



THE CITY OF SAN DIEGO

## Report to the Planning Commission

DATE ISSUED: September 27, 2018 REPORT NO. PC-18-058

HEARING DATE: October 4, 2018

SUBJECT: DAIRY MART ROAD VACATION, Process Five Decision

PROJECT NUMBER: [593646](#)

OWNER/APPLICANT: City of San Diego/Left Coast Investment, LLC

### SUMMARY

Issue: Should the Planning Commission recommend to the City Council approval of a Public Right-of-Way Vacation for portions of Dairy Mart Road and West San Ysidro Boulevard south of West San Ysidro Boulevard and north of Interstate-5 in the San Ysidro Community Plan area?

#### Staff Recommendation:

Recommend City Council **Approve** Public Right-of-Way Vacation No. 2093224.

Community Planning Group Recommendation: On February 26, 2018, the San Ysidro Community Planning Group voted 10-0-0 to recommend approval of the project with the condition that the owner maintain the property in a clean, safe, and sanitary condition at all times (Attachment 10).

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). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on August 1, 2018, and the opportunity to appeal that determination ended August 15, 2018.

Fiscal Impact Statement: No fiscal impact. All costs associated with the processing of the application are recovered through a deposit account funded by the applicant.

Code Enforcement Impact: None

Housing Impact Statement: The unimproved site is designated Community Commercial within the West Neighborhood of the San Ysidro Community Plan and is subject to development regulations of the CC-2-1 zone. The project proposes a Public Right-of-Way Vacation of unimproved portions of Dairy Mart Road and West San Ysidro Boulevard located between West San Ysidro Boulevard and Interstate-5, and, therefore, there are no housing impacts associated with the project.

**BACKGROUND**

The 0.23-acre unimproved site is located between West San Ysidro Boulevard and Interstate-5, adjacent to Dairy Mart Road and West San Ysidro Boulevard, in the CC-2-1 zone within the West Neighborhood of the San Ysidro Community Plan. The community plan designates the site as Community Commercial. The portion of undeveloped public right-of-way (ROW) is owned in fee by the City of San Diego and is a part of a 1.12-acre City owned ROW parcel (Figure 1).

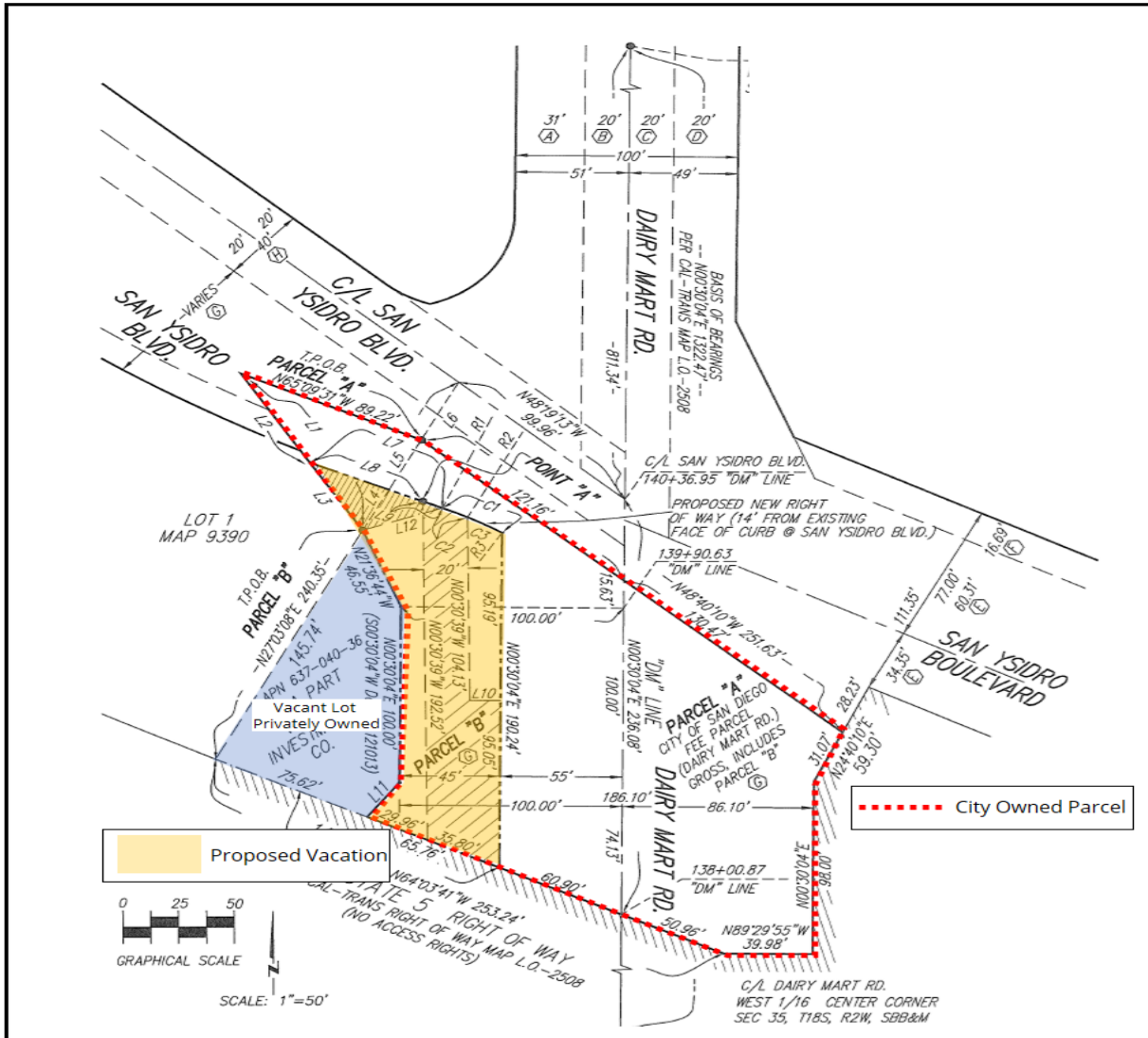


Figure 1: Proposed Vacation and Existing City Parcel

The ROW was originally acquired for circulation, access, and public services by Caltrans for an overcrossing bridge off Interstate-5 and in 1974 was relinquished to the City of San Diego. The Caltrans bridge was demolished and reconstructed with what is now the Dairy Mary Road Interstate-5 overpass. The existing right of way currently extends 100 feet west of the centerline of Dairy Mart Road where 55 feet is required for Dairy Mart Road. The excess area of 45 feet (proposed vacation area) contains an Otay Water District recycled water line and infrastructure (Figure 2).

The abutting vacant site to the west is owned by a private citizen and is currently land locked. The adjacent owner is in the process of purchasing the vacated area from the City of San Diego for future development of the site with access to west San Ysidro Boulevard (Figure 1). The Development Services Department (DSD) is currently working with the Real Estates Assets Department (READ) in coordinating the timing of the Public Right-of-Way Vacation with the Land Sale.

