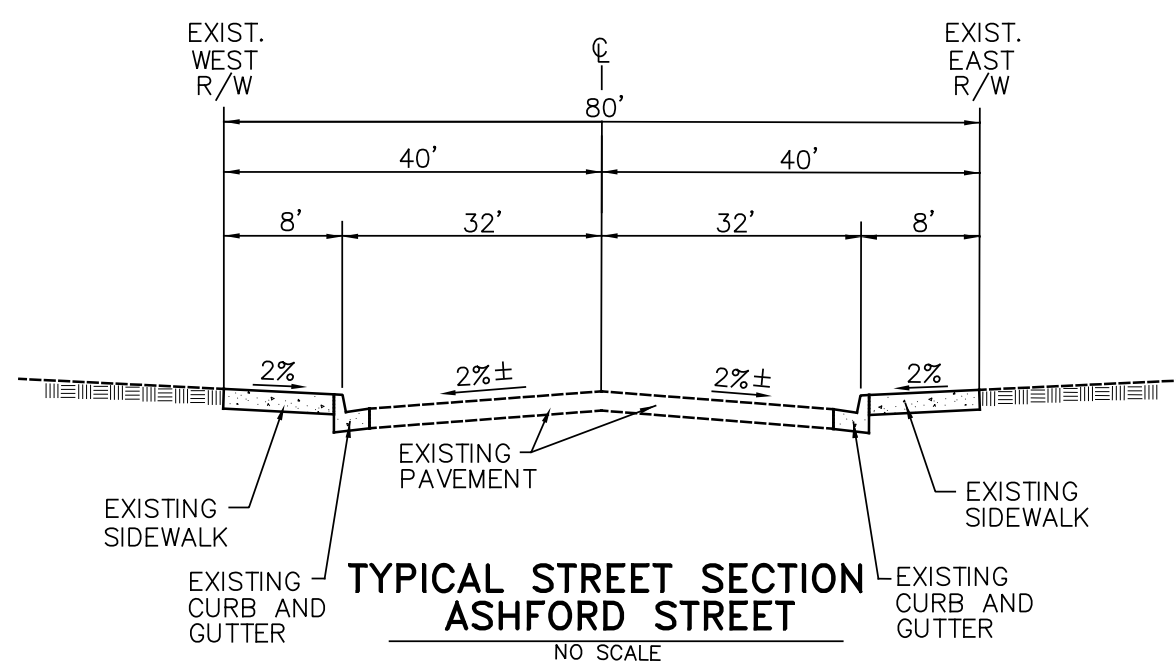
ELECTRIC - UNDERGROUNDED
CABLE - UNDERGROUNDED
TELEPHONE - UNDERGROUNDED
WATER - CITY OF SAN DIEGO
SEWER - CITY OF SAN DIEGO

BENCH MARK

CITY OF SAN DIEGO BENCHMARK
NWPB AT THE INTERSECTION OF
MESA COLLEGE DR. & ASHFORD ST.
ELEVATION: 368.119 MSL

LEGEND

IMPROVEMENTS	SYMBOL
PROPERTY LINE:	---
EXISTING CONTOUR:	~ 370
PROPOSED CONTOUR:	~ 370
RETAINING WALL:	=====
CONCRETE DRIVEWAY	=====
ASPHALT PAVEMENT 3" AC OVER 4" CLASS AGG. BASE	=====
EXISTING STREET LIGHT	~ 52
EXISTING TREES	~ 52



TITLE REPORT BY:

FIDELITY NATIONAL TITLE COMPANY
FILE NO.: 987-30029091-CS7

EXISTING EASEMENT:

EXISTING EASEMENT TO SAN DIEGO GAS AND ELECTRIC FOR UNDERGROUND FACILITIES AND APPURTENANCES FOR TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND COMMUNICATION FACILITIES AND APPURTENANCES RECORDED MAY 24, 2019 AS DOCUMENT NUMBER 2019-0198784, OFFICIAL RECORDS EASEMENT NOT PLOTTABLE

LEGAL DESCRIPTION:

LOT 63 OF PUEBLO VISTA UNIT NO. 4, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 5348, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 20, 1964.

