



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: March 28, 2018 REPORT NO. HO-18-024

HEARING DATE: April 4, 2018

SUBJECT: TIERRASANTA COMMERCIAL CONDO CONVERSION MAP WAIVER, PROCESS THREE

PROJECT NUMBER: 573604

OWNER/APPLICANT: Dentt Properties/Walsh Engineering & Surveying, Inc.

### SUMMARY

Issue: Should the Hearing Officer approve the conversion of four commercial tenant spaces into condominium units in an existing building, located at 10715 Tierrasanta Boulevard in the Tierrasanta Community Planning Area?

Staff Recommendation: APPROVE Tentative Map Waiver No. 2031005

Community Planning Group Recommendation: On February 21, 2018, the Tierrasanta Community Planning Group voted 10-0-0 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 15301, Existing Facilities. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on February 23, 2018, and the opportunity to appeal that determination ended March 9, 2018 (Attachment 6).

### BACKGROUND

The 0.54-acre site is located at 10715 Tierrasanta Boulevard (Attachment 1), in the CC-1-3 zone and the Community Commercial land use designation within the Tierrasanta Community Plan area. The existing building was constructed in 1977. Adjacent properties are also zoned CC-1-3 and developed with a mix of commercial and office uses. On the other side of Tierrasanta Boulevard, to the north, are townhomes zoned RM-1-1, designated Low-Medium Density residential by the Tierrasanta Community Plan.

DISCUSSION

The proposed project proposes the conversion of four commercial tenant spaces into condominium ownership. SDMC 125.0120(b)(2)(C) allows the conversion of up to four commercial condominiums with a Map Waiver. The project requires a Process Three Hearing Officer decision, which is appealable to the Planning Commission.

The existing building provides 37 parking spaces. Utilities are already underground at this location. The project complies with all applicable sections of the Municipal Code. No deviations are requested with this action.

According to SDMC Section 125.0123, Findings for a Tentative Map Waiver, 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 San Diego Municipal Code. Staff has reviewed the proposed subdivision and determined that it complies with both the Subdivision Map Act and the San Diego Municipal Code.

CONCLUSION

Staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. The project conforms to both the Tierrasanta Community Plan and the General Plan. Staff has provided draft findings and conditions (Attachment 4) and recommends the Hearing Officer approve the project as proposed.

ALTERNATIVES

1. Approve Tentative Map Waiver No. 2031005 with modifications.
2. Deny Tentative Map Waiver No. 2031005, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



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Travis Cleveland  
Development Project Manager

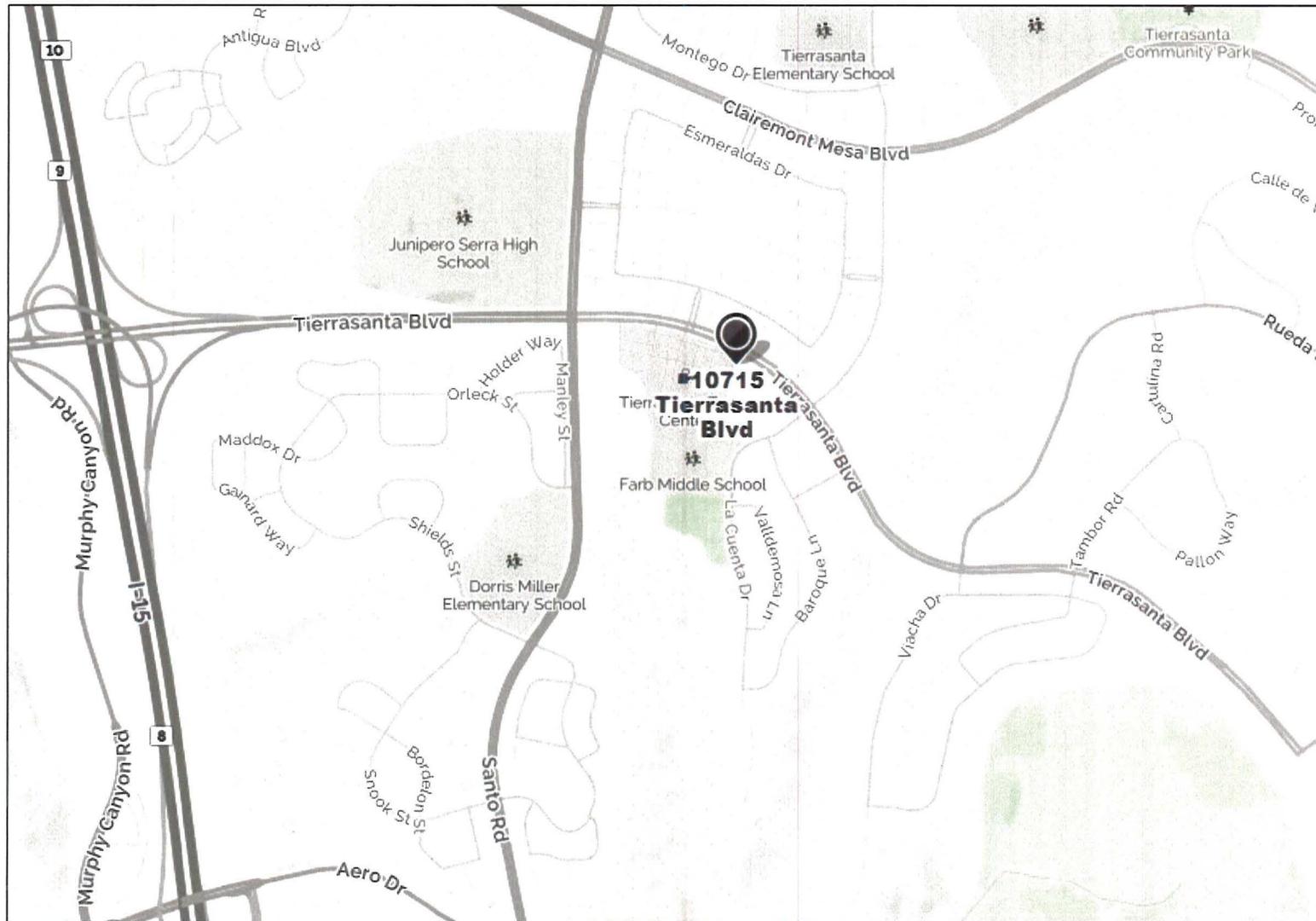
Attachments:

1. Project Location
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Map Resolution with Findings and Conditions

5. Tentative Map Waiver Exhibit
6. Environmental Exemption
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement



# Project Location Map

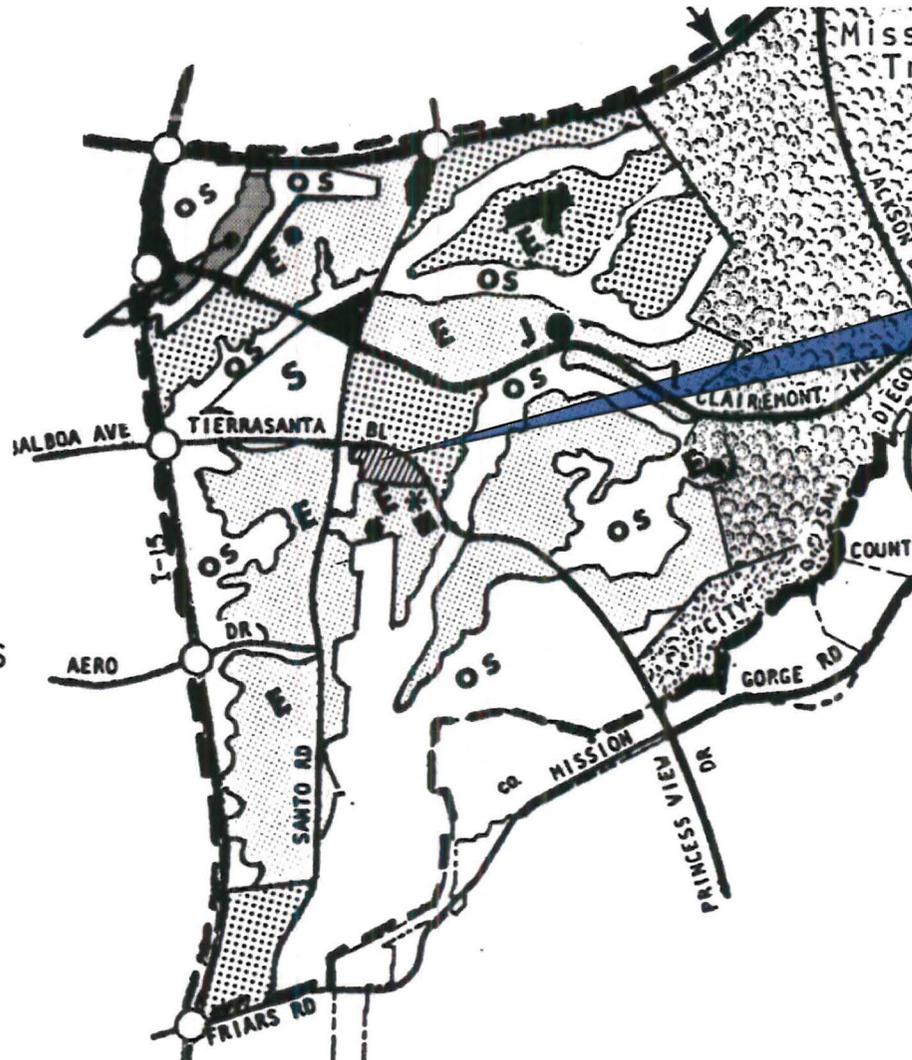


**Tierrasanta Commercial Condo Conversion Map Waiver, Project Number 534539  
10715 Tierrasanta Boulevard**



# Community Plan

-  RESIDENTIAL Low Density
-  RESIDENTIAL Low-Medium Density
-  COMMERCIAL Neighborhood
-  COMMERCIAL Community
-  OPEN SPACE Sand & Gravel
-  OPEN SPACE Other Open Space
-  INDUSTRIAL
- COMMUNITY FACILITIES Neighborhood Park
- COMMUNITY FACILITIES Community Park
- E** COMMUNITY FACILITIES Elementary School
- J** COMMUNITY FACILITIES Jr.High School
- S** COMMUNITY FACILITIES Sr.High School
- \*** COMMUNITY FACILITIES Library
- COMMUNITY FACILITIES Fire Station



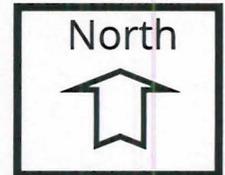
Project Site



Tierrasanta Commercial Condo Conversion Map Waiver, Project Number 534539  
10715 Tierrasanta Boulevard



# Aerial Photo



ATTACHMENT 3

**Tierrasanta Commercial Condo Conversion Map Waiver, Project Number 534539  
10715 Tierrasanta Boulevard**

RESOLUTION NO. \_\_\_\_\_  
DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE HEARING OFFICER ADOPTING THE FINDINGS  
AND APPROVING MAP WAIVER NO. 2031005 FOR TIERRASANTA  
COMMERCIAL CONDOMINIUM CONVERSION MW – PROJECT NO.  
573604

WHEREAS, DENTT PROPERTIES, Subdivider, and WALSH ENGINEERING AND SURVEYING, INC., Engineer, submitted an application with the City of San Diego for Map Waiver No. 2031005 to waive the requirement for a Tentative Map for the conversion of four commercial tenant spaces into four commercial condominium units. The project site is located at 10715 Tierrasanta Boulevard (Attachment 1), in the CC-1-3 zone and the Community Commercial land use designation within the Tierrasanta Community Plan area. The property is legally described as LOT 3, TIERRASANTA TWO, MAP 8479; and

WHEREAS, the Map proposes the subdivision of a 0.539 acre site into one (1) lot for a 4 unit commercial condominium conversion; and

WHEREAS, San Diego Municipal Code section 125.0120(b)(2)(C) allows waiver of the requirement to file a tentative map for the conversion of existing development to four or fewer commercial or industrial condominiums; and

WHEREAS, on February 21, 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 15301, and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code section 112.0520; and