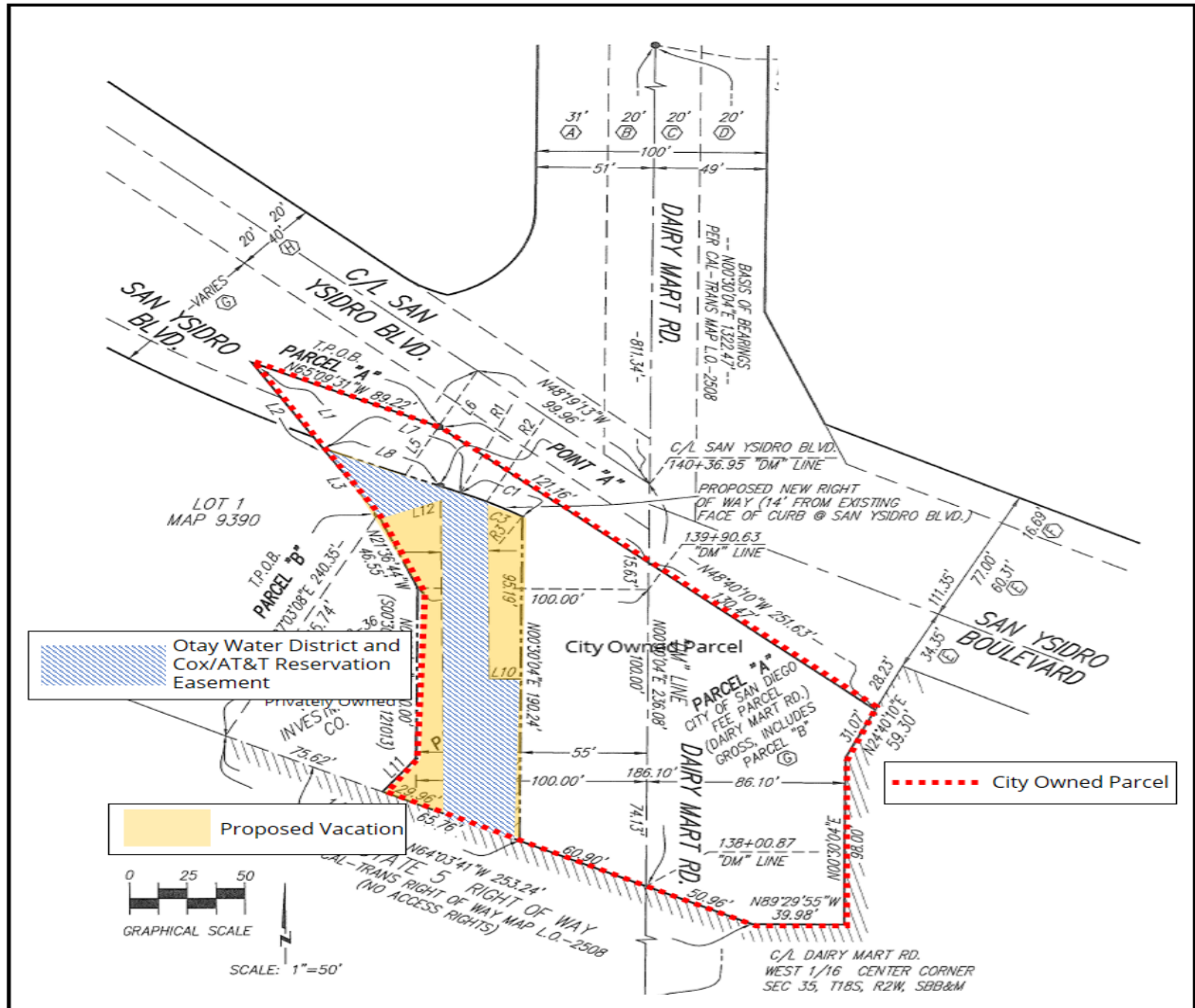


Figure 2: Proposed Otay Water District and Cox/AT&T Easement

**DISCUSSION**

**Project Description:**

The Project proposes to vacate a 0.23-acre unimproved portion of Dairy Mart Road and West San Ysidro Boulevard located between improved West San Ysidro Boulevard and Interstate-5. The unimproved public ROW is limited and reserved for circulation and public utility purposes. The City of San Diego will benefit from the vacation by converting the remnant City owned land to privately-

owned land subject to property tax and relinquishing its liability. The property is highly visible from Interstate-5 and could be developed as a commercial site, consistent with the existing West San Ysidro Boulevard transportation corridor. The proposed Public ROW boundaries will be sufficient to accommodate West San Ysidro Boulevard and Dairy Mart Road street classifications in accordance with the San Ysidro Community Plan, dated May 11, 2017.

Project-Related Issues:

An Otay Water District recycled water line and infrastructure currently exist within the proposed area to be vacated. As a condition of approval for the Public ROW Vacation, an easement reservation will be recorded within this area as required by the Otay Water District. Additionally, the Public ROW Vacation condition will include a Cox Cable and AT&T utility easement to access their utilities (Figure 2).

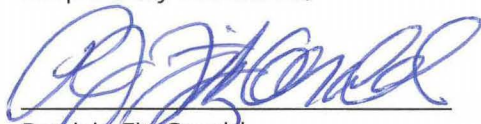
Conclusion:

The project meets all applicable regulations and policy documents. Staff finds the project consistent with the recommended land use plan and development standards in effect for this site per the San Diego Municipal Code, the San Ysidro Community Plan, and the General Plan, therefore, staff recommends approval of the project as presented.

ALTERNATIVES

1. Recommend City Council Approve Public Right-of-Way Vacation No. 2093224, with modifications.
2. Recommend City Council Deny Public Right-of-Way Vacation No. 2093224, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Patricia FitzGerald  
Assistant Deputy Director  
Development Services Department

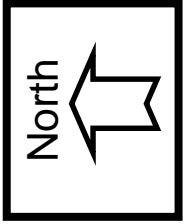
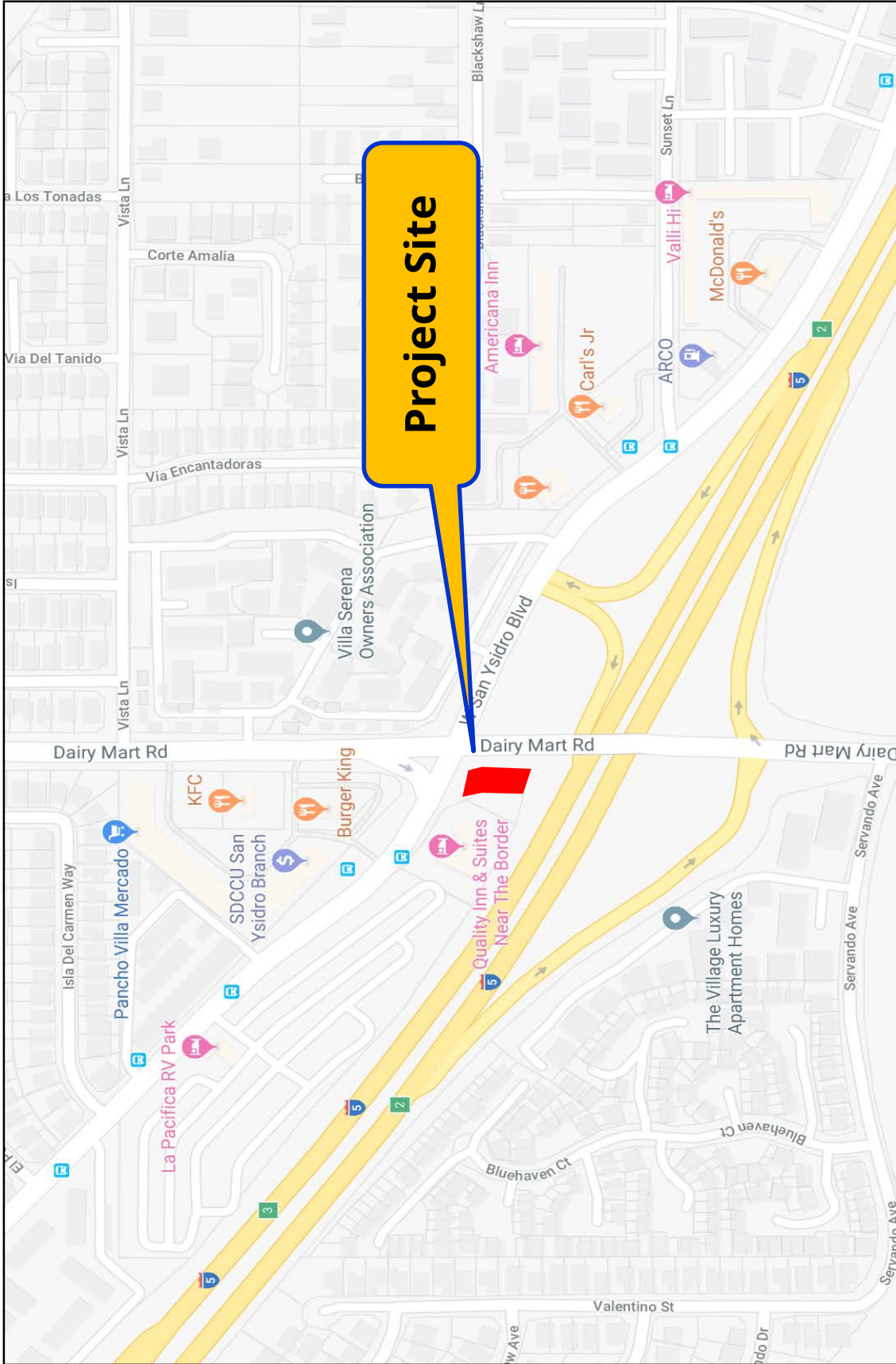