EXCEPT THE WESTERLY 60 FEET THEREOF.

ASSESSOR'S PARCEL NUMBER:

427-480-10-00

ZONE

BASE ZONE: CN-1-2 (RM-2-5 RESIDENTIAL REGULATIONS)
OVERLAY ZONES: RESIDENTIAL TANDEM PARKING
TRANSIT PRIORITY AREA
CLAIREMONT MESA HEIGHT LIMIT

PLANNED DISTRICT:

EXISTING USE: RESIDENTIAL AND COMMERCIAL
PROPOSED USE: NO CHANGE

EXISTING RESIDENTIAL UNITS:

3-STORY FLATS CONSISTING OF A TOTAL OF 18 APARTMENTS

GROSS LOT AREA: 0.647 ACRES

NUMBER OF EXISTING LOTS = 1

NUMBER OF PROPOSED LOTS = 1

PROJECT NOTES:

CONDOMINIUM NOTE:
THIS IS A CONDOMINIUM PROJECT AS DEFINED IN SECTION 6542 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. TOTAL NUMBER OF UNITS IS 2.

THE PROJECT CONSISTS OF 2 COMMERCIAL UNITS:
1 COMMERCIAL UNIT WITH AN 18 UNIT RESIDENTIAL APARTMENT BUILDING, AND
1 COMMERCIAL UNIT WITH A RETAIL COMMERCIAL BUILDING.

7484 MESA COLLEGE DRIVE
COMMERCIAL (18 UNIT RESIDENTIAL APARTMENT BUILDING)
BUILDING PERMIT NO. 2364465 DATED ISSUES 12-10-2019

7488 MESA COLLEGE DRIVE
COMMERCIAL UNIT
BUILDING PERMIT NO. 2364482 DATED ISSUES 12-10-2019

PARKING NOTES:

THE PROJECT PROVIDES 18 COMMERCIAL PARKING SPACES
THE PROJECT PROVIDES 25 RESIDENTIAL PARKING SPACES

PERMIT INFORMATION:

ALL WORK IN THE RIGHT AWAY HAS BE PERMITTED BY:
PERMIT NO. 2207621 AND EMRA NO. 2207632, DESIGNATED (A) AND
PERMIT NO. 2459953 AND EMRA NO. 2464913, DESIGNATED (B)

THE SUBDIVIDER SHALL PROVIDE A LETTER, AGREEING TO PREPARE CORRS FOR THE OPERATION AND MAINTENANCE OF ALL PRIVATE WATER AND SEWER FACILITIES.

A PARCEL MAP SHALL BE FILED AT THE COUNTY RECORDER'S OFFICE PRIOR TO THE EXPIRATION OF THE TENTATIVE MAP, IF APPROVED. A DETAILED PROCEDURE OF SURVEY SHALL BE SHOWN ON THE PARCEL MAP AND ALL PROPERTY CORNERS SHALL BE MARKED WITH DURABLE SURVEY MONUMENTS.

OWNER:

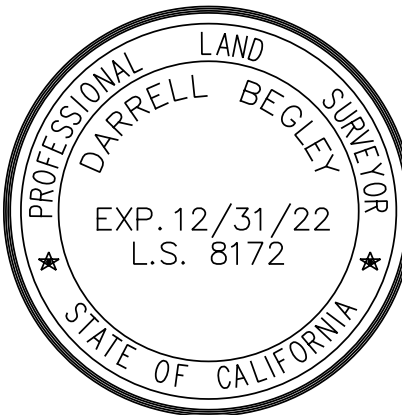
711 MESA COLLEGE
A CALIFORNIA LIMITED LIABILITY COMPANY

Kevin Held 3/29/22
KEVIN HELD AS MANAGING MEMBER DATE

SURVEYOR

LUNDSTROM ENGINEERING AND SURVEYING
5333 MISSION CENTER ROAD, STE 115
SAN DIEGO, CA 92107
(619) 814-1220

DARRELL BEGLEY 3/29/22
L.S. 8172 DATE
EXPIRES ON 12/31/22



TENTATIVE MAP WAIVER SITE PLAN FOR:

7484 and 7488 Mesa College Drive
San Diego, CA