



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: March 28, 2018 REPORT NO. HO-18-022

HEARING DATE: April 4, 2018

SUBJECT: 9115-9155 Brown Deer Road MW, Process Three Decision

PROJECT NUMBER: [572829](#)

OWNER/APPLICANT: SN BROWN DEER, LLC

### SUMMARY

Issue: Should the Hearing Officer approve the creation of eight industrial condominium units within two existing buildings located at 9115-9155 Brown Deer Road within the Mira Mesa Community Planning area?

Staff Recommendation: APPROVE Map Waiver No. 2015371.

Community Planning Group Recommendation: On February 22, 2018, the Mira Mesa Community Planning Group voted 14-0-1 to recommend approval of the proposed project with no additional conditions.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(k), Existing Facilities. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on February 2, 2018, and the opportunity to appeal that determination ended February 16, 2018.

### BACKGROUND

The 3.2-acre site is developed with two existing two-story industrial buildings permitted in 1987. The project site is located at 9115 – 9155 Brown Deer Road (Attachment 1) in the Industrial (IL-2-1) Zone, Airport Land Use Compatibility, ALUCP Noise Contours, Airport Influence Areas, FAA Part 77 Noticing Area, and Airport Safety Overlay Zones. Additionally, the site is within the Prime Industrial Lands and the Light Industrial Land Use designation of the Mira Mesa Community Plan (MMCP) area (Attachment 2).

The surrounding area is fully developed as a light industrial, support commercial and office park with one- and two-story structures (Attachment 3). Utilities on the project site and within the

surrounding industrial park were undergrounded with initial development. The proposed subdivision qualifies for a Tentative Map Waiver for the proposed subdivision of the property into eight industrial condominium units per San Diego Municipal Code (SDMC) Sec. 125.0120(b)(2)(B).

#### DISCUSSION

The project proposes the conversion of the existing two buildings into eight industrial condominiums. 9115 Brown Deer Road is the smaller of the two structures at 13,668-square feet and will be a single industrial condominium unit. 9155 Brown Deer Road is 34,086-square feet and will consist of seven industrial condominium units. The entire eight-condominium unit complex will share 146-onsite parking spaces, landscape, and infrastructure. The proposed conversion to industrial condominiums supports MMCP recommendations of preserving an adequate supply of industrial land for manufacturing uses. The proposed conversion to industrial condominiums is a change from single ownership to opportunities for multiple ownerships and does not propose impacts on the uses or the square footage within the existing industrial development.

A building conditions report has been prepared for the structures proposed for this condominium conversion, which concludes that the property is in good overall condition, and includes several deferred maintenance recommendations for repairs and replacement of certain building finishes and elements to extent the useful life such as paint, façade veneer replacement, flooring in stairwells and fire extinguisher and elevator operation permits. The existing development has been constructed in accordance with the density, gross floor area, and parking per prior approved plans, and complies with the parking and landscape requirements for condominium conversions.

#### CONCLUSION

Staff has reviewed the request for a Map Waiver and has found the project to be in conformance with the applicable sections of the SDMC and believes the required findings can be approved. Therefore, staff recommends the Hearing Officer approve Waiver No. 2015371.

#### ALTERNATIVES

1. Approve Map Waiver, No. 2015371, with modifications.
2. Deny Map Waiver, No. 2015371, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



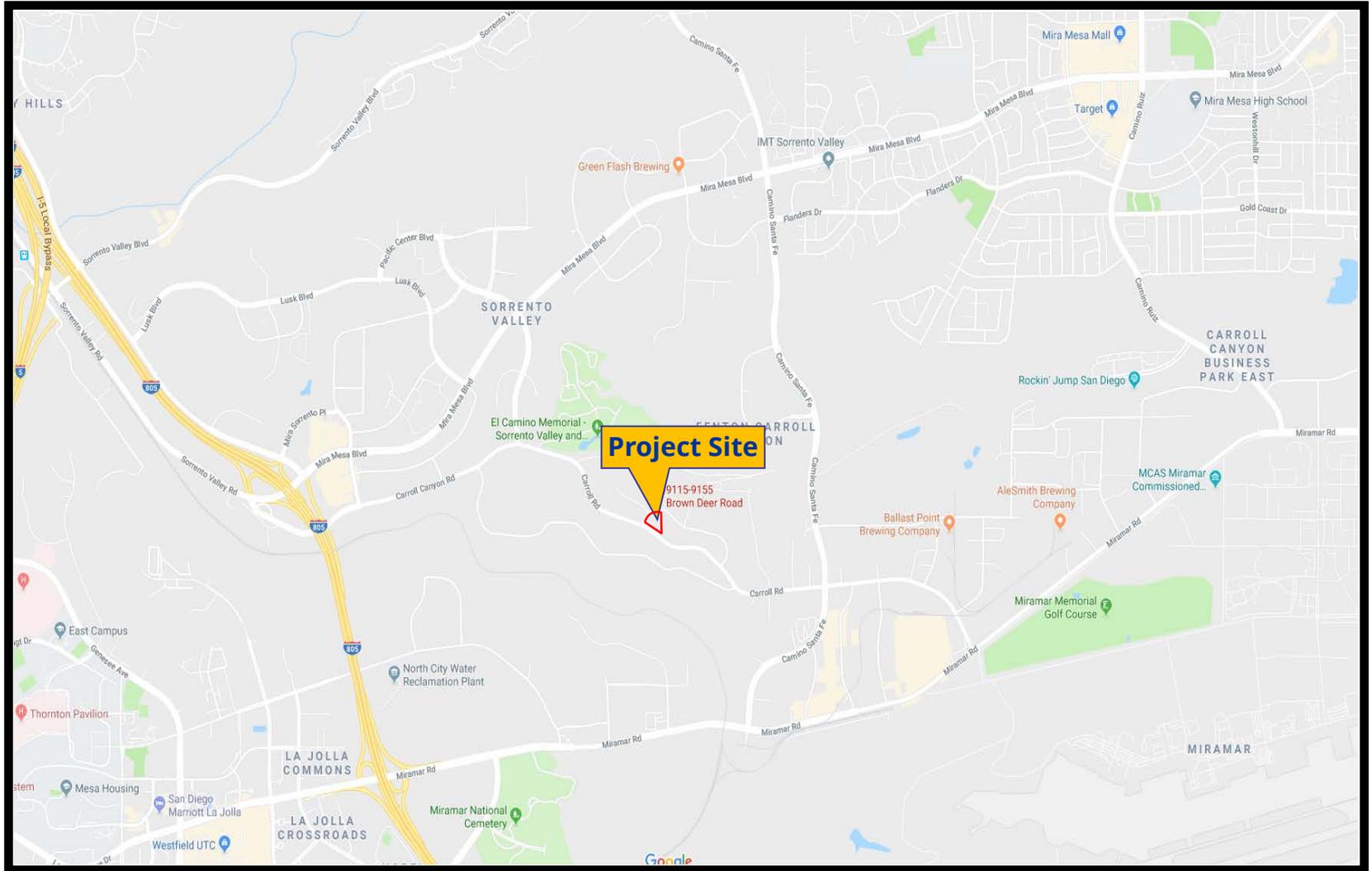
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Karen Bucey, Development Project Manager