William Zounes  
Development Project Manager  
Development Services Department

Attachments:

1. Location Map
2. Aerial Photograph
3. Zoning Map
4. Community Plan Land Use Map
5. Site and Surrounding Area
6. Project Data Sheet
7. Draft Public Right-of-Way Resolution with Findings
8. Environmental Exemption
9. Ownership Disclosure Statement
10. Community Planning Group Recommendation
11. Draft B-sheets



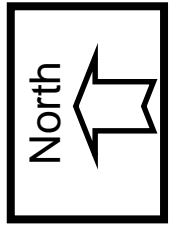


## Project Location Map

Dairy Mart Road Vacation Project No. 593646  
Located between West San Ysidro Boulevard and Interstate-5, adjacent to Dairy Mart Road





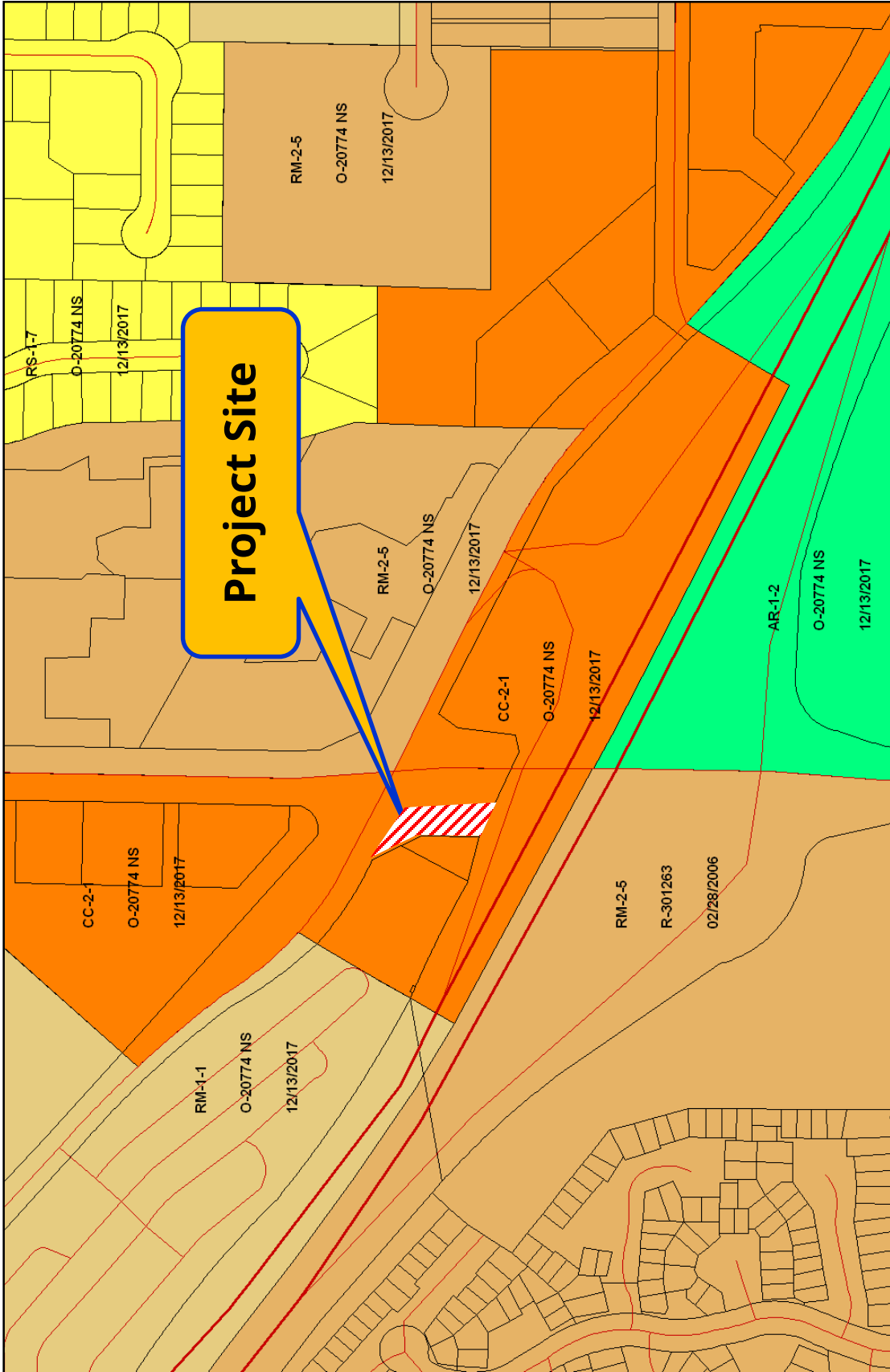
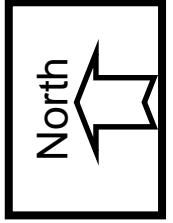


## Aerial Photograph

Dairy Mart Road Vacation Project No. 593646

Located between West San Ysidro Boulevard and Interstate-5, adjacent to Dairy Mart Road





