

DATE ISSUED: May 19, 2006

REPORT NO. PC-06-168

ATTENTION: Planning Commission, Agenda of May 25, 2006

SUBJECT: TIERRASANTA TOWNHOMES - PROJECT NO. 61500
CINGULAR/VERIZON/SPRINT/T-MOBILE – PROJECT NO. 89848
PROCESS 5

REFERENCE: Conditional Use Permit No. C-17951 (Attachment 16)

OWNER: Tierrasanta Christian Church and Shappel Industries, Inc. (Attachment 20)

APPLICANT: Intracorp -Keith Fernandez (Attachment 20)

SUMMARY

Issue(s): Should the Planning Commission recommend approval to the City Council of a new 60-unit residential condominium project and the relocation of four (4) existing wireless telecommunication facilities on a 6.86-acre site at 11445 Tierrasanta Boulevard? The site is located within the Tierrasanta Community Plan area.

Staff Recommendation:

1. Recommend **CERTIFICATION** to the City Council of Mitigated Negative Declaration No. 61500 and **ADOPTION** of the Mitigation, Monitoring and Reporting Program.
2. Recommend **APPROVAL** to the City Council of Rezone No. 184492.
3. Recommend **APPROVAL** to the City Council of Vesting Tentative Map No. 334358 with an Open Space Easement Abandonment No.184493 and a waiver to underground

existing adjacent utilities.

4. Recommend **APPROVAL** to the City Council of Site Development Permit No. 330475.
5. Recommend **APPROVAL** to the City Council of Conditional Use Permit No. 287678, 287680, 287681, 287682.
6. Recommend **APPROVAL** to the City Council of a Multi-Habitat Planning Area Boundary Line Adjustment.

Community Planning Group Recommendation: On March 15, 2006 the Tierrasanta Community Council and Planning Group voted 14-0-0 to approve the project with conditions discussed within this report (Attachment 19).

Environmental Review: Mitigated Negative Declaration (MND) No. 61500 has been prepared for this project in accordance with the California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program (MMRP) has been prepared and will be implemented to reduce all potential impacts to below a level of significance. The MMRP addressed the issue areas of Biological Resources, Historical Resources (Archaeology), Land Use (MHPA Adjacency) and Paleontological Resources.

Fiscal Impact Statement: None with this action. All costs associated with the processing of this project are paid by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement: The project will add 60 residential units to a site that is already developed and designated for open space. There will be a net increase of 60 units to the Tierrasanta Community as a result of this project. The applicant will be paying the in lieu fee for the affordable housing requirement.

BACKGROUND

The project site is located at 11445 Tierrasanta Boulevard, within the Tierrasanta Community Plan area. The Tierrasanta Community Plan designates this site for open space (Attachment 2). Approximately 2.5 acres of the 6.86-acre site is currently developed with a church building, YMCA daycare, and associated surface parking (Attachment 22). The existing buildings were constructed in 1985 and the site has a recorded Conditional Use Permit No.C-17951 (Attachment 16) for the church, sanctuary, classrooms and other associated improvements which will be rescinded as part of this permit action.

The community plan recommends that open space which will not be acquired by the City, should be allowed to be developed at the same residential density as adjacent properties. The City is not going to purchase the developed subject property for open space. This site is adjacent to the El Dorado Apartments which is a multifamily residential development, located to the north and west along Tierrasanta Boulevard. The community plan states that a density between 5 and 10 du/acre is acceptable to the Planned Residential Development for El Dorado. The subject site is currently zoned for single-family residential (RS-1-7).

During the mid to late 1990's, the Tierrasanta Christian Church became a telecommunication collocation site. Overall four carriers were each approved for light standards supporting antennas, as well as, four approximately 200 square foot equipment shelters. At the time of construction Conditional Use Permits for these facilities were not required; however, written agreements between the City and the carriers were implemented, which frames the conditions of approval. The current project integrates all four carriers into the condominium complex and individual Conditional Use Permits are being requested for each of the relocated facilities.

Portions of the site are designated Environmental Sensitive Lands (ESL) due to the presence of sensitive biological resources and steep slopes. The west-facing and south-facing slopes support Diegan coastal sage scrub and a portion of the site at the northwest, outside the project boundaries, has a small amount of riparian vegetation. In addition, the site is partially within the Multi-Habitat Planning Area (MHPA) (Attachment 18).

Police and Fire currently serve the site. The project site is located in the Eastern Division which is located at 9225 Aero Drive. Average emergency response times (Priority E) in the Eastern Division are 8.52 minutes and Priority One response times are 13.42 minutes. The nearest fire station is Fire Station 38, located at La Cuenta and Tierrasanta Boulevard. The average response time to the project site is 3.3 minutes.

DISCUSSION

Project Description:

The proposed project requires a Rezone from RS-1-7, a single-family residential zone to RM-1-1, a multi-family residential zone, Vesting Tentative Map with an Open Space Easement Abandonment and a waiver of the requirement to underground existing adjacent overhead utilities, a Site Development Permit, Conditional Use Permit and a Multi-Habitat Planning Area Boundary Line Adjustment to construct 60 residential condominium units and to relocate four (4) existing wireless telecommunication facilities at 11445 Tierrasanta Boulevard. The existing church building, YMCA daycare building and associated surface parking would be demolished.

The three-story, 60 unit residential condominiums would be divided between nine (9) separate buildings for a total gross floor area of 88,796 square feet. The project would include 28, two bedroom/two bath residential units with approximately 1,479 square feet per unit and 32, three

bedroom/three bath residential units with approximately 1,481 square feet per unit. Building 1 would contain 7 units. Building 2 would contain 10 units. Building 3, 4, 7, and 8 would each be 8-unit buildings. Building 5 and 6 would be 4-unit buildings. Finally, Building 9 would contain 3 units and the wireless facilities within a fourth story enclosure (Attachment 5).

Additionally, each residential unit will be provided a photovoltaic system which will supply more than fifty percent of the project's total energy consumption with a 1,590 watt dc solar photovoltaic system. The project meets the requirement for the Sustainable Buildings definition as established by Council Policy 900-14. The applicant intends to exceed the fifty percent minimum with a goal of one hundred percent of the total energy use for the new residential units.

Approximately 17,000 square feet of common exterior space would be provided. The majority of this open space is located at the center of the proposed development in the form of a common recreational area. The recreational area would include a tot lot, a barbeque area with tables, and an open turf area. The project is also proposing 3,848 square feet of private exterior space, 3,600 square feet is required by the zone and is requesting a deviation to allow private open space in the form of balconies and patios within 9-feet of the front property line. Due to the site constraints on the property, the secondary balconies along the northeastern property line (front yard) cannot be located at least 9-feet away from the property line.

Vehicular access to the proposed townhome project would be from the existing improved end of Tierrasanta Boulevard, at the northeast corner of the proposed development. Vehicles would access the site using the main driveway, which will connect to a series of short, dead-end driveways. The shorter driveways would be used to access the condominium garages. The project proposes 155 parking spaces, of which 120 would be provided as garage parking. The remaining 35 spaces are proposed as surface parking, with 3 serving as accessible spaces.

The project is proposing ornamental and drought-tolerant landscaping (Attachment 5). Pursuant to Section 142.0401 through Section 142.0413 of the City of San Diego's Land Development Code, the Land Development Manual's Landscape Guidelines, and the MSCP Land Use Adjacency Guidelines, invasive species would not be used.

Community Plan Analysis:

The Tierrasanta Community Plan designates the site for open space. The Plan recommends that open space which will not be acquired by the City be allowed to be developed at the same residential density as adjacent properties. This site is adjacent to the El Dorado Apartments which is a multifamily residential development, located to the north and west along Tierrasanta Boulevard. The community plan states that that a density between 5 and 10 du/acre is acceptable to the Planned Residential Development for El Dorado. The proposed project is designed to cluster the residential development in order to retain the maximum amount of open space and protect view corridors to the south, as recommended in the community plan. Therefore, staff found the proposed density of 9 du/acre acceptable for this development.

The site is currently zoned for single family residential, RS-1-7. The applicant is requesting a rezone to RM-1-1. This rezone would allow development on the site with a density consistent with the adjacent multi-family development as recommended by the community plan and is therefore consistent with the community plan.

The subject property runs parallel with the southern most unimproved portion of Tierrasanta Boulevard. On July 29, 2002, the City Council, at the request of the Tierrasanta Community Council, initiated a Community Plan amendment to remove the Tierrasanta Boulevard extension from the circulation element of the Tierrasanta Community Plan, by Resolution No. R-2003-145 (Attachemnt17). Due to budget constraints this update was never completed. Since this extension of Tierrasanta Boulevard may be removed from the community plan, the applicant will not be required to complete road improvements. However, the project has been conditioned to offer deferred street improvements by either entering into a bonded deferred improvement agreement for construction of the future road extension or pay a cash amount for their fair share of improvements, estimated at the time of construction, to the City for this obligation. If the cash option is exercised and the extension of Tierrasanta Boulevard is removed from the community plan, a cash reimbursement will be paid to the project's Homeowner's Association. In the meantime, the existing road easement area will be maintained by the Homeowners Association as a required brush management area which will also provide additional passive space for the residential development. The underlying owner of the road easement area is the Homeowners Association and once the road is vacated the area will remain undeveloped providing a pedestrian path that will serve the community.

Environmental Analysis:

Mitigated Negative Declaration No. 61500 has been prepared and finalized for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. During the Initial Study, research that included viewing aerial photographs, examination of the Multiple Species Conservation Program (MSCP) vegetation maps, and a site visit with a City staff biologist, indicated that potentially sensitive upland habitat existed on the west- and south-facing slopes adjacent to the existing developed footprint. In addition, the project proposes a Multi-Habitat Planning Area (MHPA) boundary adjustment to remove a small area from the MHPA at the southern portion of the site and add habitat to the MHPA in the north portion of the site.

Biological Resources

Project impacts to disturbed coastal sage scrub would vary based on the power line option chosen. The project would adversely impact a maximum of 0.6 acres of Diegan coastal sage scrub (Tier II) and would remove 0.1 acres of disturbed Diegan coastal sage scrub (Tier II) from the MHPA with a boundary adjustment along with the potential of removing up to an additional 0.1 acres of MHPA habitat land depending on the powerline undergrounding scenario that is

approved. These impacts would be mitigated by preservation of 0.8 acres of higher quality coastal sage scrub habitat onsite within the MHPA in the northern portion of the project, which would exclude areas within Brush Management Zones 1 and 2.

Multi-Habitat Planning Area

A portion of the project site is located in the Multi-Habitat Planning Area (MHPA). The original MHPA boundary included an area of approximately 0.8 acres that was incorrectly mapped over an existing, legally permitted parking lot which was developed prior to MSCP. As a result, the boundary line was corrected on March 1, 2005 and the 0.8 acres were removed from the MHPA. However, the project also proposes to adjust the MHPA boundary to remove 0.1 acres at the southern portion of the project site and add 0.2 acres of higher quality habitat to the MHPA at the northern end of the project site. The adjustment was approved by the U.S. Fish and Wildlife Service and the California Department of Fish and Game on September 15, 2005. The boundary adjustment would still require City Council approval before it would be officially changed. Because the habitat quality proposed for inclusion is of equal or greater habitat quality and is better connected to the MHPA than the portion proposed for removal, a significant land use impact would not occur.

Final determination regarding the biological value of a proposed boundary change will be made by the City per the MSCP Plan and with concurrence of the wildlife agencies.

According to the City's MSCP Plan, adjustments to the MHPA boundary may be made without amending the Subarea Plan or the MSCP in cases where the new MHPA boundary preserves an area with equivalent or greater biological value. Final determination regarding the biological value of a proposed boundary change will be made by the City per the MSCP Plan and with concurrence of the wildlife agencies.

Rezone

The property is currently zoned RS-1-7 and the requested rezone is to RM-1-1 to allow the property to be redeveloped with multi-family condominiums totaling 60 units, with an overall density of 9 du/ac. The request for a rezone to RM-1-1 is consistent with the community plan.

The proposed rezone is compatible with the existing development pattern of the surrounding area. The immediately adjacent properties to the north and northwest are designated as low density residential and are developed with multi-family units, and the areas to the south are designated as open space.

Vesting Tentative Map

A Vesting Tentative Map is requested for the subdivision of a 6.86 acre site to create 60 residential condominium units. Lot A will be homeowners association owned open space and

will be maintained as appropriate brush management. An open space easement also covers all of lot A.

Underground Waiver

San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver from the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25 Underground Conversion of Utility Lines at the Developer's Expense. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. thirteen (13) of the draft Vesting Tentative Map resolution.

The project site currently hosts six utility poles and lines which run the entire length of the eastern portion of the property. Undergrounding the utilities would require extensive grading and disturbance to environmentally sensitive slopes, vegetation, including wetlands. The utilities do not serve any power to the project site. The environmental document has reviewed three options regarding the utilities.

The applicant has requested a waiver to underground the existing overhead utilities on the basis that the undergrounding of the powerlines bordering the southwest of the property would be technically and financially impractical. San Diego Gas and Electric has requested that the overhead power lines remain above ground due to the access issues inherent in maintaining underground facilities in an area with challenging topography, sensitive vegetation and inaccessible areas (Attachment 23).

The estimated cost associated with the undergrounding of the utilities is in excess of \$850,000 above and beyond the costs of any grading and site work necessary to construct an access acceptable to the company (Attachment 24).

Power Line Option 1-Underground Same Alignment, Avoid Riparian Area. Under this option, 0.6 acres of Diegan Coastal Sage Scrub/Tier II habitat and 0.3 acres of eucalyptus woodland /Tier IV habitat would be impacted. No wetland impacts would occur.

Of the habitat impacts under this scenario, only the 0.6 acres of Diegan Coastal Sage Scrub (0.1 acres within the MHPA/0.5 acre outside the MHPA) requires mitigation. Mitigation would be at a ratio of 1:1 and would occur via onsite preservation of at least 0.6 acres of existing Diegan Coastal Sage Scrub. A 0.8-acre area has been identified onsite for this purpose.

Power Line Option 2-Underground Small Section. Under this option, 0.45 acres of Diegan Coastal Sage Scrub/Tier II habitat and 0.23 acres of eucalyptus woodland /Tier IV habitat would be impacted. No wetland impacts would occur.

Of the habitat impacts under this scenario, only the 0.45 acres of Diegan Coastal Sage Scrub

(0.05 acres within the MHPA/0.4 acres outside the MHPA) requires mitigation. Mitigation would be at a ratio of 1:1 and would occur via onsite preservation of at least 0.45 acres of existing Diegan Coastal Sage Scrub. A 0.8-acre area has been identified onsite for this purpose.

Power Line Option 3-No Change. Under this option, 0.44 acres of Diegan Coastal Sage Scrub/Tier II habitat and 0.23 acre of eucalyptus woodland /Tier IV habitat would be impacted. No wetland impacts would occur.