Attachments:

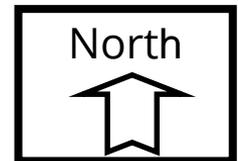
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photo

4. Draft Map Waiver Resolution
5. Draft Map Waiver Conditions
6. Environmental Exemption
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Map Waiver Exhibit



# Project Location Map

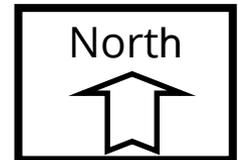
**Brown Deer; Project No. 572829**  
**9115 - 9155 Brown Deer Road**





# Community Plan Land Use Map

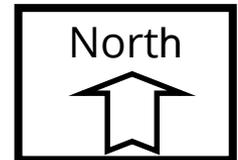
Brown Deer; Project No. 572829  
 9115 - 9155 Brown Deer Road





## Aerial Photo

Brown Deer; Project No. 572829  
9115 - 9155 Brown Deer Road



RESOLUTION NO. \_\_\_\_\_  
DATE OF FINAL PASSAGE MAY 30, 2018

A RESOLUTION OF THE HEARING OFFICER ADOPTING THE FINDINGS  
AND APPROVING MAP WAIVER NO. 2015371  
9115-9155 BROWN DEER - PROJECT NO. 572829

WHEREAS, SN BROWN DEER, LLC, a Delaware Limited Liability Company, Subdivider, and Giovanni Posillico, Engineer, submitted an application with the City of San Diego for Map Waiver No. 2015371, to waive the requirement for a tentative map for two existing buildings to be converted from single ownership to eight industrial condominium units. The project site is located at 9115 - 9155 Brown Deer Road, north of Carroll Road, in the Industrial Light (IL-2-1) Zone and Mira Mesa Community Plan (MMCP) area. The property is legally described as Parcel 25 of Parcel Map No. 12573, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, February 18, 1983 as File No. 83-053582 of Official Records.; and

WHEREAS, the Map proposes the subdivision of a 3.2-acre site consisting of two, two-story industrial buildings into an eight-unit industrial condominium development on one (1) lot; and

WHEREAS, on February 2, 2018, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guidelines Section 15315, Minor Land Divisions; and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code (SDMC) section 112.0520; and

WHEREAS, on May 30, 2018, the Hearing Officer of the City of San Diego considered Map Waiver No. 2015371 pursuant to sections 125.0122 of the SDMC 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. 2015371:

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

The 3.2-acre project site is located at 9115 - 9155 Brown Deer Road, north of Carroll Road, in the Industrial Light (IL-2-1) Zone and Mira Mesa Community Plan (MMCP) area. The Mira Mesa Community Plan Land Use designation is Light Industrial and the zone is designed for light industrial and office uses with limited commercial. The existing site consisting of two, two-story office and distribution structures is consistent with land use designation and the implementing zoning.

The project proposes the conversion of the existing two buildings into eight industrial condominiums. 9115 Brown Deer Road is the smaller of the two structures at 13,668-square feet and will be a single industrial condominium unit. 9155 Brown Deer Road is 34,086-square feet and will consist of seven industrial condominium units. The eight-condominium complex will share 146-onsite parking, 51,950-square feet of landscape area, as well as underground utilities and infrastructure. The proposed conversion to industrial condominiums supports MMCP recommendations of preserving an adequate supply of industrial land for manufacturing uses. The proposed conversion to industrial condominiums is a change in ownership type, but does not propose impacts on the uses or square footage within the existing industrial development. Therefore, the proposed subdivision is consistent with the policies, goals, and objectives of the applicable MMCP land use plan.