## Zoning Map

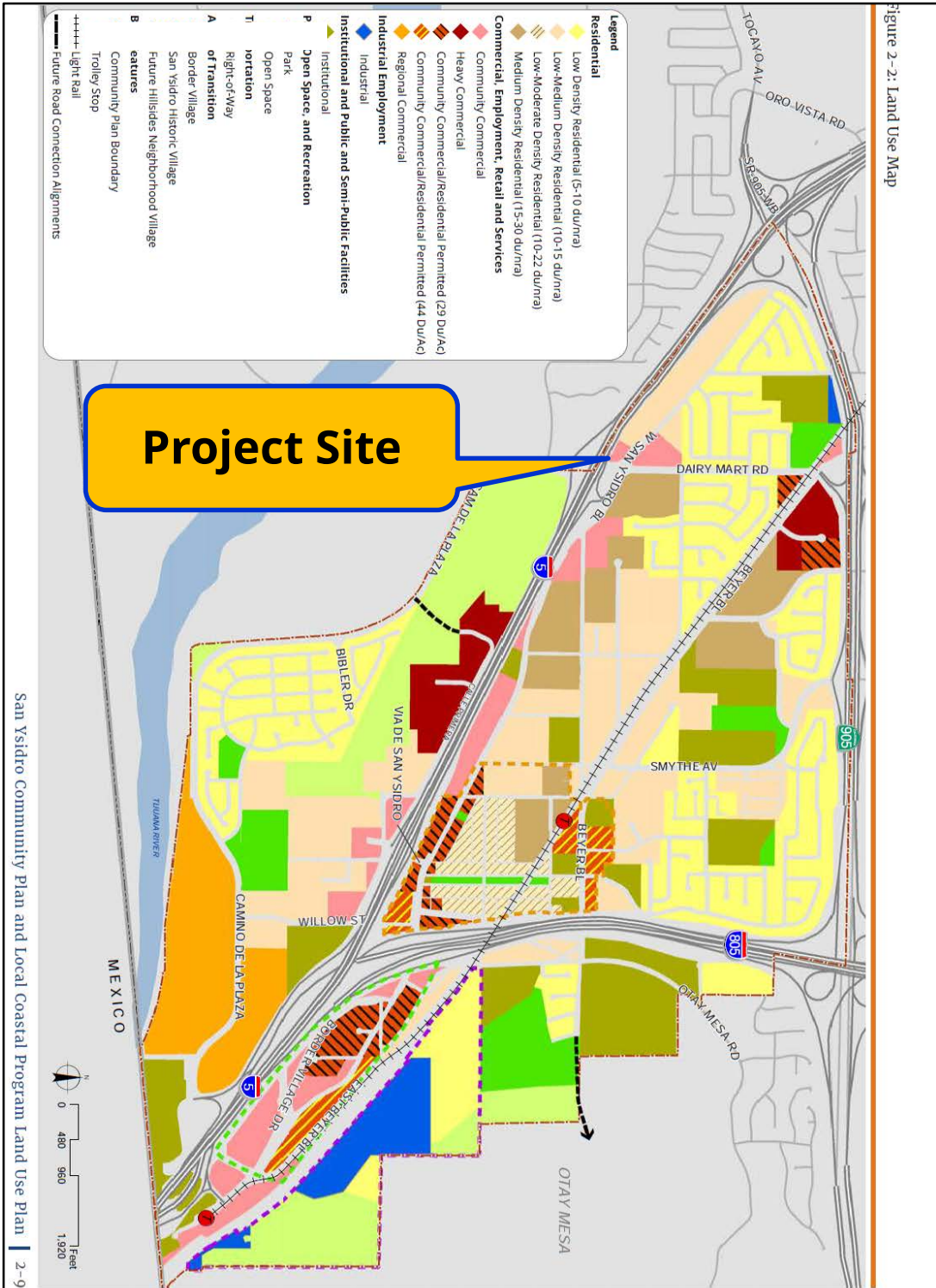
Dairy Mart Road Vacation Project No. 593646

Located between West San Ysidro Boulevard and Interstate-5, adjacent to Dairy Mart Road





Figure 2-2: Land Use Map



San Ysidro Community Plan and Local Coastal Program Land Use Plan | 2-9



# Peninsula Community Land Use Plan

Dairy Mart Road Vacation Project No. 593646

Located between West San Ysidro Boulevard and Interstate-5, adjacent to Dairy Mart Road

North







**Project Site (Site view looking west northwest from Dairy Mart Road freeway overpass)**

Dairy Mart Road Vacation Project No. 593646

Located between West San Ysidro Boulevard and Interstate-5, adjacent to Dairy Mart Road







**Project Site (looking south from San Ysidro Blvd)**

Dairy Mart Road Vacation Project No. 593646

Located between West San Ysidro Boulevard and Interstate-5, adjacent to Dairy Mart Road







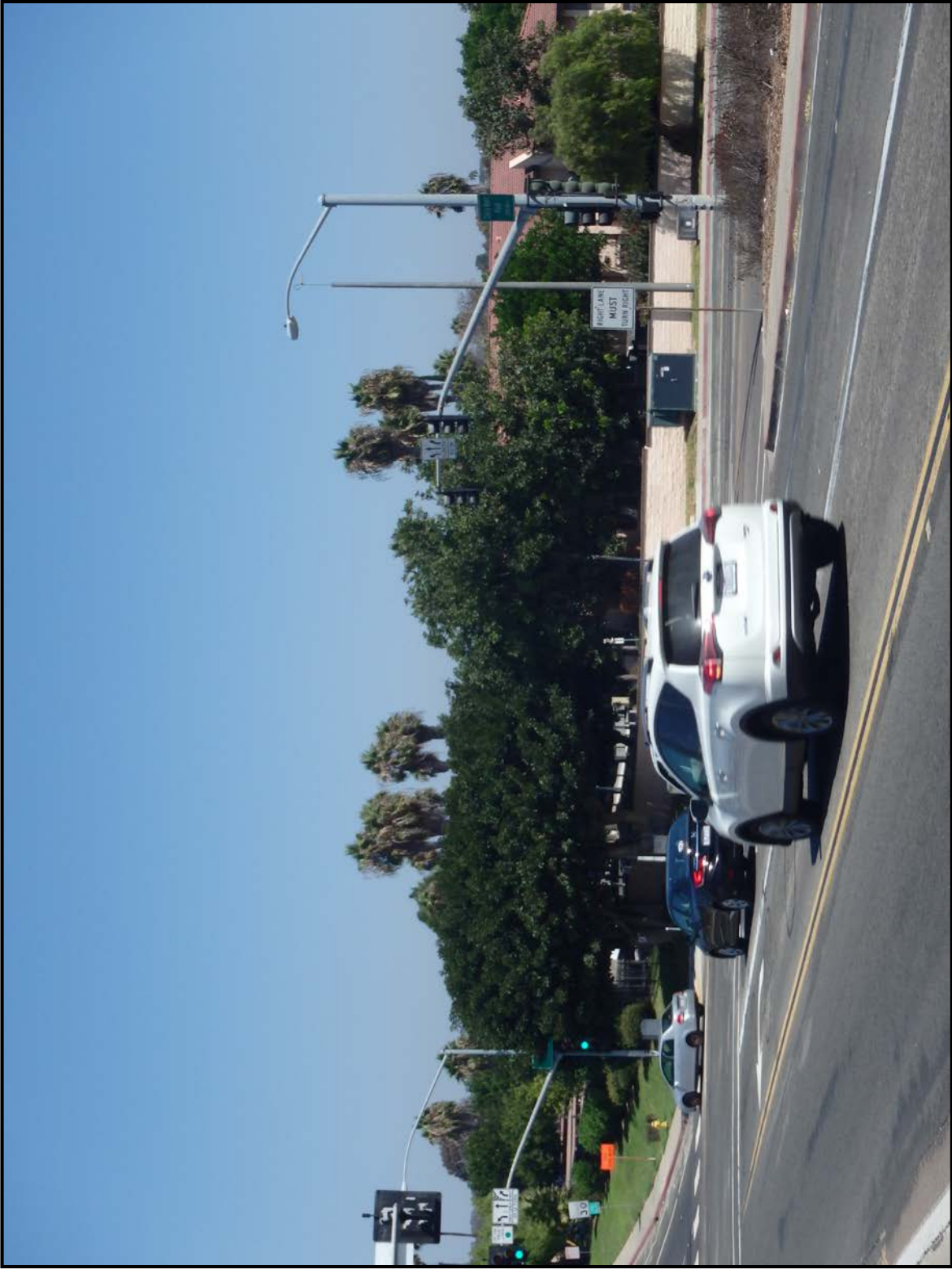
**Surrounding Area (View to the west)**

Dairy Mart Road Vacation Project No. 593646

Located between West San Ysidro Boulevard and Interstate-5, adjacent to Dairy Mart Road