## ATTACHMENT 4

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

WHEREAS, on April 4, 2018, the Hearing Officer of the City of San Diego considered Map Waiver No. 2031005, 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 Map Waiver No. 2031005:

### **Findings for Tentative Map Waiver – SDMC 125.0123; 125.0440:**

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

The project proposes the conversion of four tenant spaces in an existing commercial structure into four commercial condominium units. The 0.54-acre site is located at 10715 Tierrasanta Boulevard, in the CC-1-3 zone and the Community Commercial land use designation within the Tierrasanta Community Plan area. All adjacent properties are located within the same zone and land use designation. Residential properties zoned RM-1-1 and designated Low-Medium Density are located to the north, but are separated from the project site by Tierrasanta Boulevard.

The project is consistent with the Tierrasanta Community Plan's objective to provide properly located and adequately sized commercial areas to meet the present and future needs of the community. Therefore, the proposed subdivision is consistent with the policies, goals, and objectives of the applicable land use plan.

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

The project proposes the conversion of four tenant spaces in an existing commercial structure into four commercial condominium units. The 0.54-acre site is located at 10715 Tierrasanta Boulevard, in the CC-1-3 zone and the Community Commercial land use designation within the Tierrasanta Community Plan area. The project is a subdivision only and does not propose any additional development.

The proposed condominium units range in size from 1,767 square feet to 1,916 square feet. The subdivision complies with all applicable development regulations and no deviations are proposed. Future purchasers of the units will be required to operate in accordance with the CC-1-3 zone. 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 proposes the conversion of four tenant spaces in an existing commercial structure into four commercial condominium units. The 0.54-acre site is located at 10715 Tierrasanta Boulevard, in the CC-1-3 zone and the Community Commercial land use designation within the Tierrasanta Community Plan area. The infill project site is located in a developed, commercial area.