Of the habitat impacts under this scenario, only the 0.44 acres of Diegan Coastal Sage Scrub (0.04 acres within the MHPA/0.4 acre outside the MHPA) requires mitigation. Mitigation would be at a ratio of 1:1 and would occur via onsite preservation of at least 0.44 acre of existing Diegan Coastal Sage Scrub. A 0.8-acre area has been identified onsite for this purpose.

Staff is in support of a waiver from the requirement to underground utilities on the basis of meeting the requirements for such a wavier contained in Council Policy 600-25.

Open Space Easement Abandonment

An open space easement abandonment is being requested for an area located at the southern portion of the planned development (Attachment 5). The open space is currently part of the MHPA area which has been adjusted further south. As part of this development proposal the project's Homeowner Association will maintain all of lot A as an updated open space easement and maintain the brush management for the entire area. This updated open space easement will be recorded to ensure protection of environmental resources and accountability of maintenance. An easement for San Diego Gas and Electric shall remain on the most southern portion of lot A for continued access and maintenance of public utilities.

Site Development Permit

The project is requesting a Site Development Permit for deviations to the development regulations. Staff supports this request because the project meets the requirements of Council Policy 900-14. Specifically, the development will provide energy-efficient building techniques as well as energy-generating photovoltaic roofs throughout the development. It will also meet the guidelines of the Leadership in Energy and Environmental Design (LEED) "Silver" level Certification per Council Policy 900-14. The Project also requires a Site Development Permit for Environmentally Sensitive Lands, adjacency to MHPA and for exceeding the height limit of the RM-1-1 zone. The project's design and deviation requests are primarily to minimize impacts to the steep slopes, sensitive vegetation and MHPA by the development while also meeting the goals of the community plan.

Deviations

Height— The proposed rezone to RM-1-1 has a height limitation of 30-feet. Building nine (9) is

proposed to be approximately 41-feet to accommodate the architectural integration of the relocated wireless antennas within a fourth story enclosure. The remaining eight (8) buildings will range in height from 33-feet to 37-feet (Attachment 5). Staff supports the height deviations because the buildings have been clustered to minimize impacts to slopes, sensitive vegetation and MHPA.

Setbacks - The proposed development is requesting a deviation to the front and side yard setbacks. The required front yard setback is a minimum of 15-feet. As proposed the project observes a range of front yard setbacks from no less than 5-feet to 11.66-feet. This is an average of 7.43-feet for the 9 buildings which will border the unimproved area of Tierrasanta Boulevard. A 5-foot minimum front yard setback is proposed along the portion of the lot adjacent to Tierrasanta Boulevard. Buildings 1, 2, 8, and 9 which observe the proposed minimum cannot be located any further away from the front property line due to constraints resulting from the existing MHPA boundary and open space easement. In addition, Buildings 1 and 2 cannot be moved any further away because access into the site would be affected.

The side yard setback is 5-feet or 10 percent of the lot width (approximately 150 feet), whichever is greater. The applicant is proposing to deviate from the required side yard setback along the southeastern property line and is proposing a 140-foot side yard due to the existing MHPA boundary and open space easement. The development provides a 500-foot side yard setback to the north which contains sensitive vegetation, biology and steep slopes.

Staff considered the elongated and irregular shape of the lot, MHPA, brush management and the implementation of the Community Plan density for the site before supporting the proposed setback deviations. The final grading and topography relationship would leave the proposed development higher than Tierrasanta Boulevard. Staff also considered the fact that once the community plan is amended to remove Tierrasanta Boulevard, the development will meet the required front yard setbacks

Refuse and Recycling Storage – The current development regulations require each structure provide one exterior storage area totaling at least 288 square feet for the entire development. Six out of the nine buildings do meet the requirement and overall the entire development exceeds the requirement by providing a total of 360 square feet in total. However, due to the site configuration, MHPA boundary, brush management and site access, it is not feasible to provide storage areas for each structure. In addition, providing a storage area per structure would have impacted the pedestrian orientation of the project.

Private Open Space - Due to the site constraints, the secondary balconies along the northeastern property line (front yard) cannot be located at least nine feet away from the property line, per the Land Development Code. The applicant is requesting a deviation to allow balconies and patios within 9-feet of the front property line. The irregular shape of the lot adds to the inability to conform to the requirement that private open space be located at least nine feet from the front property line. The required private open space for the project is 3,600 square feet. By incorporating the proposed

deviation, the project would provide 3,848 square feet of private open space. Additionally, the proposed project provides over 17,000 square feet of common open space, when only 1,500 square feet is required. An enhanced landscaped area totaling over 65,000 square feet will also be provided along the front of the project.

Retaining walls - The project contains steep slopes and sensitive vegetation. Retaining walls are proposed within the front and rear yards and outside of the yards that exceed the height limits for walls per the Land Development Code Section 142.0340.

The maximum permitted retaining wall height within the required front yard setback is 3 feet. There is a retaining wall at the southeastern corner of the lot that projects into the required front yard setback. The wall ranges in height from 3 to 15-feet and is 140-feet long. The upper 4.5 feet of the entire wall is transparent tubular steel and gradually decreases in height as it meets the proposed grade. Approximately, 30-feet of the proposed retaining wall screens the utility equipment area to the extreme south of the property where it is the highest. As the wall continues along the front of the property, it starts at approximately 6-feet decreasing to 1.5-feet as it approaches the northern portion of the property. In addition, a 6-foot vegetated combination, greenscreen and wrought iron fence is proposed atop the retaining wall. The fence is needed to protect pedestrians from the project side of the development from a steep decline and is designed to maintain views and minimize visual impacts. (Attachment 5)

The maximum permitted retaining wall height within the required rear yard is 6-feet. There are two retaining walls within the required rear yard setback at the southwestern portion of the lot that exceed the height limit:

6-20-feet high; 100 feet long (40-feet of the wall is 18-20-feet high); upper 3 feet is tubular steel.

9-16-feet high; 40-feet long upper 4.5-feet of the wall is tubular steel.

The tubular steel portion of the walls are required to protect pedestrians on the project side of the development from a steep decline and is designed to maintain views and minimize visual impacts.

The maximum permitted retaining wall height outside of any setback is 12 feet. There are three walls that exceed this height. These walls do not exceed 16.5 feet in height as follows:

12-16-feet; 210-feet long; upper 3-feet of wall is transparent tubular steel.

12-16-feet; 40-feet long; upper 4.5-feet of wall is transparent tubular steel.

12-16.5-feet; 140 feet long; upper 4.5-feet of wall is transparent tubular steel.

The retaining walls are being proposed to stabilize slopes surrounding the project. The walls will also help mitigate runoff and prevent intrusion on the surrounding habitat. Additionally, without the proposed walls additional grading would have been required to create an acceptable building area. The proposed retaining wall's lower portion would be constructed with solid masonry and the upper portion would be constructed with tubular steel to maintain views and minimize visual impacts. The walls will be screened with the appropriate landscaping which will be maintained by the Homeowners Association.

Conditional Use Permit

A Conditional Use permit is required for telecommunication facilities within the RM-1-1 zone. This project proposes to integrate four existing carriers into the condominium complex. The project consists of 4-6 antennas for each carrier (22 total), all of which are proposed to be located behind an architecturally integrated fourth story addition on Building 9 of the complex, which is located on the southern most portion of the project site. The architectural screen is designed to utilize the same building materials and design elements that are similar in appearance to the rest of the buildings, while completely concealing the antennas from view (Attachment 7). This proposal is an improvement over the current conditions at the church site.

In addition, each carrier will have a 200 square foot equipment enclosure, all of which are proposed to be congregated below Building 9, approximately six feet lower in grade. The enclosures are designed to compliment the condominium complex building materials and will include split face block and aluminum trellises (Attachment 5). The perimeter of the equipment area is proposed to be enclosed using greenscreen (or equivalent), in addition to landscape materials to mitigate any potential visual impacts of the area from the canyon below and other adjacent properties.

During construction of the condominium complex, the existing telecommunication facilities will be temporarily relocated to a central area of the property, removed from construction activity, and will consist of four temporary power poles supporting up to six panel antennas each. Equipment for each carrier will be comprised of a small cabinet and associated power and telco. The temporary facilities are an interim measure that will allow the carriers to continue to provide wireless coverage during construction of the condominium complex. The CUP's are conditioned to allow these facilities to exist for up to a year and if additional time is required, a review and approval process has been incorporated in to the permit to accommodate that. Final inspection of the condominium project will not be permitted until the temporary facilities have been removed.

Community Planning Group Recommendation: On March 15, 2006 the Tierrasanta Community Council and Planning Group made a motion to approve the project with conditions. The motion passed 14-0-0. The group's conditions are as follows in italics with staff response (Attachment 19).

1.) *The Tierrasanta Community Council requested that a signage plan, lighting plan, trash management plan and exterior color scheme be provided for their approval prior to the issuance of building permits.*

The project will be required to comply with all Land Development Code regulations and any other applicable regulations regarding signage, lighting and trash management. There are no deviations from these regulations being proposed. This recommendation has not been incorporated into the permit.

2.) *The Tierrasanta Community Council is requiring they approve the Homeowners Association of the draft CC & R's.*

The City of San Diego does not enforce Homeowner Association regulations and therefore would not include this as a permit condition.

3.) *The Tierrasanta Community Council is requiring that the full complement of the 155 on-site parking spaces be maintained for the life of the project.*

The project will be conditioned to maintain the 155 on-site parking spaces as provided in the approximate locations on the Exhibit A. The 155 spaces is an excess of the required parking by 20 spaces and is a permit condition.

Critical Project Features to Consider Should a Substantial Conformance Review Be Requested

- **Site Design:** The project design should not increase the amount of deviation from the regulations of the development regulations of the underlying zone, and the proposed height deviation should not be increased, unless the requested approvals are amended.
- **Environmental Documents:** The project design should remain within the parameters of the scope of the Mitigated Negative Declaration.

Conclusion:

Other than the requested deviations, for which staff believes that findings can be made, staff finds the proposed project would be consistent with the recommended land use, design guidelines, and development standards in effect for this site per the San Diego Municipal Code. Staff has also determined the project would not have an adverse effect on the adopted Tierrasanta Community Plan, the City of San Diego Progress Guide and General Plan.

ALTERNATIVES

1. Recommend that the City Council **Certify** Mitigated Negative Declaration 61500 and adopt the Mitigation, Monitoring and Reporting Program; **Approve** Rezone No. 184492; **Approve** Vesting Tentative Map No. 334358 with an Open Space Easement Abandonment No.184493 and a waiver to underground existing adjacent utilities; **Approve** Site Development Permit No. 330475; **Approve** Conditional Use Permit No. 287678, 287680, 287681, 287682 with modifications; **Approve** the Multi-Habitat Planning Area Boundary Line Adjustment.
2. Recommend that the City Council **Not Certify** Mitigated Negative Declaration 61500 and adopt the Mitigation, Monitoring and Reporting Program; **Deny** Rezone No. 184492; **Deny** Vesting Tentative Map No. 334358 with an Open Space Easement Abandonment No.184493 and a waiver to underground existing adjacent utilities; **Deny** Site Development Permit No. 330475; **Deny** Conditional Use Permit No. 287678, 287680, 287681, 287682; **Deny** the Multi-Habitat Planning Area Boundary Line Adjustment , if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Mike Westlake
Program Manager
Development Services Department

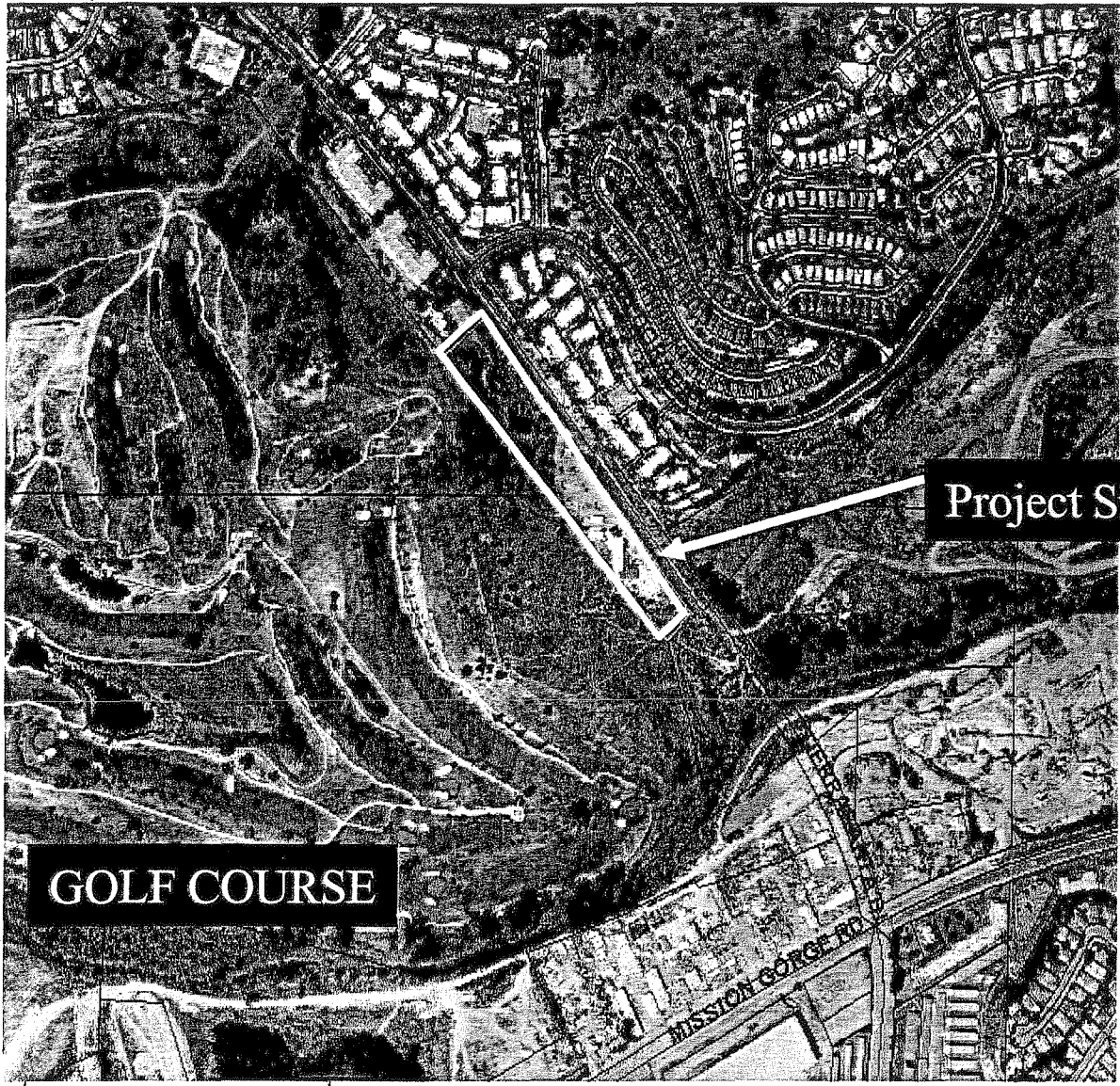
Helene Deisher, Project Manager
Development Services Department