**Surrounding Area (View to the east)**

Dairy Mart Road Vacation Project No. 593646

Located between West San Ysidro Boulevard and Interstate-5, adjacent to Dairy Mart Road





## Surrounding Area (View to the north)

Dairy Mart Road Vacation Project No. 593646

Located between West San Ysidro Boulevard and Interstate-5, adjacent to Dairy Mart Road







**Surrounding Area (View to the south)**

Dairy Mart Road Vacation Project No. 593646

Located between West San Ysidro Boulevard and Interstate-5, adjacent to Dairy Mart Road





<b>PROJECT DATA SHEET</b>		
<b>PROJECT NAME:</b>	Dairy Mart Road Vacation	
<b>PROJECT DESCRIPTION:</b>	The Project proposes to vacate a 0.23-acre unimproved portion of Dairy Mart Road and West San Ysidro Boulevard located between improved West San Ysidro Boulevard and Interstate-5.	
<b>COMMUNITY PLAN AREA:</b>	San Ysidro	
<b>DISCRETIONARY ACTIONS:</b>	Public Right-of-Way Vacation	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Community Commercial	
<b><u>ZONING INFORMATION:</u></b>		
<p><b>ZONE:</b> CC-2-1</p> <p><b>HEIGHT LIMIT:</b> 30 feet</p> <p><b>LOT SIZE:</b> 0.23-acres</p> <p><b>FLOOR AREA RATIO:</b> 0.75 maximum</p> <p><b>FRONT SETBACK:</b> No minimum/100-foot maximum</p> <p><b>SIDE SETBACK:</b> 100 feet</p> <p><b>STREETSIDE SETBACK:</b> None</p> <p><b>REAR SETBACK:</b> 10 feet</p> <p><b>PARKING:</b> None required with this entitlement</p>		
<b><u>ADJACENT PROPERTIES:</u></b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Community Commercial; CC-2-1	Retail shopping center
<b>SOUTH:</b>	Community Commercial; CC-2-1	Interstate-5
<b>EAST:</b>	Medium Density Residential; CC-2-1 & RM-2-5	Multi-Family Residential and Interstate-5 onramp.
<b>WEST:</b>	Community Commercial; CC-2-1	Motel
<b>DEVIATIONS OR VARIANCES REQUESTED:</b>	None	
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	On February 26, 2018, the San Ysidro Community Planning Group voted 10-0-0 to recommend approval of the project with the condition that the owner maintain the property in a clean, safe, and sanitary condition at all times.	

**Attachment 7**  
**Draft Public Right-of-Way Resolution with Findings**  
(R-[Reso Code])

RESOLUTION NUMBER R- \_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION VACATING A PORTION OF DAIRY MART ROAD AND WEST SAN YSIDRO BOULEVARD, RIGHT-OF-WAY VACATION NO. 2093224 WITH RESERVATION OF EASEMENT (PROJECT NO. 593646)

WHEREAS, California Streets and Highways Code section 8320 *et seq.* and San Diego Municipal Code section 125.0901 *et seq.* provide a procedure for the vacation of public rights-of-way by City Council resolution; and

WHEREAS, LEFT COAST INVESTMENT, INC. filed an application to vacate a portion of Dairy Mart Road and West San Ysidro Boulevard between Interstate-5 and West San Ysidro Boulevard, being described as Right-of-Way Vacation No. 2093224; and

WHEREAS, Public Right-of-Way Vacation No. 2093224 is located on property owned by the CITY OF SAN DIEGO; and

WHEREAS, on August 1, 2018 the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 *et seq.*) under CEQA Guideline Section 15305 and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520

WHEREAS, in connection with Right-of-Way Vacation No. 2093224, the City desires to reserve and except public easements; and

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**Draft Public Right-of-Way Resolution with Findings**  
(R-[Reso Code])

WHEREAS, under Charter Section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing was required by law implicating due process rights of individuals affected by the decision, and the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on \_\_\_\_\_, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that with respect to Right-of-Way Vacation No. 2093224, the Council finds that:

**(a) There is no present or prospective public use for the public right-of-way, either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated.**

The Project proposes to vacate an unimproved portion of Dairy Mart Road and West San Ysidro Boulevard located between improved West San Ysidro Boulevard and Interstate-5 in the CC-2-1 zone within the San Ysidro Community Plan. The portion of undeveloped Dairy Mart Road and West San Ysidro Boulevard to be vacated encompasses approximately 0.23-acres and is owned in fee by the City of San Diego.

The land intended to be vacated is no longer needed as a public right-of-way and is not needed to provide public circulation or services. However, 55 feet from the current center line of Dairy Mart Road is being reserved for possible future expansion of the existing paved road and Interstate-5 overpass. The public right-of-way was originally acquired for circulation, access, and



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(R-[Reso Code])

public services by Caltrans to an overcrossing bridge off interstate-5 and later relinquished to the City of San Diego in 1974. The Caltrans bridge was demolished and reconstructed with what is now the Dairy Mart Road Interstate-5 overpass. The proposed public right-of-way boundaries will be in accordance with the San Ysidro Community Plan, dated May 11, 2017.

Dairy Mart Road is designated as a four-lane collector with a 55-foot right-of-way on each side of the centerline within the San Ysidro Community Plan. The existing right-of-way currently extends 100 feet west of the centerline of Dairy Mart Road where 55 feet is required for Dairy Mart Road future expansion in accordance to the San Ysidro Community Plan. The additional 45-foot wide area (proposed vacation area) has an Otay Water District recycled water line and infrastructure within it. An easement reservation is proposed within the proposed vacation as required by the Otay Water District. Additionally, the Public Right-of-Way Vacation will include a COX Cable and AT&T utility easement to allow access to their utilities. West San Ysidro Boulevard runs east to west adjacent to the site, has a variable right-of-way line and is built out to its ultimate use and is not intended to be expanded. As such the proposed vacation portion of both Dairy Mart Road and West San Ysidro Boulevard is not necessary and will have no prospective public use for the right-of-way, either for the purpose for which it was originally acquired, or for any other public use of like nature that can be anticipated.

**(b) The public will benefit from the action through improved use of the land made available by the vacation.**

The Project proposes to vacate an unimproved portion of Dairy Mart Road and West San Ysidro Boulevard located between improved West San Ysidro Boulevard and Interstate-5 in the CC-2-1 zone within the San Ysidro Community Plan. The portion of undeveloped Dairy Mart Road and

**Attachment 7**  
**Draft Public Right-of-Way Resolution with Findings**  
(R-[Reso Code])

West San Ysidro Boulevard to be vacated encompasses approximately 0.23-acres and is owned in fee by the City of San Diego.

Currently, the unimproved public right-of-way is limited and reserved for circulation and public utility purposes. The abutting vacant site to the west is owned by a private citizen and is currently land locked. The adjacent owner is in the process of purchasing the vacated area from the City of San Diego for future development of the site with access to West San Ysidro Boulevard. The City of San Diego will benefit from the vacation by converting the remnant City owned land to privately-owned land subject to property tax and relinquishing its liability. The property is highly visible from Interstate-5 and could be developed as a commercial site, consistent with the existing West San Ysidro Boulevard corridor. Therefore, the public will benefit from the action through improved use of the land made available by the vacation.