The building that will contain the new units meets all applicable Municipal Code requirements, and future tenants will be required to operate in accordance with the CC-1-3 zone. Therefore, the proposed subdivision meets the requirements of the zone and designation. The site topography is level, with an elevation of approximately 522 feet above sea level. The property would continue to front on and take access from the existing, developed Tierrasanta Boulevard right-of-way with all required public utilities and services located adjacent to the site. No additional development is proposed with this map waiver. Future business operations at the site would be required to comply with Land Development Code Regulations and construction permit requirements. The site is located in a developed, urban neighborhood with no watercourses, Environmentally Sensitive Lands (ESL) or Multi-Habitat Planning Area (MHPA) lands located on or adjacent to the site. Therefore, the subdivision to create four commercial condominium units is physically suitable for the type and density of development.

**4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

The project proposes the conversion of four tenant spaces in an existing commercial structure into four commercial condominium units. The 0.54-acre site is located at 10715 Tierrasanta Boulevard, in the CC-1-3 zone and the Community Commercial land use designation within the Tierrasanta Community Plan area. This project is located in a developed, urban neighborhood. The project does not propose any additional development.

There are no watercourses, Environmentally Sensitive Lands (ESL) or Multi-Habitat Planning Area (MHPA) lands located on or adjacent to the site, which is surrounded by existing development. The project was determined to be exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). Therefore, the design of the subdivision or the proposed improvements

are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife on 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 the conversion of four tenant spaces in an existing commercial structure into four commercial condominium units. The 0.54-acre site is located at 10715 Tierrasanta Boulevard, in the CC-1-3 zone and the Community Commercial land use designation within the Tierrasanta Community Plan area. This project is located in a developed, urban neighborhood and does not propose any additional development.

The Tentative Map Waiver was reviewed and determined to be in compliance with the Municipal Code and Subdivision Map Act. The Tentative Map Waiver includes conditions and corresponding exhibits of approval, including utility undergrounding, installation of public improvements, and payment of applicable taxes in order to achieve compliance with the regulations of the San Diego Municipal Code.

The developed project site is served by existing underground utilities and access to the site is provided via an existing driveway that connects to the developed Tierrasanta Boulevard right-of-way. The frontage is developed with existing curb, gutter, and sidewalk that would remain. Future development would be required to comply with Land Development Code Regulations and Building Permit requirements.

Therefore, the project is not detrimental to the public health, safety, and welfare.

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

The project proposes the conversion of four tenant spaces in an existing commercial structure into four commercial condominium units. The 0.54-acre site is located at 10715 Tierrasanta Boulevard, in the CC-1-3 zone and the Community Commercial land use designation within the Tierrasanta Community Plan area. This project is located in a developed, urban neighborhood and does not propose any additional development.

The site will continue to be accessed from the existing public street which is developed with curb, gutter, and sidewalk. Future development would be required to comply with Land Development Code Regulations and Building Permit requirements and there are no existing access easements through the property. Existing easements to the City of San Diego for utilities will remain. Therefore, the design of the subdivision and proposed improvements would not conflict with easements acquired by the public at large for access through or use of 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 four tenant spaces in an existing commercial structure into four commercial condominium units. The 0.54-acre site is located at 10715 Tierrasanta Boulevard, in the CC-1-3 zone and the Community Commercial land use designation within the Tierrasanta Community Plan area. This project is located in a developed, urban neighborhood and does not propose any additional development.

The proposed commercial condominium subdivision will not impede or inhibit any future passive or natural heating and cooling opportunities. The project proposes no additional development, and future development would be required to comply with Land Development Code Regulations and Building Permit requirements, which includes setback and height limitations to ensure adequate natural light and air movement between the future structures. 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 proposes the conversion of four tenant spaces in an existing commercial structure into four commercial condominium units. The 0.54-acre site is located at 10715 Tierrasanta Boulevard, in the CC-1-3 zone and the Community Commercial land use designation within the Tierrasanta Community Plan area. This project is located in a developed, urban neighborhood and does not propose any additional development.

The subdivision does not propose additional development, therefore, 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 the application. The site is served by existing public infrastructure, including the developed Tierrasanta Boulevard right-of-way and utility lines. Impacts to environmental resources would be avoided because the site is located in a developed, urban neighborhood and does not contain nor is adjacent to such resources. Therefore, there would be no additional demand for public services or available fiscal and environmental resources associated with the conversion of four existing commercial units to condominium ownership.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Hearing Officer, Map Waiver No. 2031005 is hereby granted to Dentt Properties subject to the attached conditions which are made a part of this resolution by this reference.