WESTLAKE/HMD

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan(s)
6. Vesting Tentative Map
7. Project Plans (Include as appropriate/relevant.)
8. Draft Map Conditions and Subdivision Resolution
9. Draft Site Development Permit with Conditions

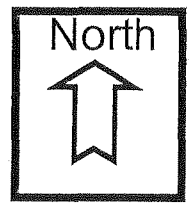
10. Draft Conditional Use Permit with Conditions
11. Draft Resolution with Findings
12. Draft Rezone Ordinance
15. Rezone - B Sheet
16. Copy of Recorded Conditional Use Permit No. 17951
17. Copy of the City Council Resolution No. R-296859
18. MHPA Boundary graphic
19. Community Planning Group Recommendation
20. Ownership Disclosure Statement
21. Project Chronology
22. Site photos of current conditions
23. SDG&E Letter
24. Butsko Letter estimation of utility underground costs
25. Planning Commission Resolution

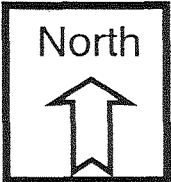
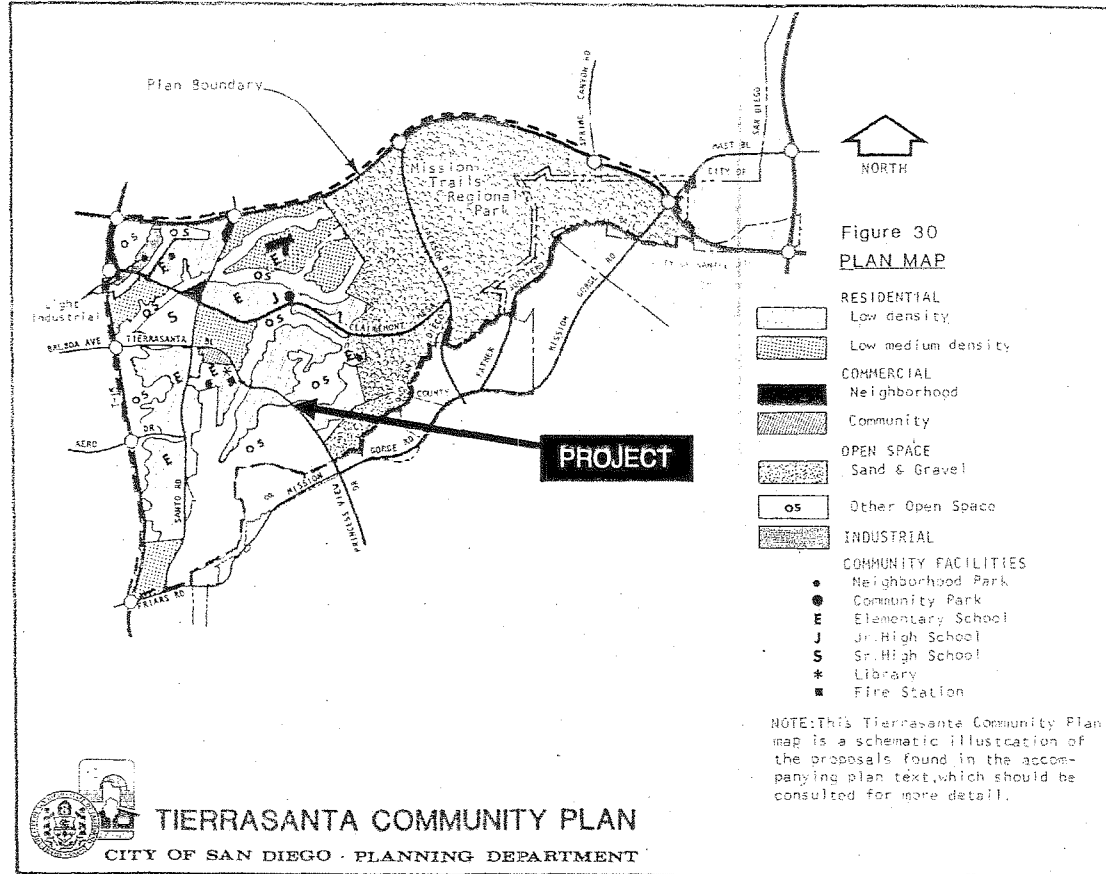


Aerial Photo

TIERRASANTA TOWNHOMES - PROJECT NO. 61500

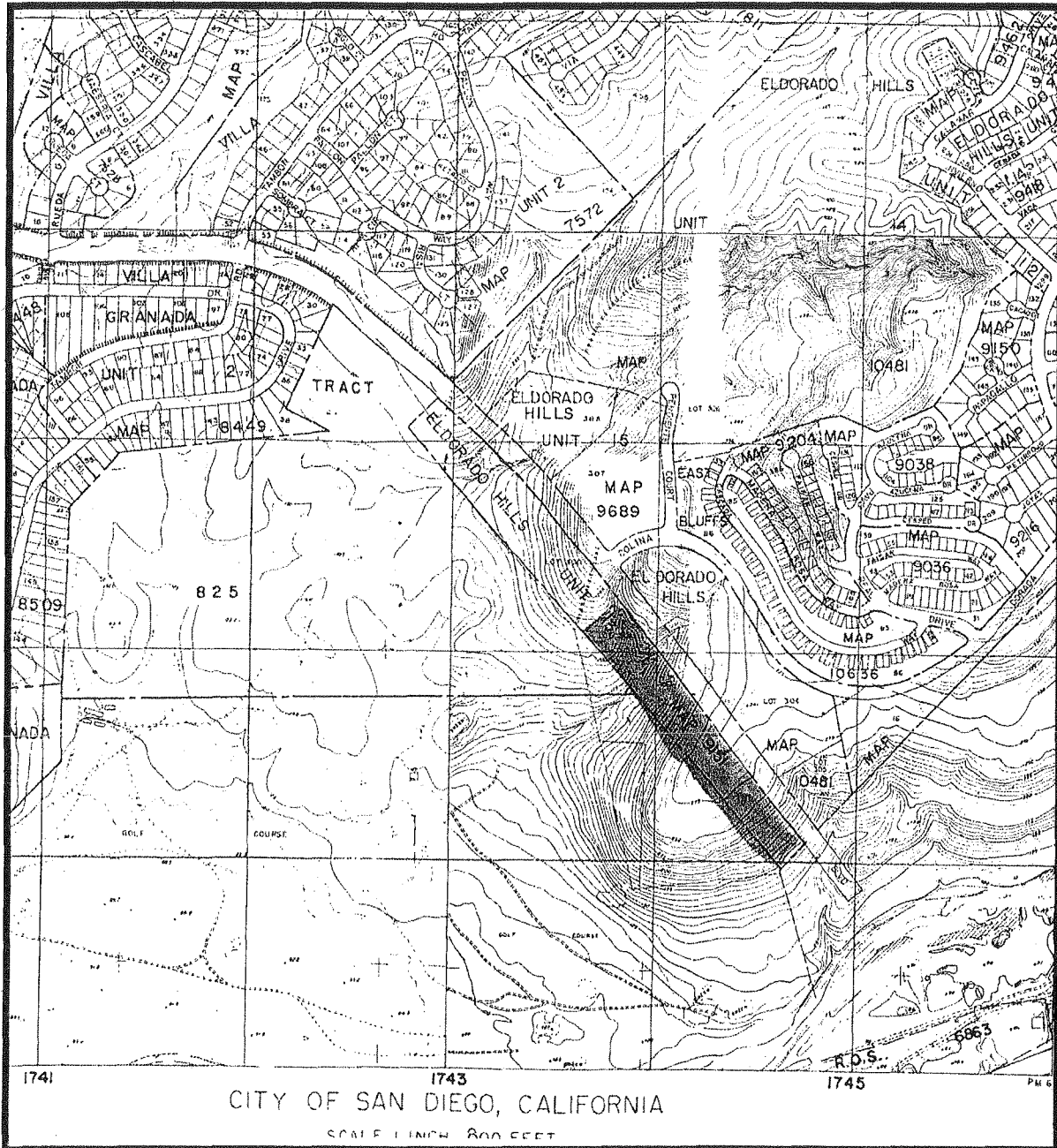
11445 Tierrasanta Boulevard





TIERRASANTA TOWNHOMES - PROJECT NO. 61500

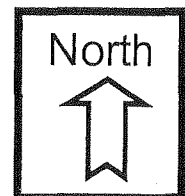
11445 Tierrasanta Boulevard



Project Location Map

TIERRASANTA TOWNHOMES - PROJECT NO. 61500

11445 Tierrasanta Blvd.

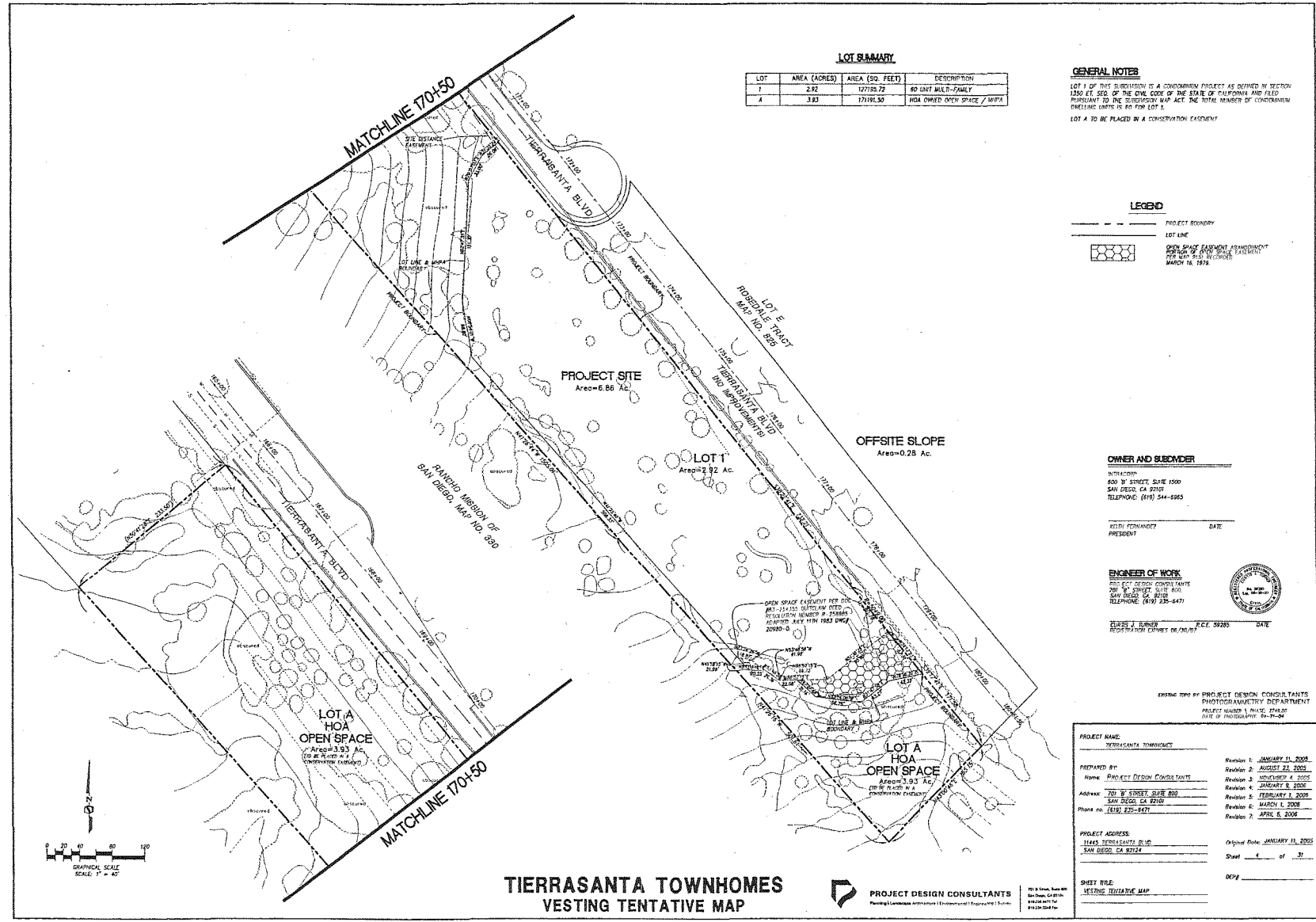


PROJECT DATA SHEET

PROJECT NAME:	Tierrasanta Townhomes	
PROJECT DESCRIPTION:	Construction of a new 60-unit residential condominium project and relocation of four wireless communication facilities.	
COMMUNITY PLAN AREA:	Tierrasanta	
DISCRETIONARY ACTIONS:	Rezone; Site Development Permit; Conditional Use Permit; Vesting Tentative Map with an Open Space Abandonment and a waiver to underground existing adjacent overhead utilities.	
COMMUNITY PLAN LAND USE DESIGNATION:	Open Space (not owned by the City). Development permitted at a density as that of the adjacent development.	
<p><u>PROPOSED RM-1-1 ZONING INFORMATION:</u></p> <p>ZONE: RM-1-1: (A multi-unit residential zone that permits 1 dwelling unit for each 3,000 square-feet of lot area)</p> <p>HEIGHT LIMIT: 30-Foot maximum height limit.</p> <p>LOT SIZE: 6,000 square-foot minimum lot size.</p> <p>FLOOR AREA RATIO: 0.75 maximum.</p> <p>FRONT SETBACK: 15 feet minimum.</p> <p>SIDE SETBACK: 5 feet minimum.</p> <p>STREETSIDE SETBACK: 10 feet minimum.</p> <p>REAR SETBACK: 15 feet minimum.</p> <p>PARKING: 135 parking spaces required; 155 are provided</p>		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Residential; RS-1-7	Apartment Complex
SOUTH:	Open Space; OP-2-1.	Undeveloped
EAST:	Residential; RS-1-7	Apartment Complex
WEST:	Residential; RS-1-1.	Golf Course
DEVIATIONS OR VARIANCES REQUESTED:	<ol style="list-style-type: none"> 1. Height deviation to cluster development and enclose wireless facilities. 2. Front Yard setback required to 5-feet 3. Deviation to allow retaining walls to exceed height limit in front and rear yards. 4. Storage area location 5. Private open space location 	

**COMMUNITY PLANNING
GROUP
RECOMMENDATION:**

On March 15, 2006 the Tierrasanta Community Council and Planning Group voted 14-0-0 to approve the project with conditions