**(c) The vacation does not adversely affect any applicable land use plan.**

The Project proposes to vacate an unimproved portion of Dairy Mart Road and West San Ysidro Boulevard located between West San Ysidro Boulevard and Interstate-5 within the CC-2-1 zone. The site is located within the West Neighborhood of the San Ysidro Community Plan and designated Community Commercial. The portion of undeveloped Dairy Mart Road and West San Ysidro Boulevard being vacated encompasses approximately 0.23-acres and is owned in fee by the City of San Diego and adjacent to property designated Community Commercial.

Currently, a motel is located to the west of the site and a retail commercial center is located north of the site across the West San Ysidro Boulevard which serves the general community and is visible from Interstate-5, attracting freeway business. The area proposed to be vacated will be sold

**Attachment 7**  
**Draft Public Right-of-Way Resolution with Findings**  
(R-[Reso Code])

to the adjacent property owner to facilitate the fullest and highest use of the land as designated by the San Ysidro Community Plan consistent with the Community Commercial designation and the CC-2-1 zone. The proposed Public Right-of-Way boundaries will be in accordance with the San Ysidro Community Plan street classifications, dated May 11, 2017.

Dairy Mart Road is designated as a four-lane collector with a 55-foot right-of-way on each side of the centerline. Currently, Dairy Mart Road along the Interstate-5 overpass and adjacent to the site contains one north bound travel lane with a right and left turn lane onto San Ysidro Boulevard and one south bound through lane. North of San Ysidro Boulevard, Dairy Mart Road transitions into a four-lane collector. West San Ysidro Boulevard runs east to west adjacent to the site, has a variable right-of-way line and is built out to its ultimate use and is not intended to be expanded. The existing right-of-way within the project's footprint currently extends 100 feet west of the centerline of Dairy Mart Road and includes the excess area of 45 feet (proposed vacation area). For possible further expansion of Dairy Mart Road and the Interstate-5 overpass, 55-feet from the current center line of Dairy Mart Road is being reserved. Therefore, the vacation does not adversely affect any applicable land use plan.

**(d) The public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation.**

The public right-of-way was originally acquired for circulation, access, and public services by Caltrans to an overcrossing of Interstate-5 and in 1974 relinquished to the City.

Sufficient right-of-way would be maintained by the proposed vacation to accommodate all future development and improvements for Dairy Mart Road. Dairy Mart Road is designated as a four-lane collector with a 55-foot right-of-way on each side of the centerline. The existing right-of-



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(R-[Reso Code])

way currently extends 100 feet west of the centerline of Dairy Mart Road and includes the excess area of 45 feet (proposed vacation area). For possible further expansion of Dairy Mart Road and the Interstate-5 overpass, 55-feet from the current center line of Dairy Mart Road is being reserved.

As a condition of the proposed Public Right-of-Way Vacation, easements will be reserved over the area proposed to be vacated for the Otay Water District's infrastructure in accordance with the District's specifications, and to allow COX cable and AT&T access to their facilities. West San Ysidro Boulevard is currently built out as a two-lane collector street with a bus transit station about 200 feet west of the proposed vacation. Therefore, the public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation.

BE IT FURTHER RESOLVED, that Right-of-Way Vacation No. 2093224, as more particularly described in the legal description marked as Exhibit "A" and shown on Drawing No. 40535-1-B and 40535-2-B, marked as Exhibit "B," which are by this reference incorporated herein and made a part hereof, is ordered vacated subject to the following condition(s) which are made a part of this resolution:

No permanent structure shall be constructed within the reserved Otay Water District water easement and the COX Cable and AT&T access easement identified on Drawing No. 40535-1-B and 40535-2-B, marked as Exhibit "B."

BE IT FURTHER RESOLVED, that the City of San Diego reserves and excepts from Right-of-Way Vacation No. 2093224 the permanent easement for public utility purposes, as more particularly described hereinafter: Otay Water District water easement and the COX Cable and AT&T access easements identified on Drawing No. 40535-1-B and 40535-2-B, marked as Exhibit "B."

**Attachment 7**  
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(R-[Reso Code])

BE IT FURTHER RESOLVED, that the easements reserved herein are in, under, over, upon, along, and across that portion of Dairy Mart Road and West San Ysidro Boulevard, described in the legal description marked as Exhibit "A" and shown on Drawing No. 40535-1-B and 40535-2-B, marked as Exhibit "B."

BE IT FURTHER RESOLVED, that the Development Services Department shall record a certified copy of this resolution with attached exhibits, attested by the City Clerk under seal, in the Office of the County Recorder.

APPROVED: MARA W. ELLIOTT, City Attorney

By \_\_\_\_\_  
[Attorney]  
Deputy City Attorney

[Initials]:[Initials]  
[Month]/[Day]/[Year]  
Or.Dept:[Dept]  
Document No:

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 Name/Number:** Dairy Mart-Right of Way Vacation/593646

**SCH No.:** N.A.

**Project Location-Specific:** Located at the southwest corner of West San Ysidro Boulevard and Dairy Mart Road, north of Interstate 5, between Dairy Mart Road and the existing Quality Inn & Suites.

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

**Description of nature and purpose of the Project:** Right of Way Vacation with Easement Reservation and Land Sale Plat, located at the southwest corner of West San Ysidro Boulevard and Dairy Mart Road, north of Interstate 5, between Dairy Mart Road and the existing Quality Inn & Suites. The vacant 0.39-acre site is in the CC-2-1 zone within the San Ysidro Community Planning area.

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

**Name of Person or Agency Carrying Out Project:** Rudy Pacheco, Acculine Survey (Firm), 1919 Grand Avenue, San Diego, CA 92109, (858) 483-6665

**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: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15305 (Minor Alterations in Land Use Limitations)

**Reasons why project is exempt:** The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15305 which addresses minor alterations in land use limitations, in areas with an average slope of less than 20 percent, and which do not result in any changes in land use density. In addition, the exceptions listed in CEQA Section 15300.2 would not apply.

Lead Agency Contact Person: Rhonda Benally

Telephone: (619) 446-5468

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

Ownership Disclosure Statement



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 RIGHT-OF-WAY VACATION

Project Title: W. SAN YSIDRO BLVD & DAIRY MART RD RIGHT-OF-WAY VACATION Project No. For City Use Only: \_\_\_\_\_  
Project Address: NW CORNER OF WEST SAN YSIDRO BLVD. AND DAIRY MART RD.