By \_\_\_\_\_  
Travis Cleveland

Development Project Manager  
Development Services Department

ATTACHMENT: Map Waiver Conditions  
Internal Order No. 12002110

Revised: 3/7/2016



## ATTACHMENT 4

HEARING OFFICER  
CONDITIONS FOR MAP WAIVER NO. 2031005  
TIERRASANTA COMMERCIAL CONDO CONVERSION MW - **PROJECT NO. 573604**  
ADOPTED BY RESOLUTION NO. \_\_\_\_\_ ON \_\_\_\_\_

### **GENERAL**

1. This Map Waiver will expire on April 4, 2021.
2. A Certificate of Compliance shall be recorded in the Office of the San Diego County Recorder, prior to the Map Waiver expiration date.
3. 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.
4. Prior to the recordation of the Certificate of Compliance, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
5. The 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 underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
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 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

## ATTACHMENT 4

shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

9. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement for the non-standard driveway, adjacent to the site on Tierrasanta Boulevard.
10. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement for back flow prevention device in the public Right-of-Way of Tierrasanta Boulevard.
11. If new additional water services or an upgrade of existing water services will serve the project, the Subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention devices, on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.
12. The Subdivider shall provide a letter agreeing to prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.

### **MAPPING**

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 monument was 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.

#### Information:

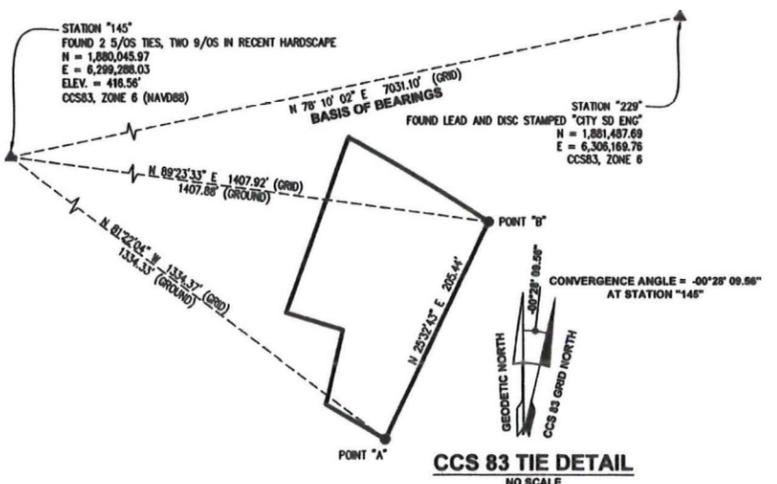
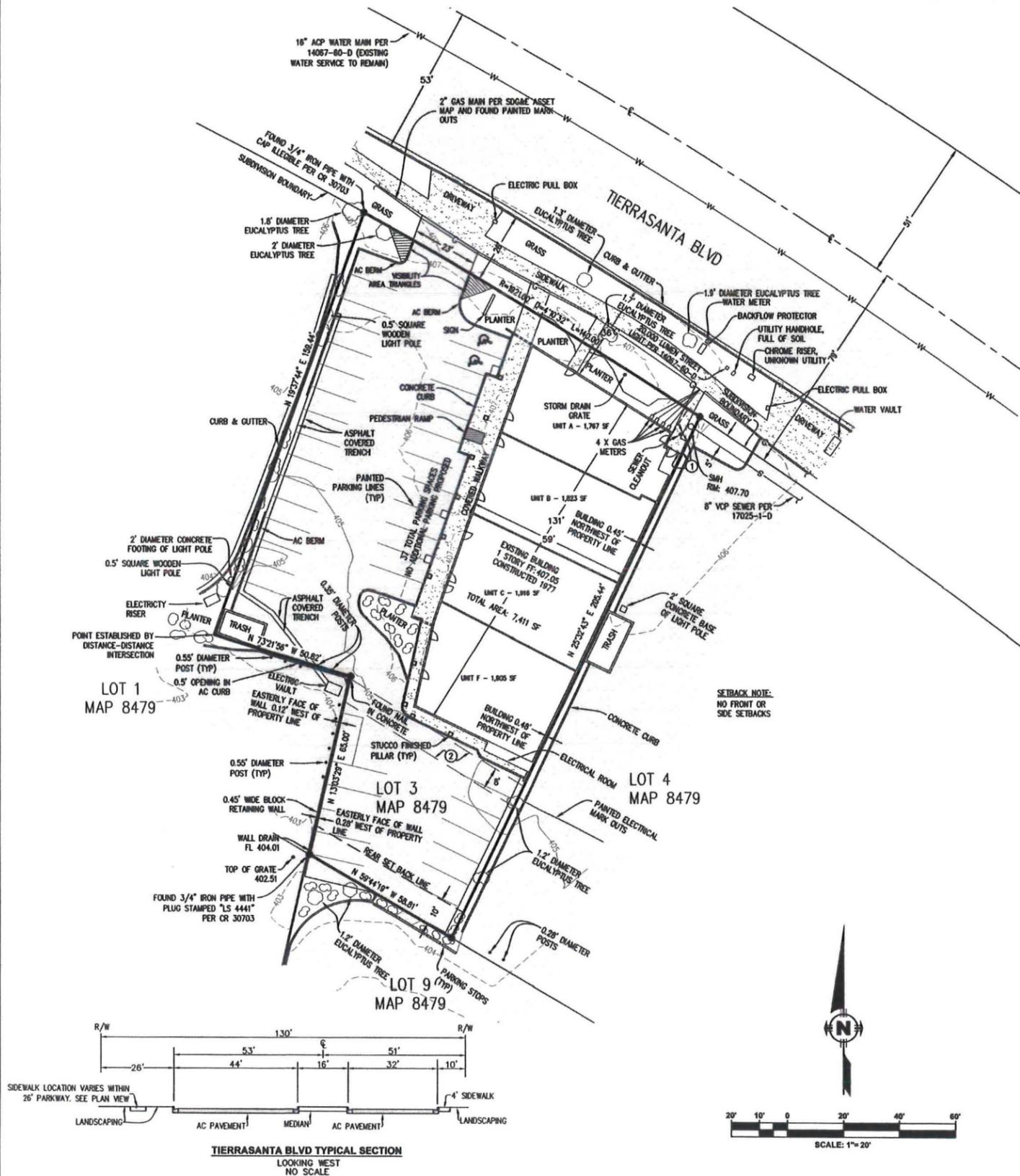
- The approval of this Map Waiver by the Hearing Officer of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 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.