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

The project proposes the conversion of the existing two buildings into eight industrial condominiums, on a 3.2-acre site located at 9115 - 9155 Brown Deer Road, north of Carroll Road, in the Industrial Light (IL-2-1) Zone and MMCP area. Other than the subdivision to

allow opportunities for individual condominium ownership, no additional development or intensification of use is requested. The implementing Industrial Light (IL-2-1) Zone allows a maximum of 278,784-square-feet of development on the site. The existing site consists of two, two-story office and distribution structures of 13,668-square-feet and 34,086-square-feet for a total development of 47,754-square-feet. Further, the development provides 146 off-street parking spaces as originally approved.

A building conditions report has been prepared for the structures proposed for this condominium conversion, which concludes that the property is in good overall condition, and includes several recommendations for the repair and replacement of certain building elements to meet current code requirements prior to the approval of the map. The existing development has been constructed in accordance with the density, gross floor area, and parking per prior approved plans, and complies with the parking and landscape requirements for condominium conversions. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code.

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

The project site is located within an industrial area of the MMCP, predominately developed in the 1980's. The site is Industrial Light (IL-2-1) Zone and allows light industrial and office uses with limited commercial development. The 3.2-acre site is similar in size and topography to adjacent industrial and commercial sites and contains two, two-story, industrial concrete tilt-up structures, similar in size, style, and construction type as the structures in the vicinity. The conversion proposes no change in use or density previously approved, therefore the site is physically suitable with the type and density of the 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 site is located within an urbanized environment where there are no watercourses or environmentally sensitive lands harboring fish or wildlife on or adjacent to the site. The City's environmental analysis of the project determined that the proposed ownership type to an eight-unit industrial condominium would not have the potential for causing a significant effect on the environment and therefore, the project was determined to be exempt from the CEQA pursuant to Section 15315, Minor Land Deviations of the State CEQA Guidelines. Therefore, the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

The design of the subdivision was reviewed and determined to be in compliance with the SDMC and Subdivision Map Act. The Map Waiver includes conditions and corresponding exhibits of approvals relevant to adequate parking, public improvements, and payment of applicable fees in order to achieve compliance with the regulations of the SDMC. The

completion of specified improvements, to the satisfaction of the City Engineer, will be required prior to the approval of the final map to ensure the public health, safety, and welfare. These improvements include two (2) new street lights adjacent to the site on Brown Deer Road and two (2) on Carroll Road; reconstruction of the two existing driveways to current City Standards; installation of appropriate private back flow prevention device(s), on each water service (domestic, fire, and irrigation); and provide Covenants, Conditions and Restrictions for the operation and maintenance of all private water and sewer facilities. The project was determined to be exempt pursuant to CEQA Guidelines Section 15315, Minor Land Deviations. Therefore, the design of the subdivision or the type of improvements will not be detrimental to the public, health, safety, and welfare.

**6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.**

The 3.2-acre project site fronts on Brown Deer Road. The property does not contain any public easements that have been acquired by the public at large for access through or use of property within the proposed subdivision. Therefore, the design of the subdivision or the 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 the conversion of two existing industrial buildings into eight industrial condominium units. Other than the subdivision to allow condominium ownership, no additional development or intensification of use is requested. The surrounding properties within the industrial park are master planned and graded sites with no substantial elevation or landform changes on the developed portions of the sites. The project is surrounded by existing one- and two-story structures. The two structures on the property allow for passive heating opportunities through daylight openings. Those openings also provide for passive cooling through cross-ventilation of interior spaces. Therefore, the design of the proposed subdivision continues to provide, 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 is a proposed subdivision for the conversion of two existing industrial buildings into eight industrial condominium units. The Hearing Officer 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 in that the proposed subdivision, being industrial in nature with no increase in existing square footage, will have no effect on the housing needs of the region and will have no need for additional public services or the available fiscal and environmental resources.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Map Waiver No. 2015371 is hereby granted to Subdivider subject to the attached conditions which are made a part of this resolution by this reference.

BE IT FURTHER RESOLVED, that the decision of the Hearing Officer is affirmed, and Map Waiver No. 2015371 is granted to Subdivider, subject to the attached conditions which are made a part of this resolution by this reference.

By   
\_\_\_\_\_  
Karen Bucey  
Development Project Manager  
Development Services Department

ATTACHMENT: Map Waiver Conditions

Internal Order No. 12002112

DRAFT

HEARING OFFICER  
CONDITIONS FOR MAP WAIVER NO. 2015371  
**9115-9155 BROWN DEER - PROJECT NO. 572829**  
ADOPTED BY RESOLUTION NO. \_\_\_\_\_ ON May 30, 2018

**GENERAL**

1. This Map Waiver will expire June 13, 2021.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the 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 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.

Please note if tax bond is required as indicated in the tax certificate, please make sure that it is paid or posted, and submit an evidence (e.g., filed bond letter or receipt from Clerk of the Board) indicating the required tax bond amount has been paid or bonded.

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. The City shall promptly notify the Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If the City fails to promptly notify the Subdivider of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, the Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. The City may participate in the defense of any claim, action, or proceeding if the City bears its own attorney's fees and costs, the City defends the action in good faith, and the Subdivider is not be required to pay or perform any settlement unless such settlement is approved by the Subdivider.