Specify Form of Ownership/Legal Status (please check):  
 Corporation  Limited Liability -or-  General - What State? CA Corporate Identification No. \_\_\_\_\_  
 Partnership  Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of ANY person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

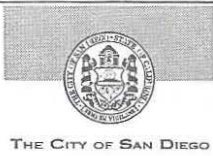
Property Owner  
Name of Individual: CITY OF SAN DIEGO REAL ESTATE ASSETS ATTN: MARY CARLSON  Owner  Tenant/Lessee  Successor Agency  
Street Address: 1200 THIRD AVE., SUITE 1700, MS 51A  
City: SAN DIEGO State: CA Zip: 92101  
Phone No.: 619-236-6079 Fax No.: \_\_\_\_\_ Email: mmcarlson@sandiego.gov  
Signature: [Signature] Date: 1/9/18  
Additional pages Attached:  Yes  No

Applicant  
Name of Individual: LEFT COAST INVESTMENTS, INC. (RUDY PACHECO, PRESIDENT)  Owner  Tenant/Lessee  Successor Agency  
Street Address: 1919 GRAND AVE., SUITE 1G  
City: SAN DIEGO State: CA Zip: 92109  
Phone No.: 858-483-6665 (CELL 619-843-6890) Fax No.: 858-483-6056 Email: ACCULINESURVEY@SBCGLOBAL.NET  
Signature: RUDY PACHECO Date: \_\_\_\_\_  
Additional pages Attached:  Yes  No

Other Financially Interested Persons  
Name of Individual: RUDY PACHECO  Owner  Tenant/Lessee  Successor Agency  
Street Address: 1919 GRAND AVE., SUITE 1G  
City: SAN DIEGO State: CA Zip: 92109  
Phone No.: 858-483-6665 (CELL 619-843-6890) Fax No.: 858-483-6056 Email: ACCULINESURVEY@SBCGLOBAL.NET  
Signature: RUDY PACHECO Date: \_\_\_\_\_  
Additional pages Attached:  Yes  No

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





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> Dairy Mart - ROW Vacation		<b>Project Number:</b> 593646	<b>Distribution Date:</b> 2/01/2018
<b>Project Scope/Location:</b> SAN YSIDRO - (Process 5) Right of Way Vacation, Land Sale Plat and Easement Reservation located at the northwest corner of W San Ysidro Blvd and Dairy Mart Rd. The 0.39 acre site is in the CC-2-1 zone within the San Ysidro Community Plan area. Council District 8.			
<b>Applicant Name:</b> Rudy Pacheco		<b>Applicant Phone Number:</b> (858) 483-6665	
<b>Project Manager:</b> Paul Godwin	<b>Phone Number:</b> (619) 446-5190	<b>Fax Number:</b> (619) 446-5245	<b>E-mail Address:</b> PGodwin@SanDiego.gov
<b>Committee Recommendations (To be completed for Initial Review):</b>			
<input type="checkbox"/> Vote to Approve	Members Yes	Members No	Members Abstain
<input checked="" type="checkbox"/> Vote to Approve With Conditions Listed Below	10	0	0
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Deny	Members Yes	Members No	Members Abstain
<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> <i>Upon transfer, new owner shall maintain property in a clean, safe and sanitary condition at all times.</i>			
<b>NAME:</b> <i>MICHAEL R. FREEDMAN</i>		<b>TITLE:</b> <i>CHAIRMAN</i>	
<b>SIGNATURE:</b> <i>Michael R. Freedman</i>		<b>DATE:</b> <i>2/26/2018</i>	
<i>Attach Additional Pages If Necessary.</i>		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> Dairy Mart - ROW Vacation		<b>Project Number:</b> 593646	<b>Distribution Date:</b> 2/01/2018	
<b>Project Scope/Location:</b> SAN YSIDRO - (Process 5) Right of Way Vacation, Land Sale Plat and Easement Reservation located at the northwest corner of W San Ysidro Blvd and Dairy Mart Rd. The 0.39 acre site is in the CC-2-1 zone within the San Ysidro Community Plan area. Council District 8.				
<b>Applicant Name:</b> Rudy Pacheco			<b>Applicant Phone Number:</b> (858) 483-6665	
<b>Project Manager:</b> Paul Godwin	<b>Phone Number:</b> (619) 446-5190	<b>Fax Number:</b> (619) 446-5245	<b>E-mail Address:</b> PGodwin@SanDiego.gov	
<b>Project Issues (To be completed by Community Planning Committee for initial review):</b>  <i>Maintenance lacking. Overgrown vegetation. Dumping. Attracts transient encampments.</i>				
<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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ASSESSORS PARCEL NO.: 637-04

SHEET 1 OF 2  
SEE SHEET 2 FOR MAP

SAN DIEGO

LEGEND:

PARCEL "A"

CITY OF SD FEE PARCEL  
(DAIRY MART RD, INCL PAR "A" & "B")  
39,025 SQ. FT. (0.896 AC.) GROSS  
29,094 SQ. FT. (0.668 AC.) NET  
(EXCLUDES PAR "B")

PARCEL "B"

PROPOSED VACATION  
(INCLUDES OTAY WATER ESMT)  
GROSS 9,930.94 SQ. FT., 0.228 AC.  
OTAY ESMT 5,048.77 SQ. FT., 0.116 AC.  
NET 4882.17 SQ. FT., 0.112 AC.

BOUNDARY LINE VELCE  
INVESTMENT CO.

INDICATES PROPOSED OTAY  
WATER EASEMENT RESERVATION  
5,048.77 SQ. FT., 0.116 AC.

INDICATES PROPOSED COX, AT&T  
AND ACCESS EASEMENT RESERVATION  
835.34 SQ. FT., 0.019 AC.

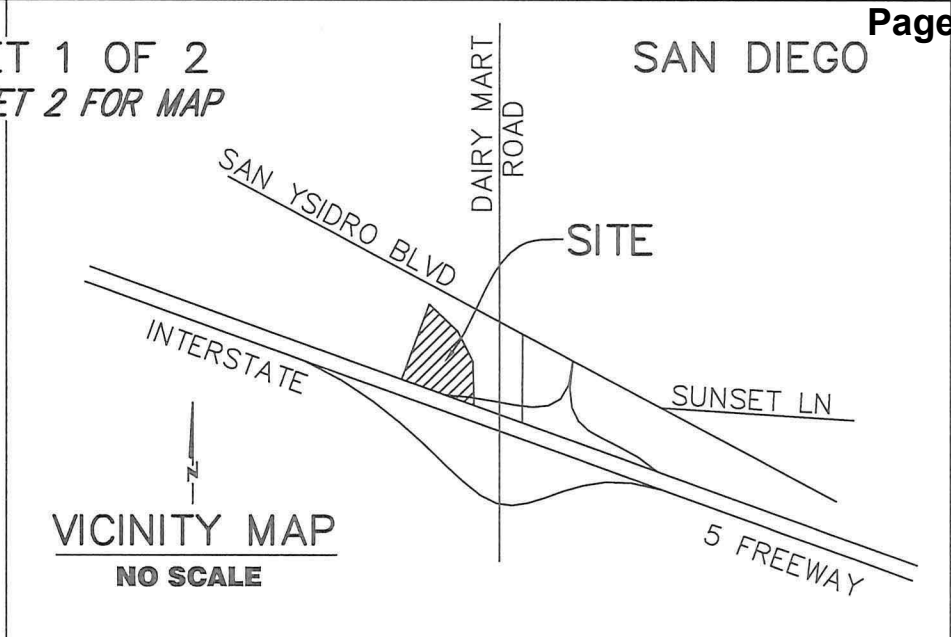
INDICATES ACCESS RIGHTS RELINQUISHED  
PER CAL-TRANS R.O.W. MAP L.O.-2508

P.O.B. • INDICATES POINT OF BEGINNING

T.P.O.B. • INDICATES TRUE POINT OF BEGINNING

REFERENCES

CAL-TRANS RIGHT OF WAY MAP L.O. 2508  
STATE HIGHWAY MAP NO.136



LINE TABLE

L1	N31°34'01"W	104.43'
L2	N31°34'01"W	59.37'
L3	N31°34'01"W	45.06'
L4	N27°03'08"E	25.93'
L5	N27°03'08"E	31.89'
L6	N27°03'08"E	36.79'
L7	N66°36'28"W	64.61'
L8	N66°36'28"W	55.05'
L9	N66°36'28"W	9.55'
L10	N89°29'21"E	13.73'
L11	N36°36'00"E	24.41'
L12	N70°21'32"E	37.91'