## ATTACHMENT 4

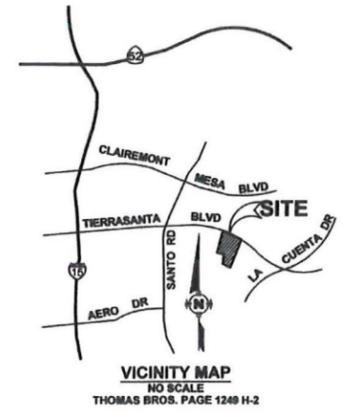
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Map Waiver, may protest the imposition within 90 days of the approval of this Map Waiver by filing a written protest with the San Diego City Clerk pursuant to Government Code Sections 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

# MAP WAIVER EXHIBIT 2031005



**BASIS OF BEARINGS**  
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM CCS83, ZONE 6, EPOCH 1991.35 AND IS DETERMINED BY G.P.S. MEASUREMENTS TAKEN ON 06/15/17 AT POINTS "A" & "B" AS SHOWN HEREON. POINTS "A" & "B" WERE ESTABLISHED FROM G.P.S. STATION 145 AND G.P.S. STATION 229 PER ROS 14492. THE BEARING FROM POINT "A" TO POINT "B" IS N25°32'43"E.



SHEET TITLE: TENTATIVE MAP WAIVER  
PROJECT NO. 573604

REVISION 7: \_\_\_\_\_  
REVISION 6: \_\_\_\_\_  
REVISION 5: \_\_\_\_\_  
REVISION 4: \_\_\_\_\_  
REVISION 3: 1/23/18  
REVISION 2: 11/29/17  
REVISION 1: 10/20/17  
ORIGINAL DATE: 9/12/17

SHEET 1 OF 1

DEP DEVELOPMENT SERVICES

**ONSITE UTILITY TABLE**

	EXISTING
WATER	UNDERGROUND
SEWER	UNDERGROUND
GAS	UNDERGROUND
ELECTRIC	UNDERGROUND
CABLE/TELEPHONE	UNDERGROUND

**CONDOMINIUM NOTE**  
THIS IS A CONDOMINIUM AS DEFINED IN SECTION 4125 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. TOTAL NUMBER OF UNITS IS 4.

**LEGAL DESCRIPTION**  
LOT 3, TIERRASANTA TWO, MAP 8479.

**ASSESSOR PARCEL NUMBER**  
455-180-03

**SITE ADDRESS**  
10715 TIERRASANTA BLVD UNITS  
SAN DIEGO, CA 92124

**PROJECT AREA**  
23,500 SQ. FT. 0.539 AC.  
EXISTING: 1 LOT  
PROPOSED: 4 COMMERCIAL CONDOMINIUM UNITS

**ZONING**  
EXISTING: CC-1-3  
PROPOSED: CC-1-3

**BENCHMARK**  
DESCRIPTION: BRASS PLUG IN SIDEWALK  
LOCATION: NORTH OF THE INTERSECTION OF SEDA DRIVE AND PROMESA DRIVE IN THE NORTHWESTERLY SIDEWALK.  
ELEVATION: 521.945 MSL  
SOURCE: CITY OF SAN DIEGO VERTICAL CONTROL BENCHMARK (PG 571)

**WAIVER REQUEST**  
TENTATIVE PARCEL MAP

**COORDINATES**  
LAMBERT: (NAD 27) 238-1739  
CALIFORNIA: (NAD83) 1878-6299

**TOPOGRAPHIC SURVEY**  
THE TOPOGRAPHIC SURVEY FOR THIS PROJECT WAS COMPLETED BY WALSH ENGINEERING & SURVEYING, INC. ON JUNE 15, 2017.