**ENGINEERING**

6. Prior to the recordation of the Certificate of Compliance, the Subdivider shall assure by permit and bond the installation of two (2) new street lights adjacent to the site on Brown Deer Road and two (2) on Carroll Road per the City of San Diego Street Design Manual, Street Light Standards, and Council Policy 200-18, satisfactory to the City Engineer.
7. Prior to the recordation of the Certificate of Compliance, the Subdivider shall assure by permit and bond the reconstruction of the two existing driveways to current City Standards

adjacent to the site on Brown Deer Road, satisfactory to the City Engineer.

8. Prior to the recordation of the Certificate of Compliance, the Subdivider shall apply for a plumbing permit for the installation of appropriate private Back Flow Prevention Device(s) [BFPD], on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. The BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.
9. Prior to recordation of the Certificate of Compliance, the Subdivider shall provide CC&Rs for the operation and maintenance of all private water and sewer facilities in a manner satisfactory to the Public Utilities Director and the City Engineer.
10. 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 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**

11. Upon approval of the Map Waiver, a Certificate of Compliance shall be recorded with the County Recorder prior to the expiration date of the Map Waiver.
12. Prior to the recordation of the Certificate of Compliance, all conditions in the Map Waiver Resolution of Approval must be satisfied.
13. Prior to the issuance of a Certificate of Compliance, City staff will perform a field monument inspection to verify that all property corners are being marked with survey monuments. If any of the survey monuments are missing, it must be replaced with a new monument, and a Corner Record or Record of Survey (whichever is applicable) shall be filed with the County Recorder pursuant to the Professional Land Surveyors Act. A copy of the filed Corner Record or Record of Survey must be submitted to satisfy this requirement prior to the approval and recordation of the Certificate of Compliance.
14. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
15. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
16. The Certificate of Compliance 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 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. 12002110

**NOTICE OF EXEMPTION***(Check one or both)*

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

FROM: City of San Diego  
 Development Services Department  
 1222 First Avenue, MS 501  
 San Diego, CA 92101

Office of Planning and Research  
 1400 Tenth Street, Room 121  
 Sacramento, CA 95814

Project No.: **572829**Project Title: **9115-9155 Brown Deer TMW (Tentative Map Waiver)**

Project Location-Specific: 9115 - 9155 Brown Deer Road, Mira Mesa, CA 92121. Industrial park.

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

Description of nature and purpose of the Project:

Tentative Map Waiver #2015371 for two existing buildings to be converted from single ownership to eight commercial condominium units. The 0.34 acre site is located in the IL-2-1 base zone of the Mira Mesa Community Plan Area. Council District 6. Miramar Airport Influence Area – Review Area 1.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Shannon D. Davis, Latitude 33  
 5355 Mira Mesa Dr. #650  
 San Diego, CA 92121  
 (858) 875-1714

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: 15301 (k), Existing Facilities.
- Statutory Exemptions:

Reasons why project is exempt: The City of San Diego conducted an environmental review that determined that the proposed map waiver would not have the potential for causing a significant effect on the environment in that the project is consistent with the community plan and the applicable zone. The tentative map proposes no construction. Therefore the activity meets the criteria set forth in CEQA section 15301 (k), Existing Facilities for two existing buildings to be converted from single ownership to eight commercial condominium units; and the exceptions listed in CEQA section 15300.2 would not apply.

Lead Agency Contact Person: Rachael Lindquist, Planner

Telephone: (619) 446-5129

If filed by applicant:

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



CHRIS TRACY, AICP

Chris Tracy, Senior Planner

2/19/18

Date

Check One:

Signed By Lead Agency

Signed by Applicant

Date Received for Filing with County Clerk or OPR:

## Mira Mesa Community Planning Group Meeting Minutes

1.	Robert Mixon	6.	Jeff Stevens	11.	Julia Schriber	16.	Bari Vaz
2.	Craig Radke	7.	Ted Brengel	12.	Wayne Cox	17.	Albert Lee
3.	Bruce Brown	8.	Marv Miles	13.	Tom Derr	18.	Chris Morrow
4.	Joe Punsalan	9.	Jon Labaw	14.	Craig Jackson	19.	Justin Mandelbaum
5.	Kent Lee	10.	Ralph Carolin	15.	Michael Linton	20.	

(HIGHLIGHTED INDICATES ATTENDANCE)

### Mira Mesa Community Planning Group Minutes

Date/Time: Thursday, February 22, 2018, 7:00pm

Location: Mira Mesa Public Library, 8405 New Salem Street, San Diego CA 92126

Call to Order/Confirm quorum: quorum confirmed.

- 1) Non-Agenda Public Comments
- 2) Modifications to the Agenda.
- 3) Adopt Previous Meeting Minutes. John/Bob motion to approve. 11-0-4 approved.
- 4) Report of the Chair
- 5) Old Business
- 6) New Business
  - a) All-way stop sign at Flanders and Dancy (Action)
  - b) All-way stop sign at Carroll Road and Distribution (Action)
  - c) Tentative Map Waiver on Brown Deer Road – Shannon Davis (Action)
    - i) Approved - Chris/Tom – 14-0-1
  - d) MFP #585354 at 5550 Oberlin Drive, Suite A (Action)
- 7) Elected Officials/Government Agencies
- 8) Announcements
- 9) Reports
- 10) Adjourn



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

# Ownership Disclosure Statement

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

**Project Title** \_\_\_\_\_ **Project No. For City Use Only** \_\_\_\_\_  
 Brown Deer Rd. Tentative Map Waiver

**Project Address:**  
 9115-9155 Brown Deer Road, San Diego, CA 92121

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

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

**Additional pages attached**  Yes  No

Name of Individual (type or print): \_\_\_\_\_  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Name of Individual (type or print): \_\_\_\_\_  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Name of Individual (type or print): \_\_\_\_\_  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Name of Individual (type or print): \_\_\_\_\_  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Project Title:

Project No. (For City Use Only)

**Part II - To be completed when property is held by a corporation or partnership**

Legal Status (please check):

Corporation  Limited Liability -or-  General) What State? DE Corporate Identification No. 4041248  
 Partnership

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

Corporate/Partnership Name (type or print):

SN Brown Deer, LLC

Owner  Tenant/Lessee

Street Address:

1121 SW Salmon St, 5th Floor

City/State/Zip:

Portland, Oregon 97205

Phone No:

(858) 202-7415

Fax No:

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

Jeffrey F. Nudelman

Title (type or print):

Vice President, Secretary

Signature:



Date:

Aug 31, 2017

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature :

Date:

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature :

Date:

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature :

Date:

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature :

Date:

Corporate/Partnership Name (type or print):

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Street Address:

City/State/Zip:

Phone No:

Fax No:

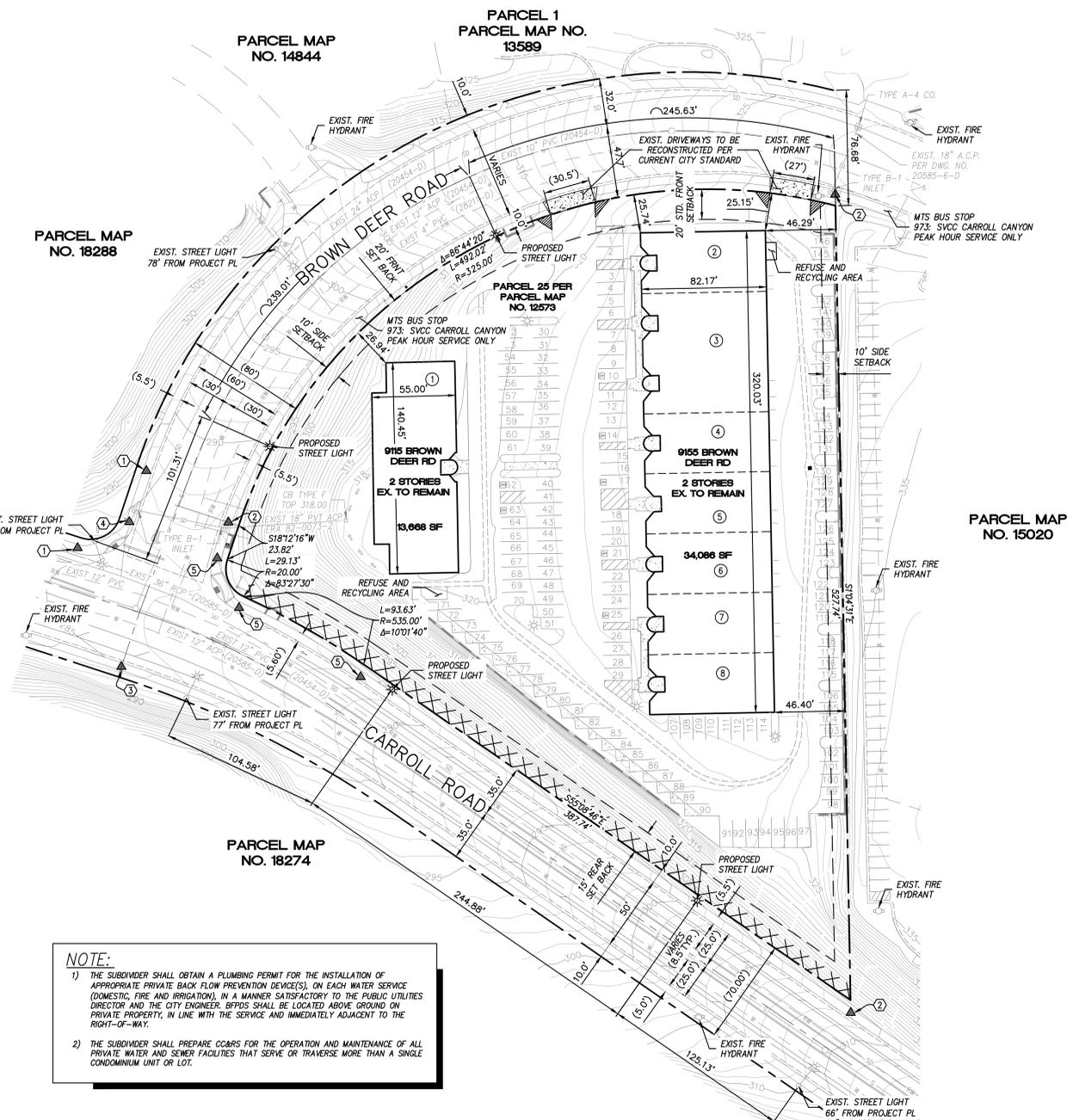
Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature :

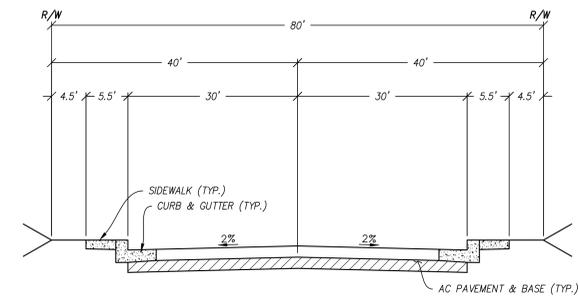
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# BROWN DEER ROAD TENTATIVE MAP WAIVER NO. 2015371