CURVE TABLE

C1	D=08°52'10"	R=196.00'	L=30.34'
C2	D=03°39'22"	R=196.00'	L=12.51'
C3	D=05°12'48"	R=196.00'	L=17.83'

RADIAL LINE TABLE

R1	N23°23'32"E
R2	N27°02'53"E
R3	N32°15'42"E

DATE OF PLOT 08/22/2018  
FILE NO. 1440-VAC

ACCULINE SURVEY, INC.  
1919 GRAND AVE. SUITE 1G,  
SAN DIEGO, CA 92109.  
(858) 483-6665

 DATE: 8/22/2018  
RUDY P. PACHECO L.S. 5717



RESOLUTION NO. \_\_\_\_\_  
RECORDED \_\_\_\_\_  
DOCUMENT NO. \_\_\_\_\_  
RECORDED \_\_\_\_\_

PUBLIC STREET EASEMENT VACATION

PORTION OF THE SW 1/4 OF SECTION 35, TOWNSHIP 18 SOUTH, RANGE 2 WEST, SBM, CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, PORTION OF PARCEL 21789-8 AS RELINQUISHED TO CITY OF SAN DIEGO PER DOC. NO. 74-036848 FILED ON FEB. 13, 1974.

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA SHEET 1 OF 1 SHEETS	PTS NO. 593646
ORIGINAL	RPP					I.O NO. N/A
					FOR CITY LAND SURVEYOR	1782-6309 CCS. 83 COORDINATES
					DATE	142-1749 LAMBERT COORDINATES
					STATUS	40535-1-B

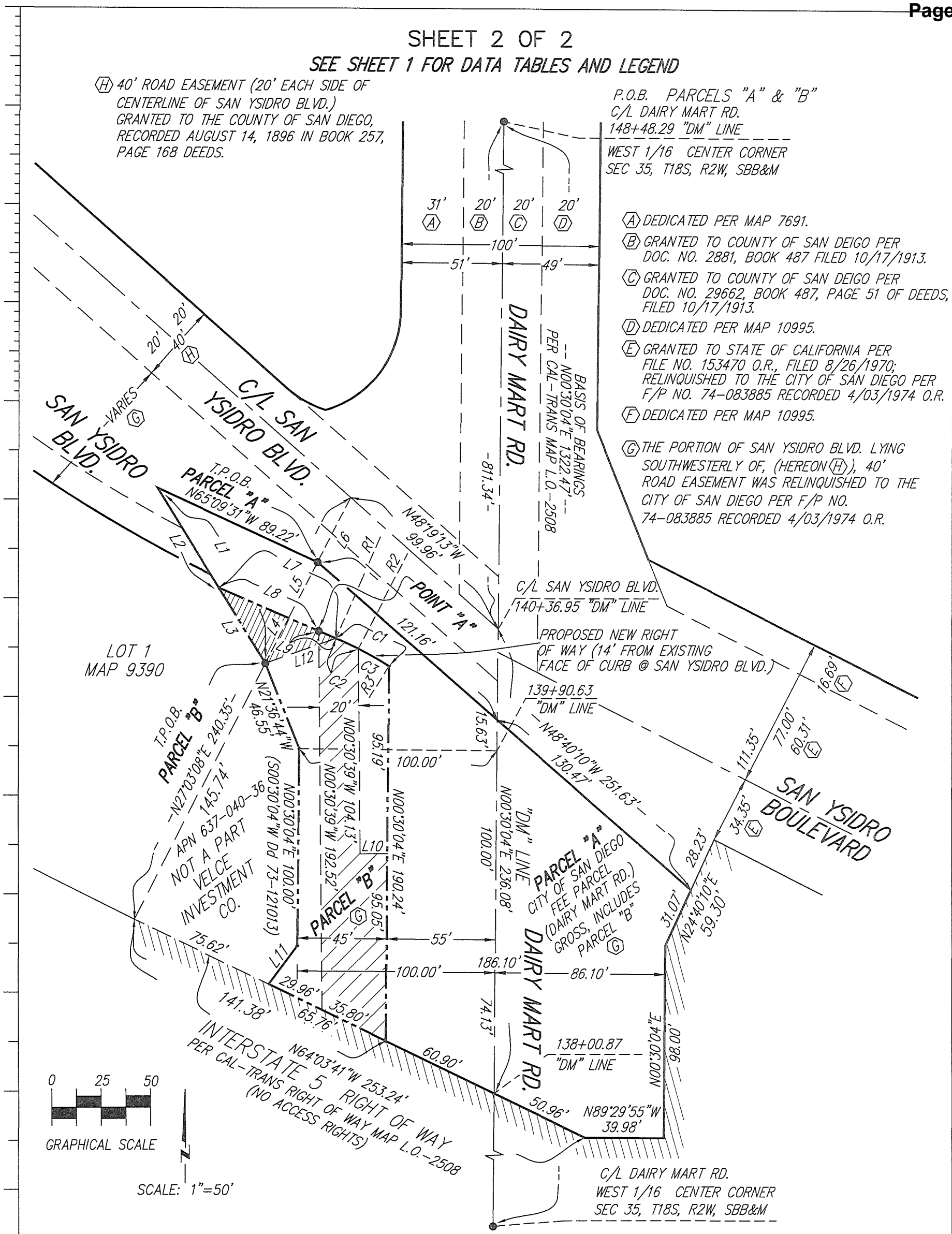
SHEET 2 OF 2

SEE SHEET 1 FOR DATA TABLES AND LEGEND

(H) 40' ROAD EASEMENT (20' EACH SIDE OF CENTERLINE OF SAN YSIDRO BLVD.) GRANTED TO THE COUNTY OF SAN DIEGO, RECORDED AUGUST 14, 1896 IN BOOK 257, PAGE 168 DEEDS.

P.O.B. PARCELS "A" & "B"  
C/L DAIRY MART RD.  
148+48.29 "DM" LINE  
WEST 1/16 CENTER CORNER  
SEC 35, T18S, R2W, SBB&M

- (A) DEDICATED PER MAP 7691.
- (B) GRANTED TO COUNTY OF SAN DIEGO PER DOC. NO. 2881, BOOK 487 FILED 10/17/1913.
- (C) GRANTED TO COUNTY OF SAN DIEGO PER DOC. NO. 29662, BOOK 487, PAGE 51 OF DEEDS, FILED 10/17/1913.
- (D) DEDICATED PER MAP 10995.
- (E) GRANTED TO STATE OF CALIFORNIA PER FILE NO. 153470 O.R., FILED 8/26/1970; RELINQUISHED TO THE CITY OF SAN DIEGO PER F/P NO. 74-083885 RECORDED 4/03/1974 O.R.
- (F) DEDICATED PER MAP 10995.
- (G) THE PORTION OF SAN YSIDRO BLVD. LYING SOUTHWESTERLY OF, (HEREON (H)), 40' ROAD EASEMENT WAS RELINQUISHED TO THE CITY OF SAN DIEGO PER F/P NO. 74-083885 RECORDED 4/03/1974 O.R.



**PUBLIC STREET EASEMENT VACATION**

PORTION OF THE SW 1/4 OF SECTION 35, TOWNSHIP 18 SOUTH, RANGE 2 WEST, SBM, CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, PORTION OF PARCEL 21789-8 AS RELINQUISHED TO CITY OF SAN DIEGO PER DOC. NO. 74-036848 FILED ON FEB. 13, 1974.

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					FOR CITY LAND SURVEYOR	DATE
						1782-6309 CCS. 83 COORDINATES
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						40535-2-B
				STATUS		