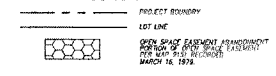
LOT SUMMARY

LOT	AREA (ACRES)	AREA (SQ. FEET)	DESCRIPTION
1	2.92	12795.72	RD UNIT MULT-FAMILY
A	3.93	17191.30	HOA OWNED OPEN SPACE / MPA

GENERAL NOTES

LOT 1 OF THIS SUBDIVISION IS A CONDOMINIUM PROJECT AS DEFINED IN SECTION 1500 ET SEQ. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND FILED PURSUANT TO THE SUBDIVISION MAP ACT. THE TOTAL NUMBER OF CONDOMINIUM DWELLING UNITS IS 60 FOR LOT 1.
 LOT A TO BE PLACED IN A CONSERVATION EASEMENT

LEGEND



OWNER AND SUBOWNER

INTEGRATION
 600 W STREET, SUITE 1500
 SAN DIEGO, CA 92101
 TELEPHONE: (619) 544-5955

JOHN FERNANDEZ DATE
 PRESIDENT

ENGINEER OF WORK

PROJECT DESIGN CONSULTANTS
 701 W STREET, SUITE 800
 SAN DIEGO, CA 92101
 TELEPHONE: (619) 235-6471



DAVID J. BLUNER P.C.E. 44220 DATE
 REGISTERED EXPIRES 06/30/07

ENGINEEERED BY PROJECT DESIGN CONSULTANTS
 PHOTOGRAMMETRY DEPARTMENT
 PROJECT NUMBER 1, PHASE 1, P1400
 DATE OF PHOTOGRAMMETRY 04-24-04

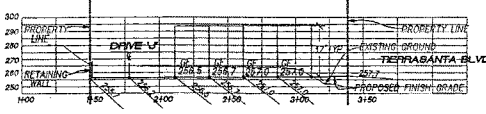
PROJECT NAME: TIERRASANTA TOWNHOMES	
PREPARED BY: Name: PROJECT DESIGN CONSULTANTS	Revision 1: JANUARY 21, 2005
ADDRESS: 701 W STREET, SUITE 800 SAN DIEGO, CA 92101 Phone no: (619) 235-6471	Revision 2: AUGUST 21, 2005
PROJECT ADDRESS: 1144S TIERRASANTA BLVD SAN DIEGO, CA 92124	Revision 3: NOVEMBER 4, 2005
SHEET TITLE: VESTING TENTATIVE MAP	Revision 4: JANUARY 9, 2006
	Revision 5: FEBRUARY 1, 2006
	Revision 6: MARCH 1, 2006
	Revision 7: APRIL 6, 2006
	Original Date: JANUARY 11, 2005
	Sheet 4 of 31
	DATE

**TIERRASANTA TOWNHOMES
 VESTING TENTATIVE MAP**

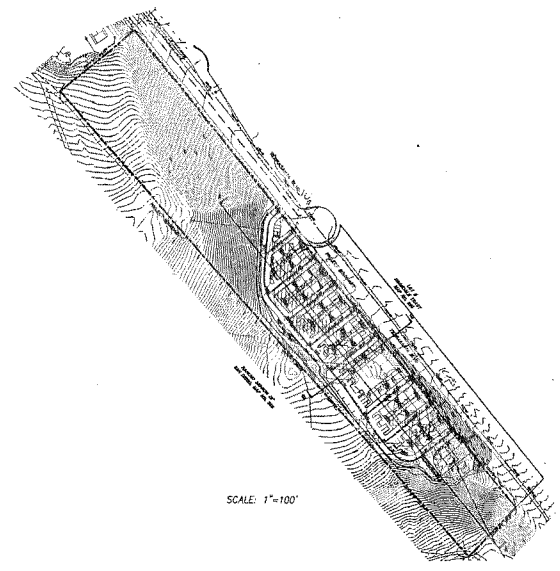
PROJECT DESIGN CONSULTANTS
 Planning | Landscape Architecture | Environmental | Transportation | Soils

701 W Street, Suite 800
 San Diego, CA 92101
 (619) 235-6471
 P1400-0047-00

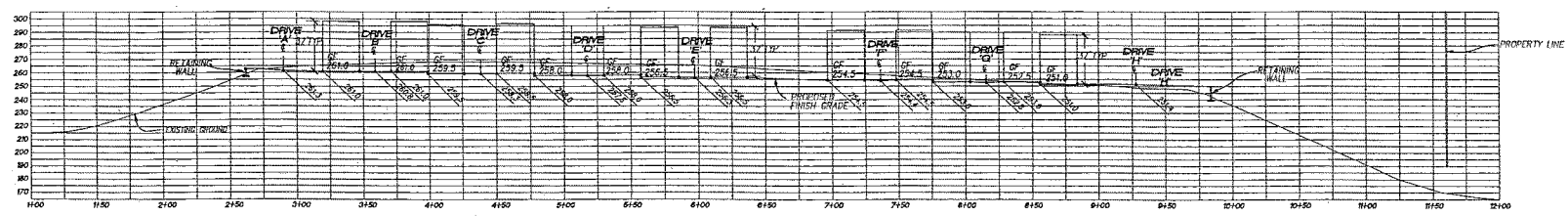
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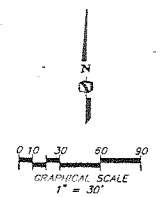
SECTION B-B
 SCALE: HORIZONTAL 1"=30'
 VERTICAL 1"=30'



SCALE: 1"=100'



SECTION A-A
 SCALE: HORIZONTAL 1"=30'
 VERTICAL 1"=30'



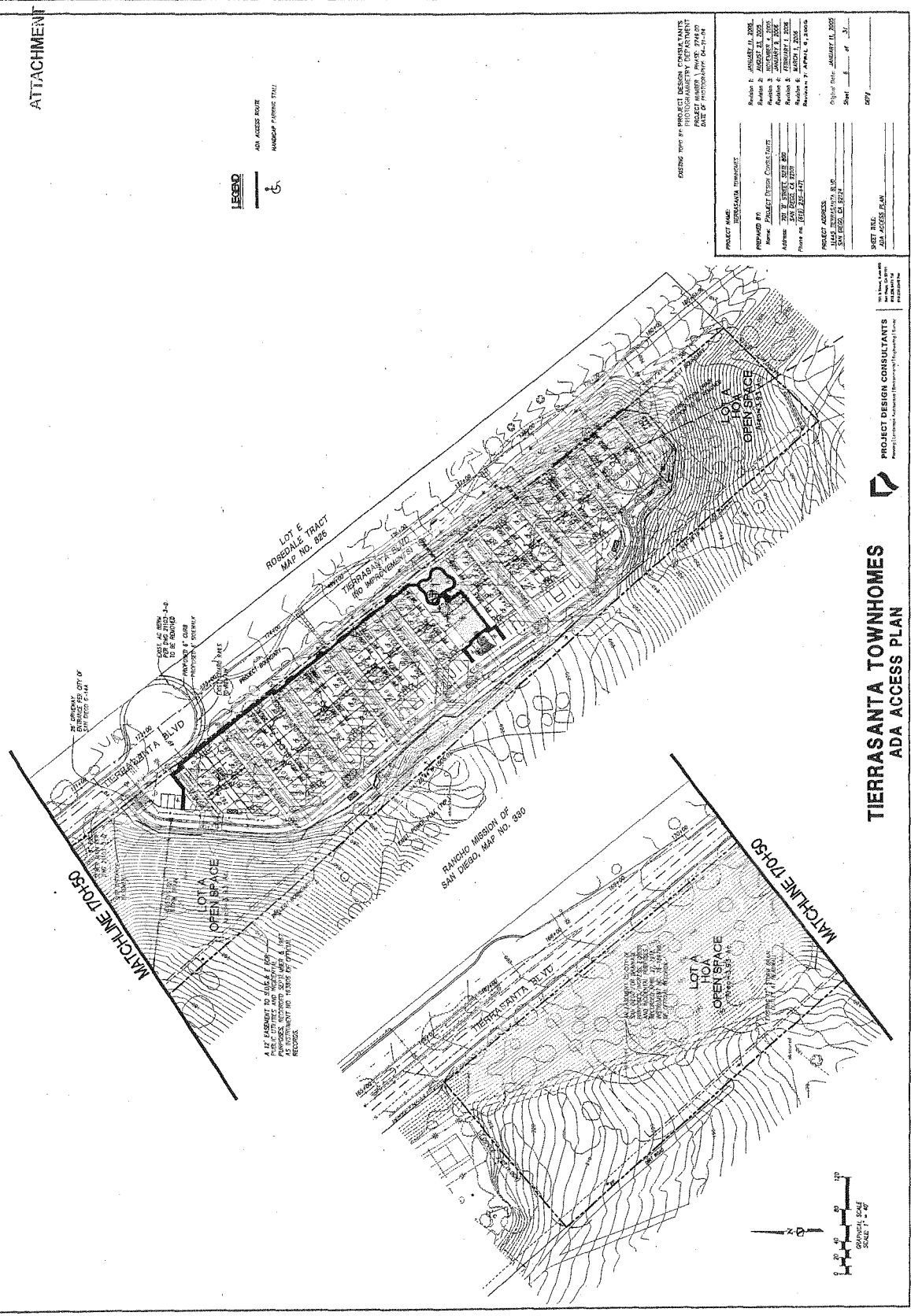
EXISTING TOPO BY: PROJECT DESIGN CONSULTANTS
 PHOTOGRAMMETRY DEPARTMENT
 PROJECT NUMBER \ PHASE: 2749-00
 DATE OF PHOTOGRAPHY: 04-21-04

**TIERRASANTA TOWNHOMES
 CROSS SECTIONS**

PROJECT DESIGN CONSULTANTS
 101 S. Green, Suite 800
 San Diego, CA 92101
 Tel: 619.594.1111
 Fax: 619.594.1112
 www.pdc.com

PROJECT NAME TIERRASANTA TOWNHOMES	Revision 1: JANUARY 11, 2005
PREPARED BY PROJECT DESIGN CONSULTANTS	Revision 2: AUGUST 23, 2005
Name PROJECT DESIGN CONSULTANTS	Revision 3: NOVEMBER 4, 2005
Address 251 W STREET, SUITE 800 SAN DIEGO, CA 92101	Revision 4: JANUARY 9, 2006
Phone no. (619) 233-1477	Revision 5: FEBRUARY 1, 2006
	Revision 6: MARCH 1, 2006
	Revision 7: APRIL 6, 2006
PROJECT ADDRESS 11445 TIERRASANTA BLVD SAN DIEGO, CA 92124	Original Date: JANUARY 11, 2005
	Sheet 4 of 31
SHEET TITLE CROSS SECTIONS	CDP

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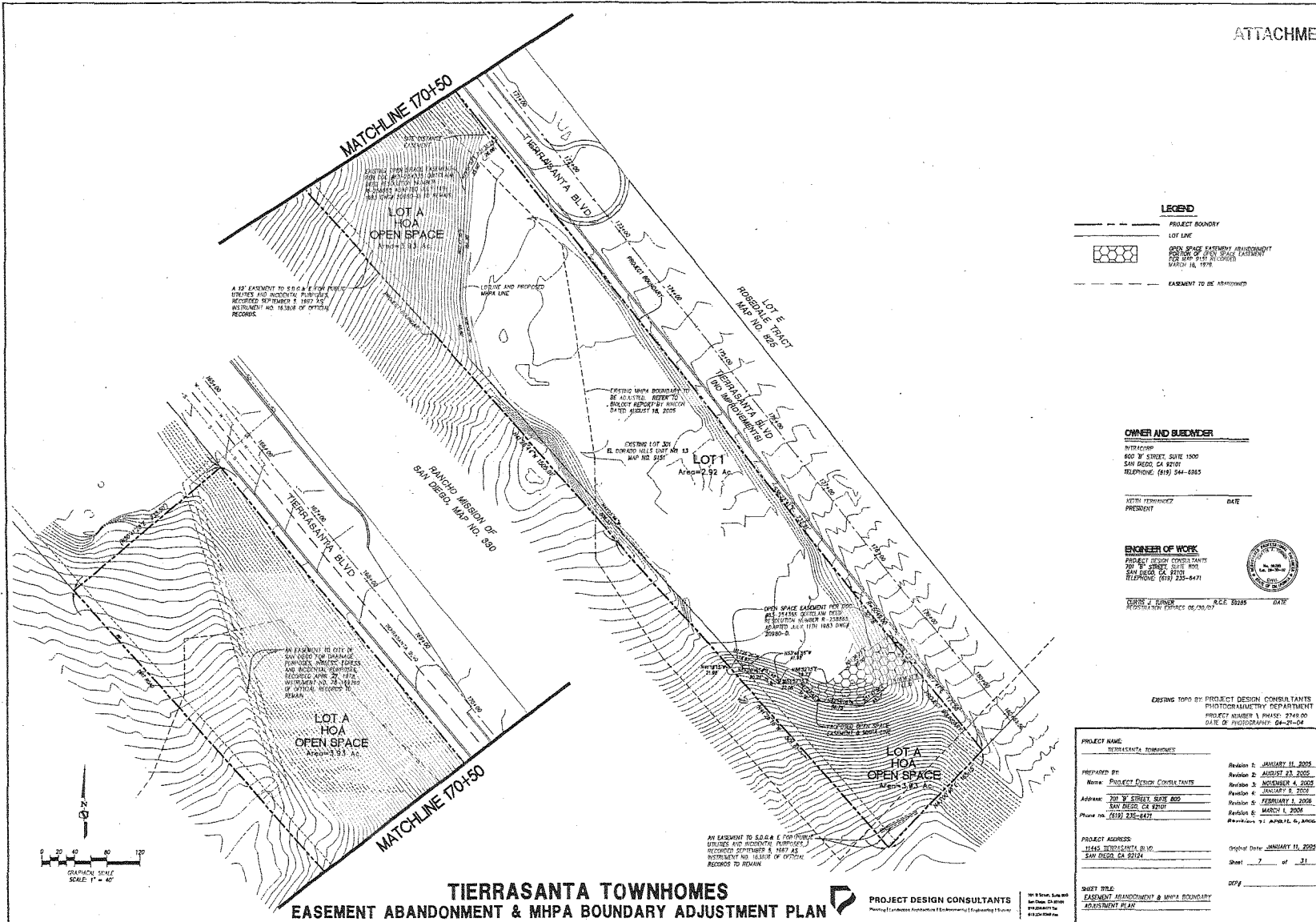