**EASEMENTS**  
THE FOLLOWING EASEMENT(S) HAVE BEEN IDENTIFIED FOR THIS PROJECT PER THE PRELIMINARY TITLE REPORT BY: FIRST AMERICAN TITLE NO. NCS-860232-SD DATED 07-19-17.

1. A SEWER, WATER & INCIDENTAL PURPOSE EASEMENT GRANTED TO THE CITY OF SAN DIEGO PER MAP NO. 8479.
2. AN 8' EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES TO SDG&E PER DOC NO. 78-306639.

**LEGEND OF ABBREVIATIONS:**

W WATER  
WM WATER METER  
S SEWER  
SMH SEWER MANHOLE  
G GAS

**LEGEND**

PROPERTY LINE/TENTATIVE MAP WAIVER BOUNDARY

INDICATES EXISTING PCC PAVEMENT

INDICATES EXISTING AC PAVEMENT

INDICATES 1/2" X 18" REBAR WITH CAP STAMPED "LS 7046" PER CR 30703 OR AS OTHERWISE NOTED.

**OWNER**

PACIFIC GILLESPIE PARTNERS LOT 14, LLC  
RICHARD DENT, MANAGER, DG REALTY SERVICES  
3838 CAMINO DEL RIO, NORTH #300  
SAN DIEGO, CA 92108

PREPARED BY:  
Lawrence W. Walsh, P.L.S. 7006  
Walsh Engineering & Surveying, Inc.  
807 Aldwych Road, El Cajon, CA 92020  
(619) 588-6747

**NOTES:**

1. THE SUBDIVIDER SHALL RECORD A DECLARATION OF COVENANTS AND RESERVATION OF EASEMENTS FOR THE SHARED ACCESS EASEMENT FOR THE SITES CURRENTLY HELD BY THE SAME OWNER. THE DECLARATION OF COVENANTS AND RESERVATION OF EASEMENTS SHALL STATE: SINCE THE MUTUAL ACCESS EASEMENT AGREEMENT IS A PRIVATE AND NOT A PUBLIC ISSUE, THE CITY OF SAN DIEGO IS NOT RESPONSIBLE FOR ANY DISPUTE THAT MIGHT ARISE IN THE FUTURE BETWEEN THE PRIVATE PARTIES.
2. WITHIN THE VISIBILITY AREA TRIANGLES, NO OBSTRUCTION INCLUDING SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT. PLANT MATERIAL, OTHER THAN TREES, WITHIN THE PUBLIC RIGHT-OF-WAY THAT IS LOCATED WITHIN VISIBILITY AREAS SHALL NOT EXCEED 24 INCHES IN HEIGHT, MEASURED FROM THE TOP OF THE ADJACENT CURB.



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 92101-2400

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

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

**Project Name:** Tierrasanta Condo Conversion

**Project No. / SCH No.:** 573604/NA

**Project Location-Specific:** 10715 Tierrasanta Blvd, San Diego, CA 92124

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

**Description of nature and purpose of the Project:** MAP WAIVER (MW) to convert an existing commercial building into four commercial condominium units. The project site contains 23,500 square feet in area and is located in the CC-1-3 (Community Commercial) zone of the Tierrasanta Community Plan area within the Airport Influence Area (Review Area 2) for MCAS Miramar and Montgomery Field, the FAA Part 77 Notification Overlay Zone for MCAS Miramar (600' ASL) and Montgomery Field (527' ASL). The requested action pertains to ownership interests related to the existing developed property only, and no additional development is being proposed.

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

**Name of Person or Agency Carrying Out Project:** Richard Dentt  
3838 Camino del Rio North #300  
San Diego, CA, 92108  
610-280-6400

**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 determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15301(k) (Existing Facilities) which allows for interior and exterior alterations and minor additions to existing public or private structures. Since the project would divide an existing commercial space into four separate condominium units with no expansion of the existing use, the project qualifies to be categorically exempt and the exceptions listed in CEQA Section 15300.2 would not apply.