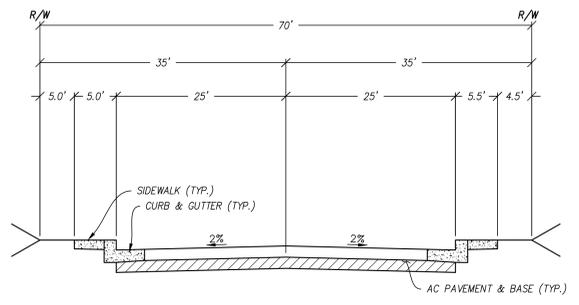


**NOTE:**

- 1) THE SUBDIVIDER SHALL OBTAIN A PLUMBING PERMIT FOR THE INSTALLATION OF APPROPRIATE PRIVATE BACK FLOW PREVENTION DEVICES(S), ON EACH WATER SERVICE (DOMESTIC, FIRE AND IRRIGATION), IN A MANNER SATISFACTORY TO THE PUBLIC UTILITIES DIRECTOR AND THE CITY ENGINEER. DEVICES SHALL BE LOCATED ABOVE GROUND ON PRIVATE PROPERTY, IN LINE WITH THE SERVICE AND IMMEDIATELY ADJACENT TO THE RIGHT-OF-WAY.
- 2) THE SUBDIVIDER SHALL PREPARE CC&RS FOR THE OPERATION AND MAINTENANCE OF ALL PRIVATE WATER AND SEWER FACILITIES THAT SERVE OR TRAVERSE MORE THAN A SINGLE CONDOMINIUM UNIT OR LOT.



**EXISTING BROWN DEER ROAD**  
NOT TO SCALE



**EXISTING CARROLL ROAD**  
NOT TO SCALE

**DEVELOPMENT SUMMARY**

THIS PROJECT IS SEEKING APPROVAL OF A TENTATIVE MAP WAIVER AS THE FIRST ACTION NECESSARY IN CREATING COMMERCIAL CONDOMINIUMS FROM THE EXISTING BUILDINGS THROUGH A CONDOMINIUM MAP.

**REFERENCE DRAWINGS:**

GRADING & PUBLIC IMPROVEMENT PLANS: 20454-D, 28211-D, 20585-D  
PARCEL MAP NO. 12573

**LEGAL DESCRIPTION:**

PARCEL 25 OF PARCEL MAP NO. 12573, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 18, 1983 AS FILE NO. 83-05382 AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED NOVEMBER 28, 1984 AS FILE NO. 84-443361 OFFICIAL RECORDS.

**ASSESSOR'S PARCEL NO.**

343-350-03-00

**MAPPING NOTE:**

A CERTIFICATE OF COMPLIANCE SHALL BE FILED AT THE COUNTY RECORDERS OFFICE PRIOR TO THE EXPIRATION OF THE TENTATIVE MAP WAIVER.

**CONDOMINIUM NOTE:**

THIS IS A MAP OF A CONDOMINIUM PROJECT DEFINED IN SECTION 4125 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT.

THE TOTAL NUMBER OF COMMERCIAL CONDOMINIUM UNITS IS 8.

**NON-PLOTTABLE EASEMENTS:**

1. AN EASEMENT FOR UTILITY, VAULT AND ACCESS AND RIGHTS INCIDENTAL THERETO IN FAVOR OF SAN DIEGO GAS & ELECTRIC COMPANY, A CORPORATION AS SET FORTH IN A DOCUMENT RECORDED OCTOBER 16, 1986 AS FILE NO. 86-467842, OF OFFICIAL RECORDS. THE EXACT LOCATION OF THE EASEMENT IS NOT DISCLOSED BY THE INSTRUMENT.

NOTE: NO PLOTTABLE EASEMENTS.

**BENCHMARK:**

A BRASS PLUG AT THE END OF THE SOUTH EAST CURB RETURN AT THE INTERSECTION OF CARROLL ROAD AND PRODUCTION AVENUE. ELEVATION BEING 397.908' M.S.L.

**TOPOGRAPHY SOURCE:**

AERIAL PHOTOGRAPHY PERFORMED ON AUGUST 28, 2017 AND SUPPLEMENTAL FIELD VERIFICATION PERFORMED ON AUGUST 22, 2017. ALL SURVEY PERFORMED BY:

TERRASORIBE, INC.  
42471 ALPHA PLACE  
TEMECULA CA, 92592

**SETBACKS FOR IL-2-1**

PER SAN DIEGO MUNICIPAL CODE	MINIMUM
LOT AREA	15,000'
LOT WIDTH	75'
STREET FRONTAGE	75'
LOT DEPTH	100'
MIN. FRONT SETBACK	15'
STD. FRONT SETBACK	20'
SIDE SETBACK	10'
MIN. STREET SIDE SETBACK	15'
STD. STREET SIDE SETBACK	20'
MIN. REAR SETBACK	0'
STD. REAR SETBACK	15'
MAX. FLOOR AREA RATIO	2