EXISTING WORK BY PROJECT DESIGN CONSULTANTS
 PROJECT NUMBER: 11-11-11-11
 DATE OF PHOTOGRAPHY: 04-17-11

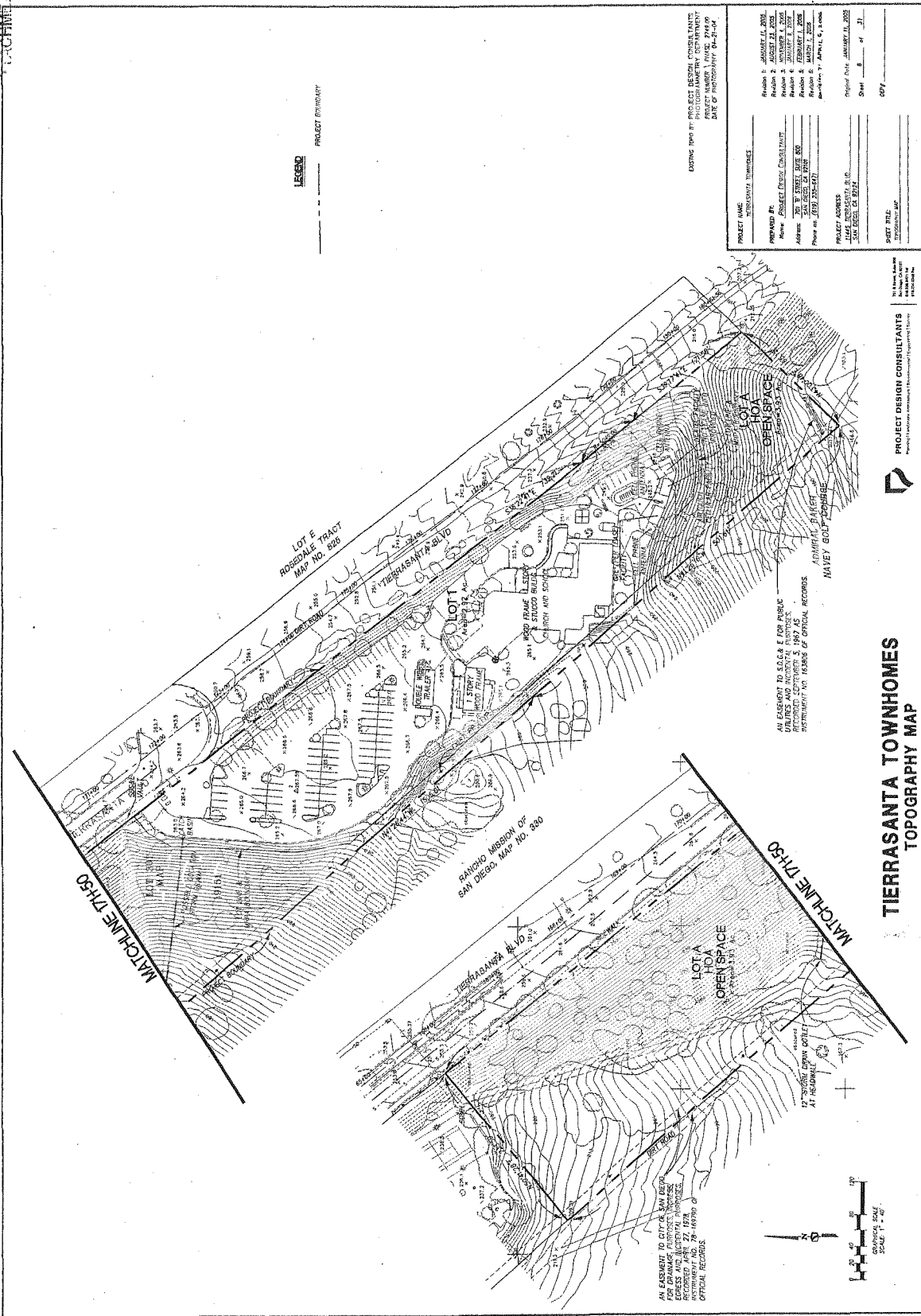
PROJECT NO.	PROFESSIONAL TIMELINE
PREPARED BY:	PROJECT DESIGN CONSULTANTS
DATE:	2011
ADDRESS:	201 E STREET, SUITE 200 SAN DIEGO, CA 92101
PROJECT ADDRESS:	11111 TERRASANTA BLVD SAN DIEGO, CA 92121
SHEET NO.	001
TOTAL SHEETS	001
DATE	JANUARY 11, 2011
BY	
CHECKED BY	
APPROVED BY	
DATE	

PROJECT DESIGN CONSULTANTS
 PROJECT DESIGN CONSULTANTS
 11111 TERRASANTA BLVD
 SAN DIEGO, CA 92121
 TEL: 619.594.1111
 FAX: 619.594.1112
 WWW: PDCONCONSULTANTS.COM

**TIERRASANTA TOWNHOMES
 ADA ACCESS PLAN**



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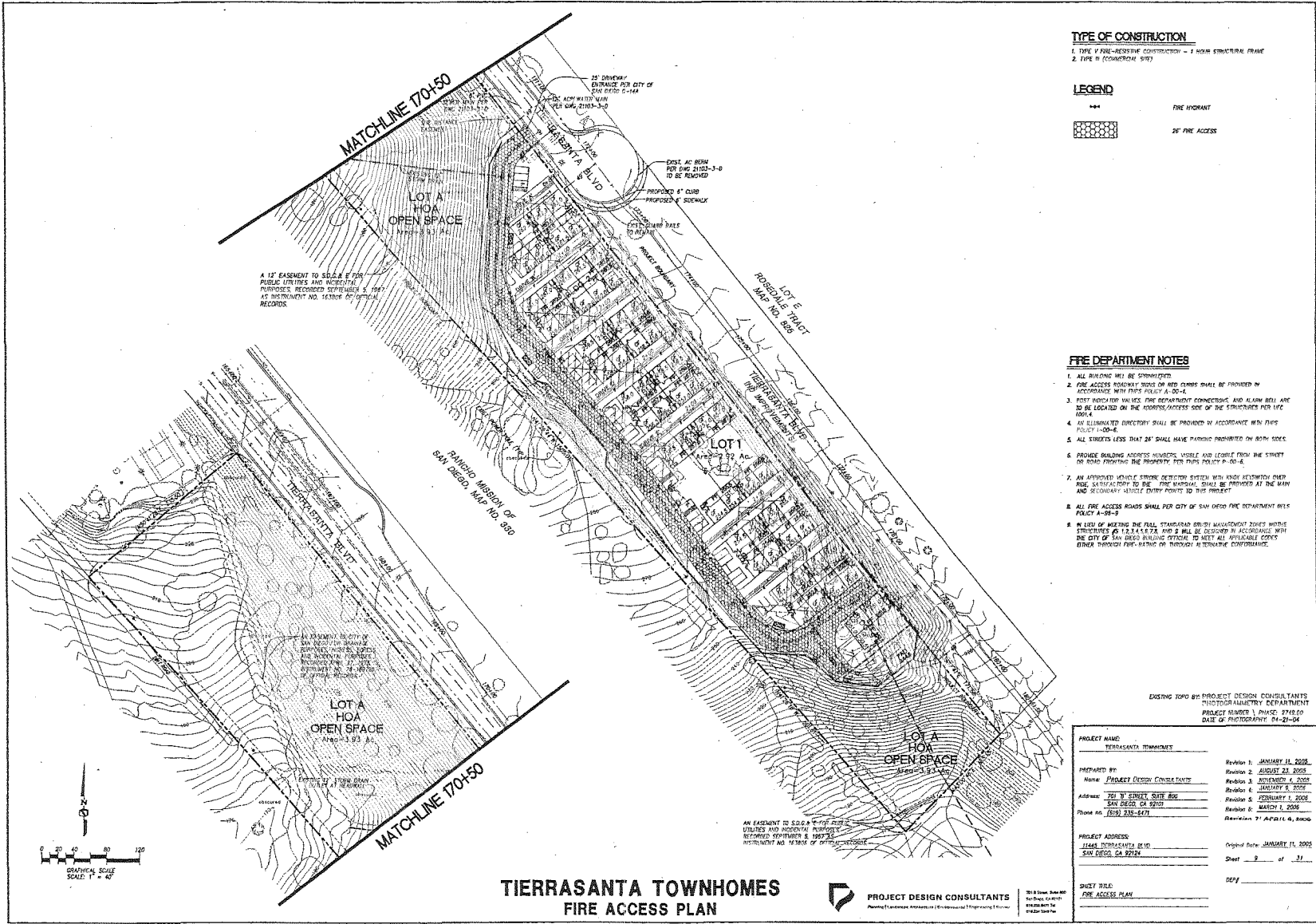


EXISTING DATA BY PROJECT DESIGN CONSULTANTS
 PROJECT NUMBER: 17-0000-0000
 DATE OF PHOTOGRAPHY: 04-21-04

PROJECT NAME:	TIERRASANTA TOWNHOMES
DESIGNED BY:	PROJECT DESIGN CONSULTANTS
DATE:	APRIL 1, 2004
ADDRESS:	300 E STREET SUITE 200 SAN DIEGO, CA 92101
PHONE:	(619) 235-4777
PROJECT ADDRESS:	PROJECT ADDRESS: R.O. SAN DIEGO, CA 92124
DATE:	APRIL 1, 2004
PROJECT NO.:	17-0000-0000
DATE:	APRIL 1, 2004

PROJECT DESIGN CONSULTANTS
 PROJECT DESIGN CONSULTANTS
 300 E STREET SUITE 200
 SAN DIEGO, CA 92101
 (619) 235-4777

**TIERRASANTA TOWNHOMES
 TOPOGRAPHY MAP**



TYPE OF CONSTRUCTION
 1. TYPE I (NON-RESIDENTIAL CONSTRUCTION - 1 STORY STRUCTURAL FRAME)
 2. TYPE II (CONDOMINIUM SITE)

LEGEND
 ■■■■ FIRE HYDRANT
 [Pattern] 20' FIRE ACCESS

- FIRE DEPARTMENT NOTES**
1. ALL BUILDING WILL BE SPRINKLERED
 2. FIRE ACCESS ROUTES AND FIRE TOWNS SHALL BE PROVIDED IN ACCORDANCE WITH FIRE POLICY A-00-4.
 3. FIRE HYDRANT VALVES, FIRE DEPARTMENT CONNECTIONS AND GLOW BALL ARE TO BE LOCATED ON THE EXTERIOR ACCESS SIDE OF THE STRUCTURE FOR LIFE TOWER.
 4. AN ELEVATED EXTERIOR SHALL BE PROVIDED IN ACCORDANCE WITH FIRE POLICY I-00-4.
 5. ALL STREETS LESS THAN 24' SHALL HAVE PARKING PROHIBITED ON BOTH SIDES.
 6. PROVIDE BUILDING ADDRESS NUMBERS, USABLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. SEE FIRE POLICY A-00-4.
 7. AN APPROVED VEHICLE STRIKE DETECTION SYSTEM WITH ALERTATION MUST BE SATISFACTORY TO THE FIRE DEPARTMENT. SHALL BE PROVIDED AT THE MAIN AND SECONDARY VEHICLE ENTRY POINTS TO THIS PROJECT.
 8. ALL FIRE ACCESS ROADS SHALL PER CITY OF SAN DIEGO FIRE DEPARTMENT FIRE POLICY A-00-3.
 9. IN CASE OF WEAVING THE FULL STANDARD WITH MANAGEMENT ZONES WITHIN STRUCTURES OF 12.3.4.5.6.7.8. AND 9 WILL BE DESIGNED IN ACCORDANCE WITH THE CITY OF SAN DIEGO FIRE DEPARTMENT TO MEET ALL APPLICABLE CODES OTHER THROUGH FIRE-0410 OR THROUGH ALTERNATIVE PERFORMANCE.

EXISTING TOPOG BY PROJECT DESIGN CONSULTANTS
 PHOTOGRAMMETRY DEPARTMENT
 PROJECT NUMBER 1, PHASE 2, 100.00
 DATE OF PHOTOGRAPHY: 04-21-04

PROJECT NAME: TIERRASANTA TOWNHOMES	
PREPARED BY: PROJECT DESIGN CONSULTANTS	Revision 1: JANUARY 31, 2005
ADDRESS: 501 S GINNETT QUITE RD SAN DIEGO, CA 92108	Revision 2: AUGUST 23, 2005
PHONE NO.: (619) 338-6471	Revision 3: NOVEMBER 4, 2005
PROJECT ADDRESS: 501 S GINNETT QUITE RD SAN DIEGO, CA 92108	Revision 4: JANUARY 6, 2006
PROJECT NUMBER: 1, PHASE 2, 100.00	Revision 5: FEBRUARY 1, 2006
DATE OF PHOTOGRAPHY: 04-21-04	Revision 6: MARCH 1, 2006
DATE OF PHOTOGRAPHY: 04-21-04	Revision 7: APRIL 4, 2006
Original Date: JANUARY 11, 2005	
Sheet: 3 of 31	
DATE: JANUARY 11, 2005	
PROJECT TITLE: FIRE ACCESS PLAN	

**TIERRASANTA TOWNHOMES
 FIRE ACCESS PLAN**

PROJECT DESIGN CONSULTANTS
 Planning | Construction | Environmental | Engineering | Fire

T:\Eng\12882\F01\2007\F01_05.dwg
 Feb. 27, 2006 - 2:24pm

NOTE
THERE WILL BE NO IMPACTS TO NATURAL
STEEP SLOPES 25% OR GREATER.

LEGEND

- EXISTING IMPROVEMENTS
- EXISTING CONTIGUOUS
- ROW
- AREAS OF MINIMAL IMPACTIVITY > 25% SLOPE
78,207 SF (1.75 AC)
- AREAS OF MINIMAL IMPACTIVITY < 25% SLOPE
42,270 SF (0.97 AC)
- NET AREA OF IMPROVED SLOPES
22,441 SF (0.51 AC)
- TOTAL AREA TO BE DRAINED
142,198 SF (3.23 AC)
- EXISTING CHANNEL AREA
177,030 SF (4.03 AC)

EXEMPT FROM WORK

APPLICABLE TO ALL PROJECTS WITHIN THE CITY OF SAN ANTONIO, TEXAS, THAT ARE EXEMPT FROM THE REQUIREMENTS OF THE CITY OF SAN ANTONIO, TEXAS, CHAPTER 25A-01A.