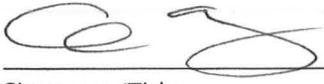
Lead Agency Contact Person: J. Szymanski

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



CHRIS TRACY, AICP  
SENIOR PLANNER

3/12/18

Signature/Title

Date

Check One:

Signed By Lead Agency

Signed by Applicant

Date Received for Filing with County Clerk or OPR:



City of San Diego  
 Development Services  
 1222 First Ave., MS-302  
 San Diego, CA 92101

**Community Planning  
 Committee  
 Distribution Form Part 2**

<b>Project Name:</b> Tierrasanta Condo Conv MW		<b>Project Number:</b> 573604	<b>Distribution Date:</b> 12/11/2017
<b>Project Scope/Location:</b> TIERRASANTA (Process 3) *FLAT FEE* Map Waiver for the creation of four commercial condominium units within an existing commercial building at 10715 Tierrasanta Blvd. The 0.54 acre site is in the CC-1-3 zone within the Tierrasanta Community Plan area. Council District 7.			
<b>Applicant Name:</b> Miguel, Cruz		<b>Applicant Phone Number:</b> 805 621-8099	
<b>Project Manager:</b> Cheryln Cac	<b>Phone Number:</b> (619) 236-6327	<b>Fax Number:</b> (619) 321-3200	<b>E-mail Address:</b>
<b>Committee Recommendations (To be completed for Initial Review):</b> Motion to approve as agreed to by the applicant to changes from the initial submission with modifications proposed by city staff.			
<input checked="" type="checkbox"/> Vote to Approve	<b>Members Yes</b> 15	<b>Members No</b> 0	<b>Members Abstain</b> 0
<input type="checkbox"/> Vote to Approve With Conditions Listed Below	<b>Members Yes</b>	<b>Members No</b>	<b>Members Abstain</b>
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	<b>Members Yes</b>	<b>Members No</b>	<b>Members Abstain</b>
<input type="checkbox"/> Vote to Deny	<b>Members Yes</b>	<b>Members No</b>	<b>Members Abstain</b>
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			<input type="checkbox"/> Continued
<b>CONDITIONS:</b>			
<b>NAME:</b> Deanna Spehn		<b>TITLE:</b> President Tierrasanta Community Council & Planning Group	
<b>SIGNATURE:</b> <i>Deanna Spehn</i>		<b>DATE:</b> 2/22/2018	
Attach Additional Pages If Necessary.		Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	
Printed on recycled paper. Visit our web site at <a href="http://www.sandiego.gov/development-services">www.sandiego.gov/development-services</a> . Upon request, this information is available in alternative formats for persons with disabilities.			



City of San Diego  
Development Services  
1222 First Ave., MS-302  
San Diego, CA 92101

## Community Planning Committee Distribution Form Part 1

<b>Project Name:</b> Tierrasanta Condo Conv MW		<b>Project Number:</b> 573604	<b>Distribution Date:</b> 12/11/2017	
<b>Project Scope/Location:</b> TIERRASANTA (Process 3) *FLAT FEE* Map Waiver for the creation of four commercial condominium units within an existing commercial building at 10715 Tierrasanta Blvd. The 0.54 acre site is in the CC-1-3 zone within the Tierrasanta Community Plan area. Council District 7.				
<b>Applicant Name:</b> Miguel, Cruz			<b>Applicant Phone Number:</b> 805 621-8099	
<b>Project Manager:</b> CherylN Cac	<b>Phone Number:</b> (619) 236-6327	<b>Fax Number:</b> (619) 321-3200	<b>E-mail Address:</b>	
<b>Project Issues (To be completed by Community Planning Committee for initial review):</b> None - planning group agreed with modifications agreed to by applicant that city staff recommended.				
<i>Attach Additional Pages If Necessary.</i>			<b>Please return to:</b> Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	
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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**  
TIERRASANTA CONDOMINIUM CONVERSION 573604

**Project Address:**  
10715 TIERRASANTA BLVD, SAN DIEGO, CA 92124

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

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

Additional pages attached  Yes  No

Name of Individual (type or print): \_\_\_\_\_

Owner  Tenant/Lessee  Redevelopment Agency

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

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

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

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

Name of Individual (type or print): \_\_\_\_\_

Owner  Tenant/Lessee  Redevelopment Agency

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

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

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

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

Name of Individual (type or print): \_\_\_\_\_

Owner  Tenant/Lessee  Redevelopment Agency

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

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

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

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

Name of Individual (type or print): \_\_\_\_\_

Owner  Tenant/Lessee  Redevelopment Agency

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

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

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

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

<b>Project Title:</b> TIERRASANTA MAP WAIVER	<b>Project No. (For City Use Only)</b>
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**Part II - To be completed when property is held by a corporation or partnership**

**Legal Status (please check):**

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

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

Corporate/Partnership Name (type or print): Pacific Gillespie Partners Lot 14, LLC <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: San Diego, CA Phone No: _____ Fax No: _____	Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: _____ Phone No: _____ Fax No: _____
Name of Corporate Officer/Partner (type or print): Richard Dent Title (type or print): Manager, DG Realty Services, LLC Signature:  Date: 9/12/17	Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature : _____ Date: _____
Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: _____ Phone No: _____ Fax No: _____	Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> 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: _____	Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature : _____ Date: _____
Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: _____ Phone No: _____ Fax No: _____	Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> 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: _____	Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature : _____ Date: _____