**CURRENT USES OF UNITS**

- ADDRESS: 9115 BROWN DEER RD  
RE LAMBDA  
MANUFACTURING OF SEMICONDUCTORS
- ADDRESS: 9155 BROWN DEER RD  
CLAY TILE VENTURES, INC.  
SALES AND DISTRIBUTION OF CLAY ROOF TILES
- SAN DIEGO INSTRUMENTS, INC.  
SALES AND DISTRIBUTION OF NEUROSCIENCE RESEARCH INSTRUMENTS
- TEL SYSTEMS, INC.  
FIRE ALARM & SECURITY CO.
- ABSORBIT LLC  
SALES & DISTRIBUTION OF DUFFLE BAGS

**SURVEY MONUMENT NOTES**

①	FOUND LEAD AND DISC LABELED RCE 22606 PER PM 13589
②	FOUND LEAD AND DISC LABELED RCE 22606 PER PM 12573
③	FOUND LEAD AND DISC LABELED RCE 22606 PER PM 10483
④	FOUND LEAD AND DISC LABELED SAN DIEGO CITY ENGINEER
⑤	LEAD AND TACK WITH DISK LABELED LS 85206 PER CORNER RECORD 041327

**GENERAL NOTES:**

1. EXISTING ZONING: ZONE: IL-2-1
2. PROPOSED ZONING: IL-2-1
3. YEAR CONSTRUCTED: 1988
4. OVERLAY ZONE: MIRAMAR AIRPORT INFLUENCE AREA 1
5. LAMBERT COORDINATES: 262-1713  
NAD83 COORDINATES: 1902-6273
6. TOTAL AREA WITHIN THE BOUNDARY= 3.200 ACRES
7. TOTAL NUMBER OF EXISTING PARCELS/LOTS= 1
8. TOTAL NUMBER OF PROPOSED PARCELS/LOTS= 1
9. GAS AND ELECTRIC: SAN DIEGO GAS & ELECTRIC
10. SEWER AND WATER: CITY OF SAN DIEGO
11. DRAINAGE SYSTEM: CITY OF SAN DIEGO
12. FIRE: CITY OF SAN DIEGO
13. GROSS SITE AREA: 3.20AC, 139,392SF  
TOTAL FLOOR AREA: 47,754 SF  
FLOOR AREA RATIO: 0.34
14. GEOLOGIC HAZARD CATEGORY: 12-POTENTIALLY ACTIVE, INACTIVE, PRESUMED INACTIVE, OR ACTIVELY UNKNOWN FAULT ZONE  
53-LEVEL OR SLOPING TERRAIN, UNFAVORABLE GEOLOGIC STRUCTURE, LOW TO MODERATE RISK
15. LANDSCAPE AREA: 51,950SF
16. ENVIRONMENTALLY SENSITIVE LANDS: NONE
17. ALL UTILITIES ARE LOCATED UNDERGROUND

**BASIS OF BEARINGS:**

BASIS OF BEARING IS THE CALIFORNIA COORDINATE SYSTEM, NAD 83 (EPOCH 1981.35) ZONE 6. PER FOUND CONTROL MONUMENTS 642 AND 684 AS SHOWN ON RECORD OF SURVEY 14492 RECORDED IN THE COUNTY OF SAN DIEGO. BEARING BEING N70° 52' 35"W.

**FLOOD NOTE:**

ZONE - "X" PER FEDERAL EMERGENCY MANAGEMENT AGENCY MAP NO. 06073C13436 REVISED MAY 16, 2012. ZONE "X" DENOTES AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOODPLAIN.

**EXISTING PARKING COUNT:**

PARKING REQUIRED				
BUILDING 1:				
ZONE	BLD USE	PRKG RATIO	GFA	PKG REQD
IL-2-1	OFFICE	3.3	17043	56
	DISTRIBUTION	1	17043	17
	SUBTOTAL			34086
BUILDING 2:				
ZONE	BLD USE	PRKG RATIO	GFA	PKG REQD
IL-2-1	OFFICE	3.3	12301	41
	DISTRIBUTION	1	1367	1
	SUBTOTAL			13668
TOTAL PARKING REQUIRED				115
TOTAL PARKING PROVIDED (PLUS ADDITIONAL 31)				146
TOTAL ACCESSIBLE STALLS (INCLUDED IN TOTAL)				7

\*PROPOSED PARKING: NO CHANGE

**OWNER:**

SN BROWN DEER, LLC  
A DELAWARE LIMITED LIABILITY COMPANY

**APPLICANT/DEVELOPER:**

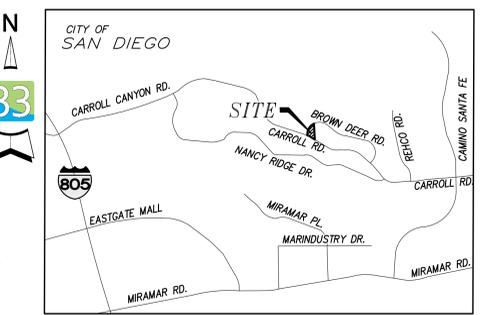
HARSCH INVESTMENT PROPERTIES  
10509 VISTA SORRENTO PARKWAY SUITE 210 SAN DIEGO, CA 92121  
TELEPHONE: (619) 235-2296 FAX: (619) 235-5386

**CERTIFICATION STATEMENT**

I HEREBY ACKNOWLEDGE AND CERTIFY THAT:

1. I AM ACCOUNTABLE FOR KNOWING AND COMPLYING WITH THE GOVERNING POLICIES, REGULATIONS AND SUBMITTAL REQUIREMENTS APPLICABLE TO THIS PROPOSED DEVELOPMENT.
2. I HAVE PERFORMED REASONABLE RESEARCH TO DETERMINE THE REQUIRED APPROVALS AND DECISION PROCESS FOR THE PROPOSED PROJECT, AND THAT FAILURE TO ACCURATELY IDENTIFY AN APPROVAL OR DECISION PROCESS COULD SIGNIFICANTLY DELAY THE PERMITTING PROCESS.
3. I HAVE TAKEN THE PROFESSIONAL CERTIFICATION FOR DEVELOPMENT PERMIT COMPLETENESS REVIEW TRAINING AND AM ON THE APPROVED LIST FOR PROFESSIONAL CERTIFICATION.
4. MAINTAINING MY PROFESSIONAL CERTIFICATION FOR DEVELOPMENT PERMIT COMPLETENESS REVIEW PRIVILEGE REQUIRES ACCURATE SUBMITTALS ON A CONSISTENT BASIS.
5. SUBMITTING INCOMPLETE DOCUMENTS AND PLANS ON A CONSISTENT BASIS MAY RESULT IN THE REVOCATION OF MY PROFESSIONAL CERTIFICATION FOR DEVELOPMENT PERMIT COMPLETENESS REVIEW.
6. IF REQUIRED DOCUMENTS OR PLAN CONTENT IS MISSING, PROJECT REVIEW WILL BE DELAYED, AND
7. THIS SUBMITTAL PACKAGE MEETS ALL OF THE MINIMUM SUBMITTAL REQUIREMENTS CONTAINED IN LAND DEVELOPMENT MANUAL, VOLUME 1, CHAPTER 1, SECTION 4.

JUSTIN GILES  
SIGNATURE: *[Signature]* DATE: 04/10/18



**VICINITY MAP**  
NO SCALE

**LEGEND:**

- PROPERTY LINE
- T/MW BOUNDARY
- EXISTING LOT LINE
- GUTTER
- ABUTTER'S RIGHT OF ACCESS RELINQUISHED
- EXISTING DRIVEWAY
- EXISTING LIGHT POLE
- EXISTING STREET SIGN
- EXISTING TREE
- ACCESSIBLE PARKING SPACE
- PROPOSED DRIVEWAY PER CURRENT STANDARDS
- SURVEY MONUMENT
- PROPOSED STREET LIGHT
- APPROXIMATE PROPOSED UNIT DELINEATION
- PROPOSED UNIT NUMBERING
- VISIBILITY AREA: NO OBSTRUCTION INCLUDING SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3' IN HEIGHT. PLANT MATERIAL, OTHER THAN TREES, WITHIN THE PUBLIC R/W THAT IS LOCATED WITHIN THE VISIBILITY AREAS SHALL NOT EXCEED 24" IN HEIGHT, MEASURED FROM THE TOP OF THE ADJACENT CURB

**PROJECT TEAM:**

CIVIL ENGINEER:  
LATITUDE 33 PLANNING & ENGINEERING  
9968 HIBERT STREET 2ND FLOOR, SAN DIEGO, CA 92131  
92121 (858) 751-0633 FAX (858) 751-0634

Prepared By: LATITUDE 33 PLANNING & ENGINEERING

Name: LATITUDE 33 PLANNING & ENGINEERING Revision 14: \_\_\_\_\_

Address: 9968 HIBERT ST. 2ND FLOOR Revision 13: \_\_\_\_\_  
SAN DIEGO, CA 92131 Revision 12: \_\_\_\_\_

Phone #: (858) 751-0633 Revision 11: \_\_\_\_\_

Fax #: (858) 751-0634 Revision 10: \_\_\_\_\_

Project Address: 9115-9155 BROWN DEER ROAD Revision 9: \_\_\_\_\_  
SAN DIEGO, CA 92131 Revision 8: \_\_\_\_\_

Project Name: BROWN DEER ROAD Revision 7: \_\_\_\_\_

Revision 6: \_\_\_\_\_

Revision 5: \_\_\_\_\_

Revision 4: \_\_\_\_\_

Revision 3: \_\_\_\_\_

Revision 2: \_\_\_\_\_

Revision 1: \_\_\_\_\_

Original Date: 9/11/2017

Project Number: 572829

Sheet Title: TENTATIVE MAP WAIVER Sheet 1 of 1

PREPARED IN THE OFFICE OF:

latitude 33  
PLANNING & ENGINEERING  
9968 Hibert Street, 2nd Floor, San Diego, CA 92131  
Tel: (858) 751-0633



**DECLARATION OF RESPONSIBLE CHARGE**

I HEREBY DECLARE THAT I AM THE ENGINEER OF WORK FOR THIS PROJECT, THAT I HAVE EXERCISED RESPONSIBLE CHARGE OVER THE DESIGN OF THE PROJECT AS DEFINED IN SECTION 6703 OF THE BUSINESS AND PROFESSIONS CODE, AND THAT THE DESIGN IS CONSISTENT WITH CURRENT STANDARDS.

I UNDERSTAND THAT THE CHECK OF PROJECT DRAWINGS AND SPECIFICATIONS BY THE CITY OF SAN DIEGO IS CONFINED TO A REVIEW ONLY AND DOES NOT RELIEVE ME, AS ENGINEER OF WORK, OF MY RESPONSIBILITIES FOR PROJECT DESIGN.

GIOVANNI POSILICO  
R.C.E. 66332

REGISTRATION  
EXPIRES: 06/18