DATE: 01.11.2008

EXISTING APPD BY PROJECT DESIGN CONSULTANTS
PHOTOGRAMMETRY DEPARTMENT
CITY OF SAN ANTONIO, TEXAS

PROJECT NAME: TIERRASANTA TOWNHOMES

PROPOSED BY: PROJECT DESIGN CONSULTANTS

Address: 5301 TIERRASANTA BLVD, SAN ANTONIO, TX 78247

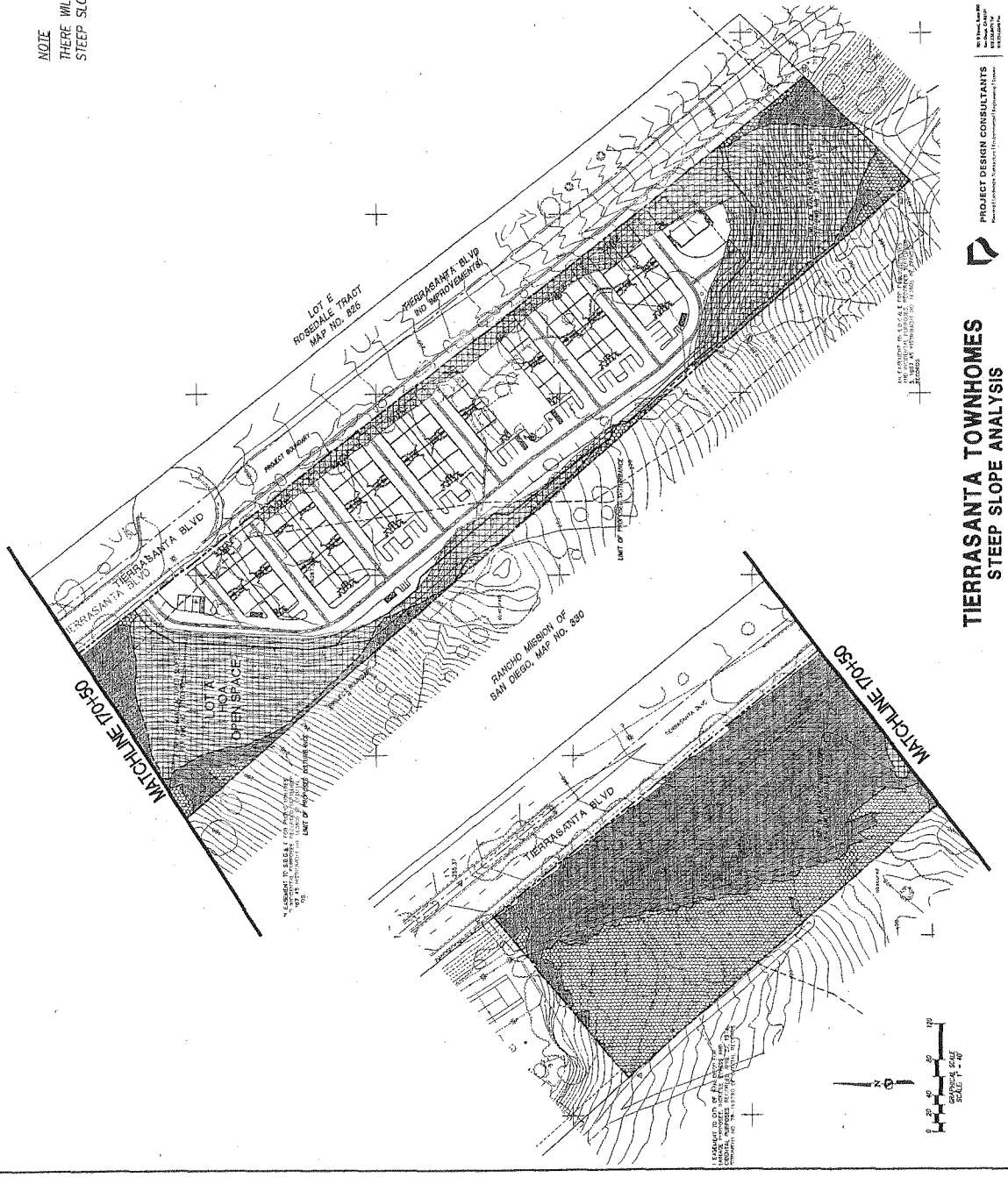
Phone no.: (214) 734-1277

PROJECT ADDRESS: 5301 TIERRASANTA BLVD, SAN ANTONIO, TX 78247

DATE: 01.11.2008

Sheet No.: 30 of 31

DATE: 01/11/08

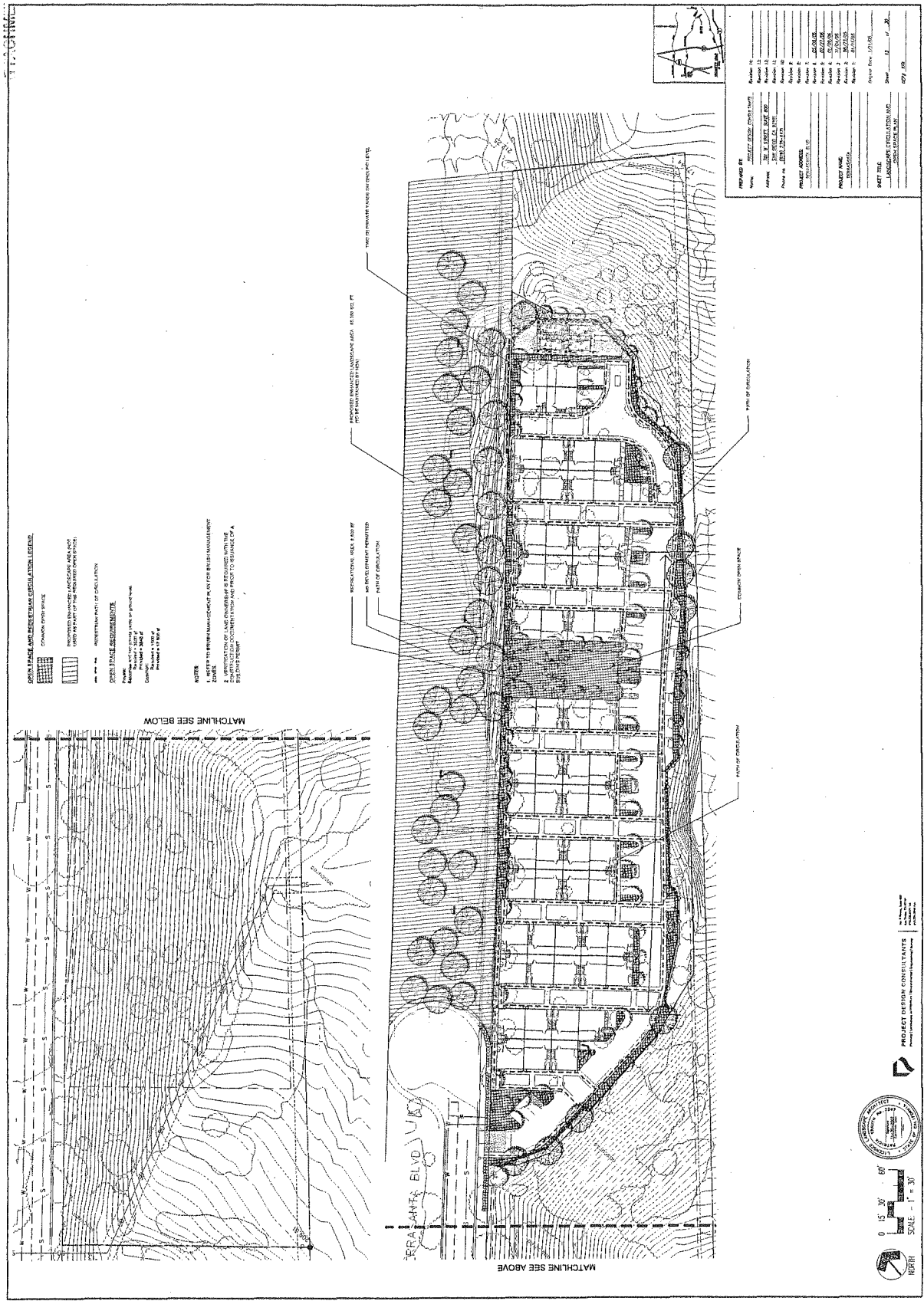


PROJECT DESIGN CONSULTANTS

PHOTOGRAMMETRY DEPARTMENT
CITY OF SAN ANTONIO, TEXAS

**TIERRASANTA TOWNHOMES
STEEP SLOPE ANALYSIS**

TA/ENGR/PHOTOGRAMMETRY DEPARTMENT, 10 NOV
Feb 27, 2006 - Edition



GREEN SPACE AND RECREATION CIRCULATION LEGEND

CONCRETE DRIVEWAY

PROPOSED LANDSCAPING AND PLANTING

EXISTING AND PROPOSED CIRCULATION

GREEN SPACE RECREATION

RECREATIONAL USES & POINTS OF INTEREST

PROPOSED LANDSCAPING AND PLANTING

EXISTING AND PROPOSED CIRCULATION

NOTES

1. REFER TO THE MANAGEMENT PLAN FOR THE MANAGEMENT ZONE.

2. IDENTIFICATION OF LAND DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT.

3. THE PLAN IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT.

MATCHLINE SEE BELOW

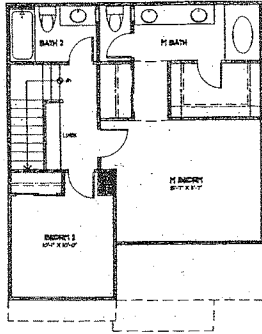
MATCHLINE SEE ABOVE

PROJECT NO.	101/102
PROJECT NAME	THE BAYVIEW RESIDENCES
CLIENT	THE BAYVIEW GROUP
DATE	2010/01/01
PROJECT ADDRESS	101/102
PROJECT NO.	101/102
PROJECT NAME	THE BAYVIEW RESIDENCES
CLIENT	THE BAYVIEW GROUP
DATE	2010/01/01
PROJECT ADDRESS	101/102
PROJECT NO.	101/102
PROJECT NAME	THE BAYVIEW RESIDENCES
CLIENT	THE BAYVIEW GROUP
DATE	2010/01/01
PROJECT ADDRESS	101/102

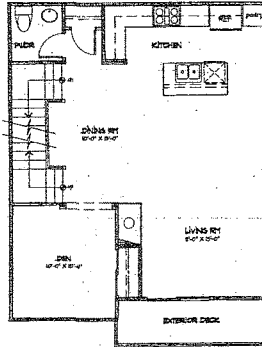
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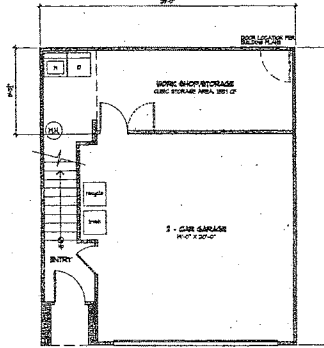
PROJECT DESIGN CONSULTANTS



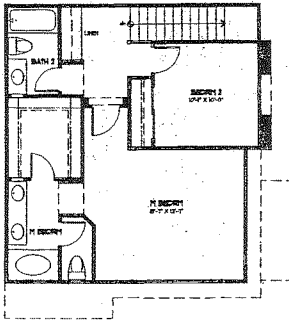
UNIT 2 - THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"



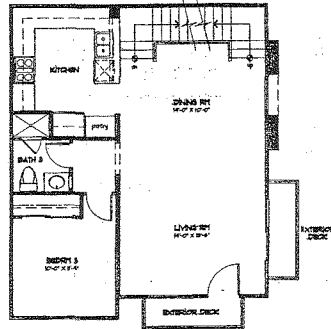
UNIT 2 - SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



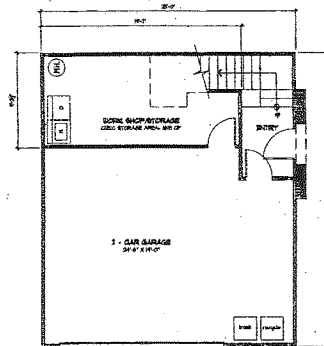
UNIT 2 - FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"
FIRST FLOOR: 246 SQ. FT.
SECOND FLOOR: 134 SQ. FT.
THIRD FLOOR: 491 SQ. FT.
TOTAL: 1471 SQ. FT.
GARAGE: 410 SQ. FT.
EXTERIOR DECK: 66 SQ. FT.



UNIT 1 - THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"

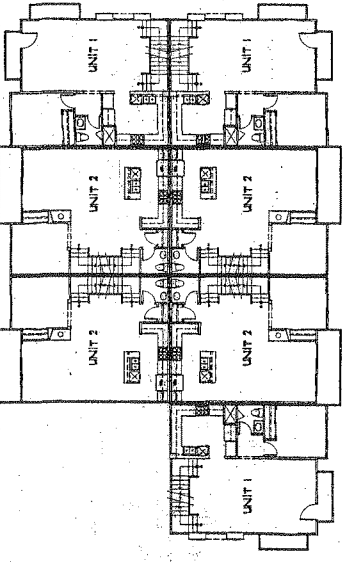


UNIT 1 - SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

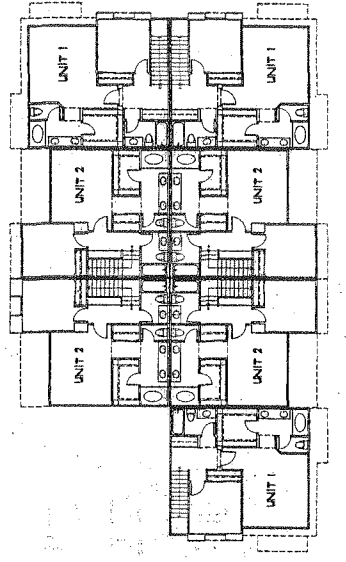


UNIT 1 - FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"
FIRST FLOOR: 249 SQ. FT.
SECOND FLOOR: 134 SQ. FT.
THIRD FLOOR: 491 SQ. FT.
TOTAL: 1474 SQ. FT.
GARAGE: 464 SQ. FT.
EXTERIOR DECK: 62 SQ. FT.

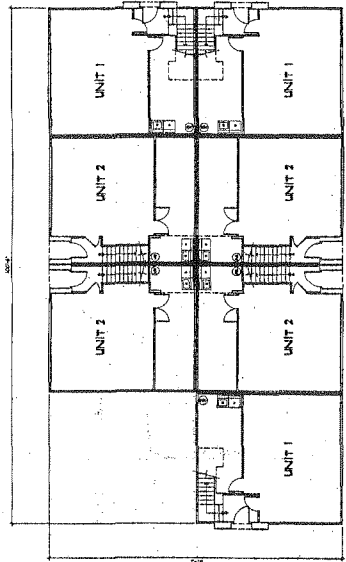
PROJECT NAME		CONTRACT NUMBER	
PREPARED BY:	THE MCKINLEY ASSOCIATES	Revised by:	JANUARY 11, 2008
DATE:	SEE FIRST FLOOR	Revised by:	JANUARY 11, 2008
ADDRESS:	SEE THIRD FLOOR	Revised by:	JANUARY 11, 2008
PROJECT NO.:	SEE THIRD FLOOR	Revised by:	JANUARY 11, 2008
PROJECT ADDRESS:	1548 BIRCHWOOD DR. SE	Revised by:	JANUARY 11, 2008
DATE OF SHEET:	SEE THIRD FLOOR	Sheet:	15 of 31
SHEET TITLE:	FIRST FLOOR PLANS	DATE:	



BUILDING 1 - SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"
 REFER TO UNIT PLANS FOR ROOM NUMBERS



BUILDING 1 - THIRD FLOOR PLAN
SCALE: 1/8" = 1'-0"
 REFER TO UNIT PLANS FOR ROOM NUMBERS



BUILDING 1 - FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"
 REFER TO UNIT PLANS FOR ROOM NUMBERS

PROJECT NAME: INDUSTRIAL DEVELOPMENT

PREPARED BY: THE HORNLEY ASSOCIATES, INC.

DATE: 1977

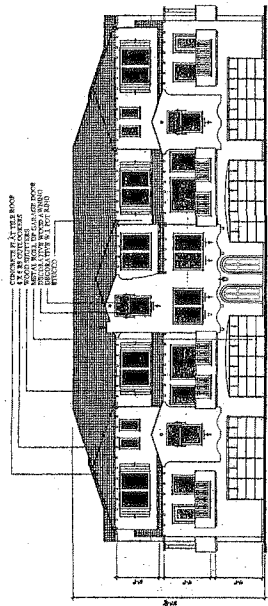
PROJECT ADDRESS: 1111 BROADWAY, NEW YORK, N.Y. 10006

DATE: 11-31-77

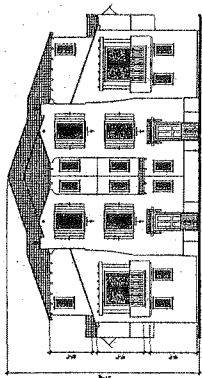
SCALE: AS SHOWN

DATE: 11-31-77

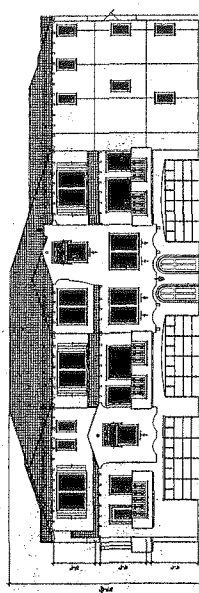
BY: [Signature]



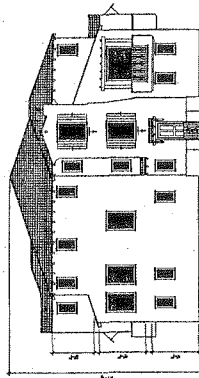
BUILDING 1 - SOUTH ELEVATION
SAS 107-110



BUILDING 1 - EAST ELEVATION
SAS 107-110



BUILDING 1 - NORTH ELEVATION
SAS 107-110



BUILDING 1 - WEST ELEVATION
SAS 107-110

PROJECT NAME: _____

PROJECT NO.: _____

DATE: _____

SCALE: _____

PROJECT ADDRESS: _____

OWNER: _____

DESIGNER: _____

DATE: _____

BY: _____

PROJECT NO.: _____

DATE: _____

SCALE: _____

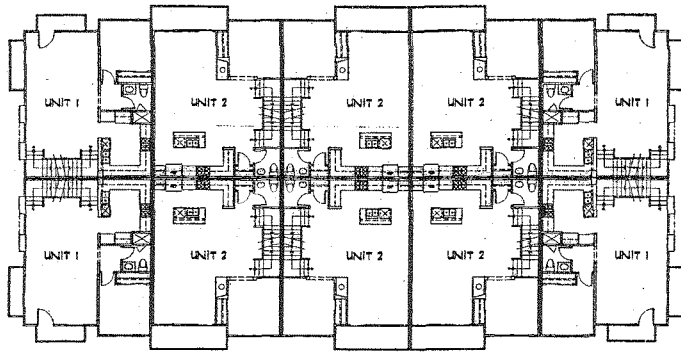
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OWNER: _____

DESIGNER: _____

DATE: _____

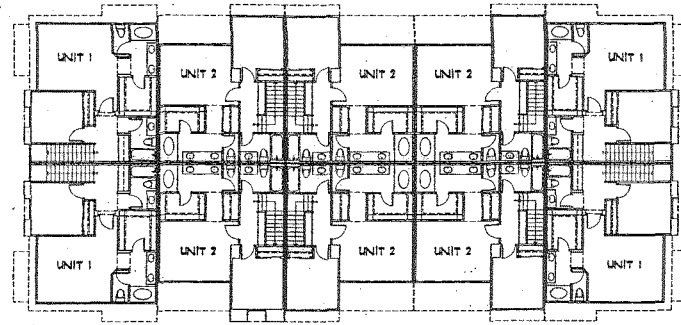
BY: _____



BUILDING 2 - SECOND FLOOR PLAN

SCALE 1/4\"/>

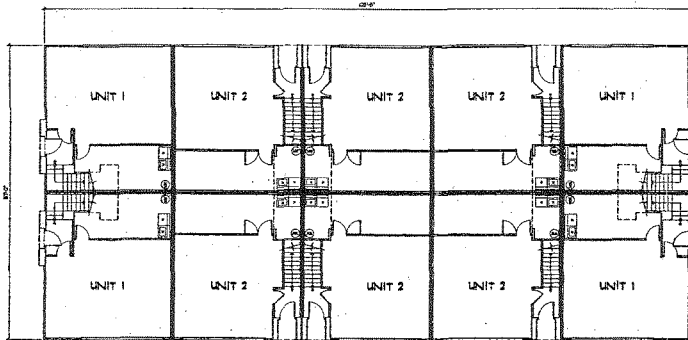
REFER TO UNIT PLANS FOR ROOM NAMES



BUILDING 2 - THIRD FLOOR PLAN

SCALE 1/4\"/>

REFER TO UNIT PLANS FOR ROOM NAMES

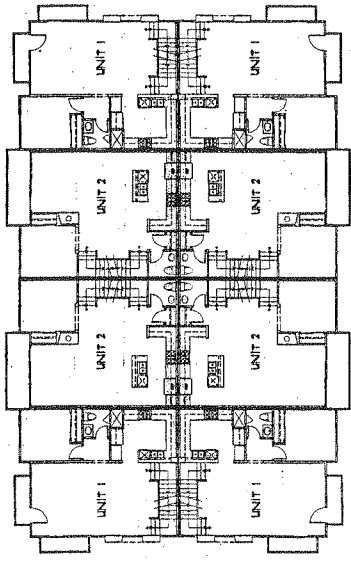


BUILDING 2 - FIRST FLOOR PLAN

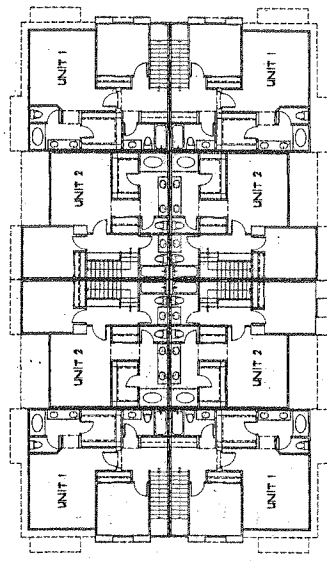
SCALE 1/4\"/>

REFER TO UNIT PLANS FOR ROOM NAMES

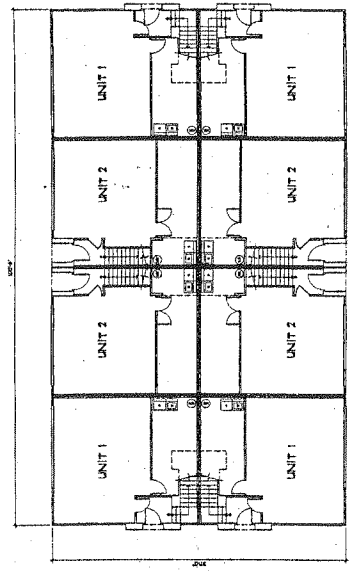
PROJECT NAME: SUNSHINE SQUARE	
PREPARED BY: THE MONKEY ASSOCIATES, INC.	Division 1: JANUARY 11, 2006 Division 2: FEBRUARY 16, 2006 Division 3: APRIL 20, 2006 Division 4: JUNE 23, 2006 Division 5: SEPTEMBER 14, 2006 Division 6: DECEMBER 14, 2006 Division 7: PLANNING 11-15-2006 Division 8: 1/27/07 Division 9: 2/20/07
Address: SUNSHINE SQUARE	Project No.: 0501 SUN-SQR
Phone no.: (951) 438-1111	Project Address: 15400 SUNSHINE BLVD. SUNSHINE SQUARE
PROJECT ADDRESS: 15400 SUNSHINE BLVD. SUNSHINE SQUARE	Sheet: 18 of 21
DATE PLOTTED: SUNSHINE SQUARE	DATE:



BUILDINGS 3A, 7 & 8 - SECOND FLOOR PLAN
 REFER TO 1st UNIT PLANS FOR ROOM NAME

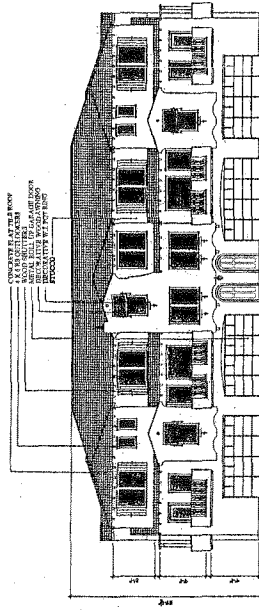


BUILDINGS 3A, 7 & 8 - THIRD FLOOR PLAN
 REFER TO 1st UNIT PLANS FOR ROOM NAME

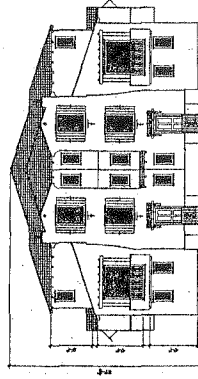


BUILDINGS 3A, 7 & 8 - FIRST FLOOR PLAN
 REFER TO 1st UNIT PLANS FOR ROOM NAME

PROJECT NAME	TRANSFORM PROJECTS
DESIGNED BY	THE HANSEY ASSOCIATES, INC.
DATE	2011.07.26
ADDRESS	2011.07.26
PROJECT ADDRESS	2011.07.26
DATE	2011.07.26
SCALE	AS SHOWN
PROJECT FILE	
PROJECT NUMBER	



BUILDING 347 + B - NORTH AND SOUTH ELEVATION
DATE: 11/11/11



BUILDING 347 + B - EAST AND WEST ELEVATION
DATE: 11/11/11

PROJECT NAME: SPRINGFIELD BRANCH

DESIGNED BY: THE HORNLEY ASSOCIATES, INC.

DATE: 11/11/11

ADDRESS: 1000 W. 10TH ST.

CITY: SPRINGFIELD, MO.

STATE: MO.

ZIP: 65804

PROJECT ADDRESS: 1000 W. 10TH ST.

CITY: SPRINGFIELD, MO.

STATE: MO.

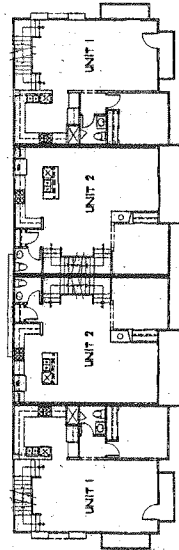
ZIP: 65804

DATE: 11/11/11

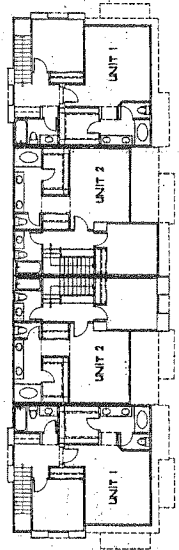
SCALE: 1/8" = 1'-0"

DATE PLOTTED: 11/11/11

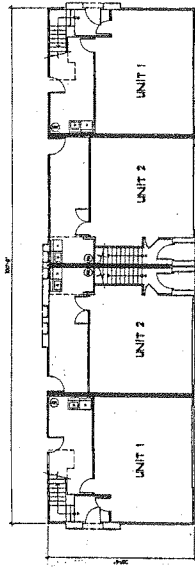
PLotted by: SPRINGFIELD BRANCH



BUILDINGS 5 & 6 - SECOND FLOOR PLAN
 SHEET 2 OF 3
 REFER TO UNIT PLANS FOR ROOM NAMES

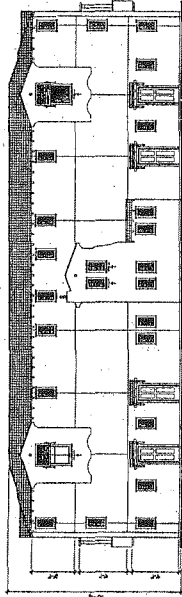


BUILDINGS 5 & 6 - THIRD FLOOR PLAN
 SHEET 3 OF 3
 REFER TO UNIT PLANS FOR ROOM NAMES

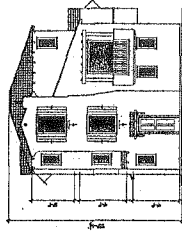


BUILDINGS 5 & 6 - FIRST FLOOR PLAN
 SHEET 1 OF 3
 REFER TO UNIT PLANS FOR ROOM NAMES

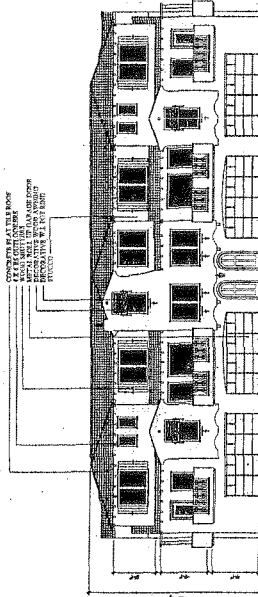
PROJECT NAME	STRAWBERRY HARBOR
PREPARED BY	THE ARCHITECT ASSOCIATES, INC.
DATE	2007.07.26
ADDRESS	1000 WEST 10TH AVENUE, SUITE 1000, DENVER, CO 80202
PHONE	(303) 733-1111
PROJECT NUMBER	1000 WEST 10TH AVENUE, SUITE 1000
DATE	2007.07.26
SCALE	AS SHOWN
DESIGNED BY	DATE 22.00.00
CHECKED BY	DATE 22.00.00



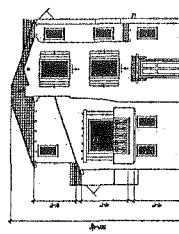
BUILDING 5 - SOUTH ELEVATION
BUILDING 6 - NORTH ELEVATION
SCALE: 1/8" = 1'-0"



BUILDING 5 - EAST ELEVATION
BUILDING 6 - WEST ELEVATION
SCALE: 1/8" = 1'-0"

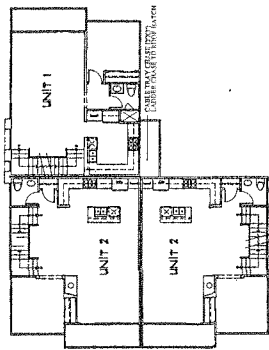


BUILDING 5 - NORTH ELEVATION
BUILDING 6 - SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

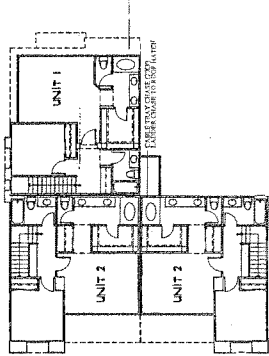


BUILDING 5 - WEST ELEVATION
BUILDING 6 - EAST ELEVATION
SCALE: 1/8" = 1'-0"

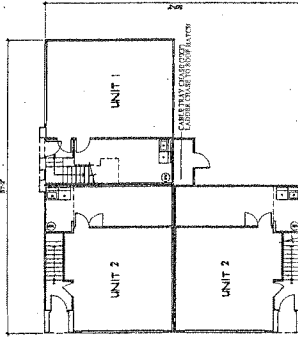
PROJECT NAME:	REHABILITATION PROJECT
PREPARED BY:	THE ARCHITECT ASSOCIATES, INC.
ARCHITECT:	THE ARCHITECT ASSOCIATES, INC.
ADDRESS:	300 WEST 10TH
CITY:	MINNEAPOLIS, MINN.
PROJECT ADDRESS:	1000 W. WASHINGTON ST.
DATE:	11.23.61
SCALE:	1/8" = 1'-0"
DATE:	11.23.61
BY:	



BUILDING 9 - SECOND FLOOR PLAN
 REFER TO UNIT PLANS FOR ROOM NAMES



BUILDING 9 - THIRD FLOOR PLAN
 REFER TO UNIT PLANS FOR ROOM NAMES



BUILDING 9 - FIRST FLOOR PLAN
 REFER TO UNIT PLANS FOR ROOM NAMES

PROJECT NAME: RENOVATION OF BUILDING 9

PREPARED BY: THE KOSMAY ASSOCIATES, INC.

DATE: 01/27/04

PROJECT ADDRESS: 200 WEST 10TH AVENUE

CITY: MINNEAPOLIS, MN

STATE: MINN.

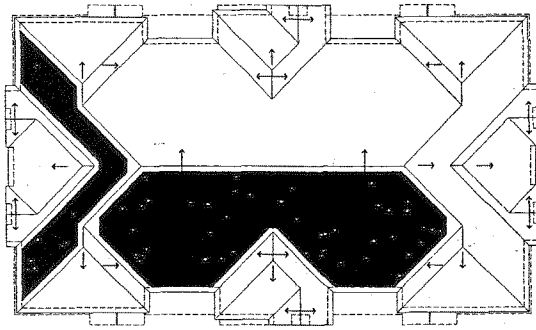
ZIP: 55402

PROJECT ARCHITECT: THE KOSMAY ASSOCIATES, INC.

DATE: 01/27/04

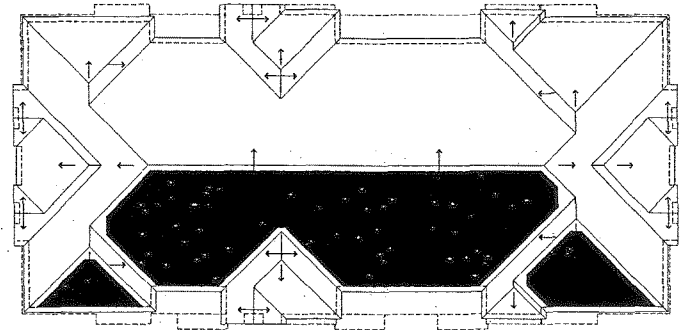
BY: [Signature]

SCALE: AS SHOWN



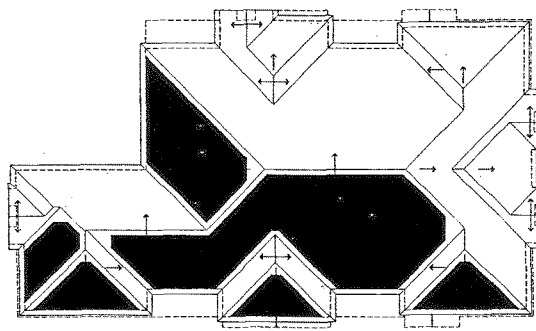
NOTE:
HATCHED AREAS INDICATE SOLAR ROOF SYSTEM

EIGHTPLEX - ROOF PLAN
SCALE: 1/8" = 1'-0" TYPICAL ROOF PITCH 4:12



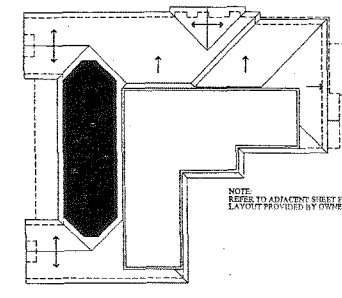
NOTE:
HATCHED AREAS INDICATE SOLAR ROOF SYSTEM

TENPLEX - ROOF PLAN
SCALE: 1/8" = 1'-0" TYPICAL ROOF PITCH 4:12



NOTE:
HATCHED AREAS INDICATE SOLAR ROOF SYSTEM

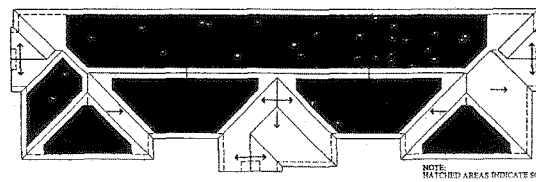
SEVENPLEX - ROOF PLAN
SCALE: 1/8" = 1'-0" TYPICAL ROOF PITCH 4:12



NOTE:
REFER TO ADJACENT SHEET FOR TELECOMMUNICATION LAYOUT PROVIDED BY OWNERS CONSULTANT

NOTE:
HATCHED AREAS INDICATE SOLAR ROOF SYSTEM

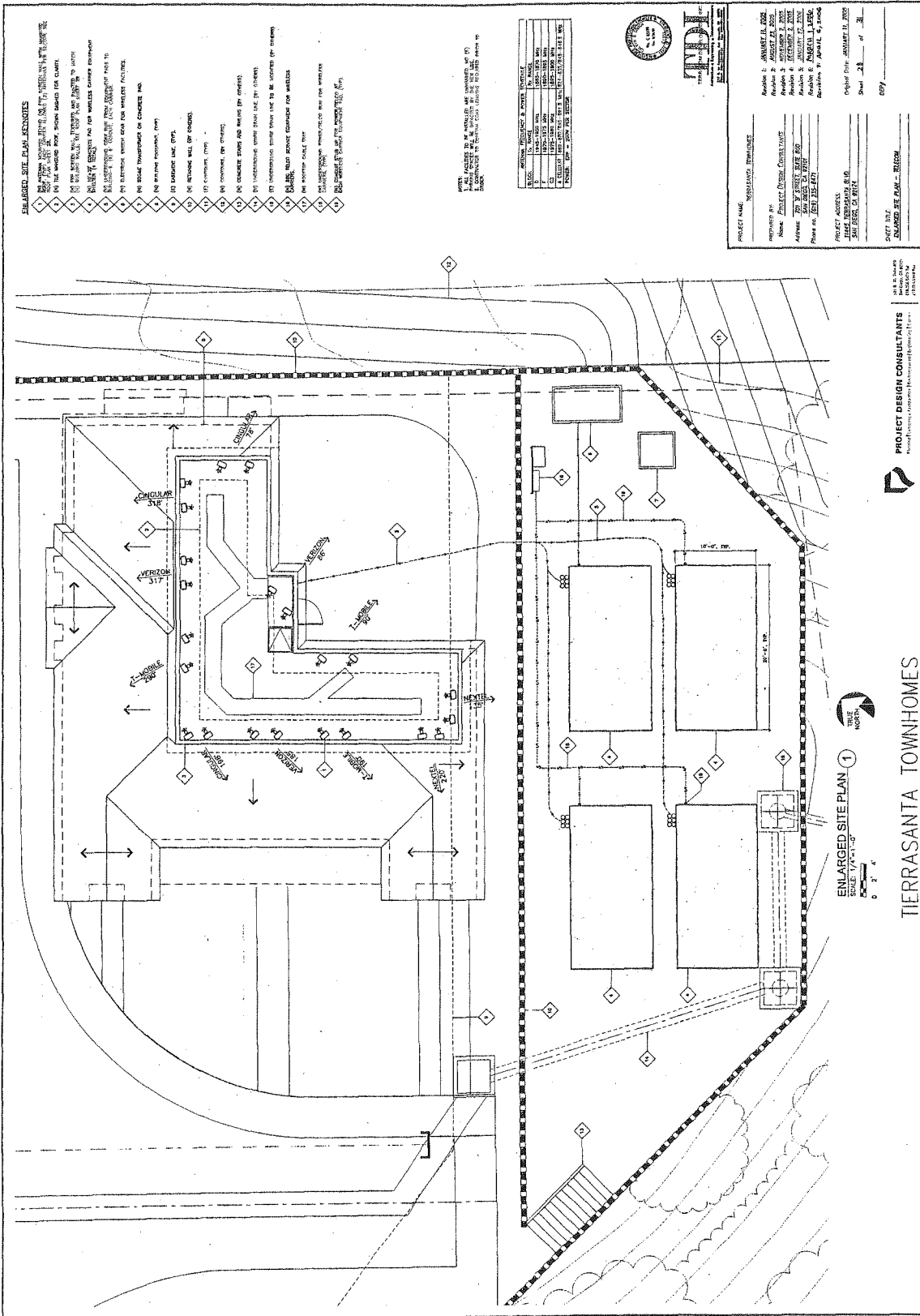
THREEPLEX - ROOF PLAN
SCALE: 1/8" = 1'-0" TYPICAL ROOF PITCH 4:12



NOTE:
HATCHED AREAS INDICATE SOLAR ROOF SYSTEM

FOURPLEX - ROOF PLAN
SCALE: 1/8" = 1'-0" TYPICAL ROOF PITCH 4:12

PROJECT NAME	TERRAZZO NETWORK	
PREPARED BY	THE MOONLEY ASSOCIATES, INC.	
DATE	JULY 11, 2007	Revision 1
ADDRESS	1011 FIRST AVE	Revision 2
PHONE NO.	503.238.1131	Revision 3
PROJECT ADDRESS	1345 TOWNSEND BLVD	Revision 4
	SAV OREGON 97142	Revision 5
		Revision 6
		Revision 7
		Revision 8
		Revision 9
		Revision 10
		Revision 11
		Revision 12
		Revision 13
		Revision 14
		Revision 15
		Revision 16
		Revision 17
		Revision 18
		Revision 19
		Revision 20
		Revision 21
		Revision 22
		Revision 23
		Revision 24
		Revision 25
		Revision 26
		Revision 27
		Revision 28
		Revision 29
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		Revision 89
		Revision 90
		Revision 91
		Revision 92
		Revision 93
		Revision 94
		Revision 95
		Revision 96
		Revision 97
		Revision 98
		Revision 99
		Revision 100



ENLARGED SITE PLAN KEYNOTES

- 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 6. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 8. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 11. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 12. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 13. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 14. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 15. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 16. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 17. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 18. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 19. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 20. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 21. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 22. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 23. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 24. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	10/15/09	JL
2	ISSUED FOR PERMIT	10/15/09	JL
3	ISSUED FOR PERMIT	10/15/09	JL
4	ISSUED FOR PERMIT	10/15/09	JL
5	ISSUED FOR PERMIT	10/15/09	JL
6	ISSUED FOR PERMIT	10/15/09	JL
7	ISSUED FOR PERMIT	10/15/09	JL
8	ISSUED FOR PERMIT	10/15/09	JL
9	ISSUED FOR PERMIT	10/15/09	JL
10	ISSUED FOR PERMIT	10/15/09	JL
11	ISSUED FOR PERMIT	10/15/09	JL
12	ISSUED FOR PERMIT	10/15/09	JL
13	ISSUED FOR PERMIT	10/15/09	JL
14	ISSUED FOR PERMIT	10/15/09	JL
15	ISSUED FOR PERMIT	10/15/09	JL
16	ISSUED FOR PERMIT	10/15/09	JL
17	ISSUED FOR PERMIT	10/15/09	JL
18	ISSUED FOR PERMIT	10/15/09	JL
19	ISSUED FOR PERMIT	10/15/09	JL
20	ISSUED FOR PERMIT	10/15/09	JL
21	ISSUED FOR PERMIT	10/15/09	JL
22	ISSUED FOR PERMIT	10/15/09	JL
23	ISSUED FOR PERMIT	10/15/09	JL
24	ISSUED FOR PERMIT	10/15/09	JL



PROJECT NAME: TIERRASANTA TOWNHOMES

PREPARED BY: PROJECT DESIGN CONSULTANTS

DATE: JANUARY 11, 2010

PROJECT ADDRESS: 11111 TIERRASANTA DRIVE, HOUSTON, TEXAS 77057

PROJECT NO.: 10000

DATE: JANUARY 11, 2010

SCALE: 1/4" = 1'-0"

SHEET NO.: 28 of 28

DATE: 09/09

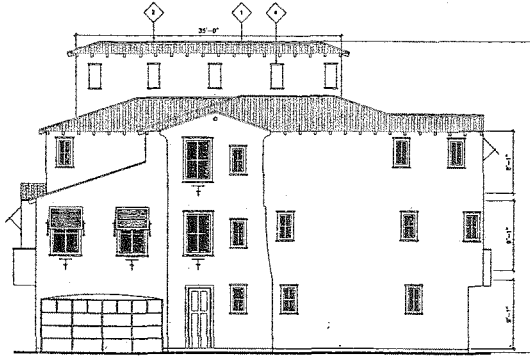
PROJECT DESIGN CONSULTANTS
 11111 TIERRASANTA DRIVE, HOUSTON, TEXAS 77057
 (713) 865-1111

TIERRASANTA TOWNHOMES

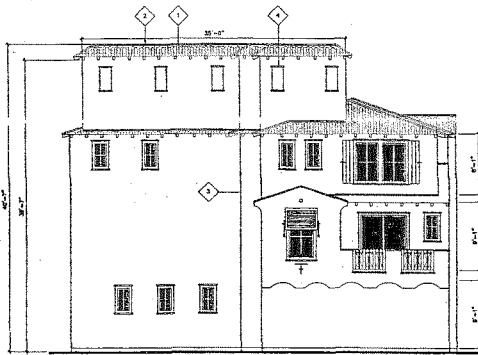
ENLARGED SITE PLAN 1
 SCALE: 1/4" = 1'-0"
 TREE NORTH



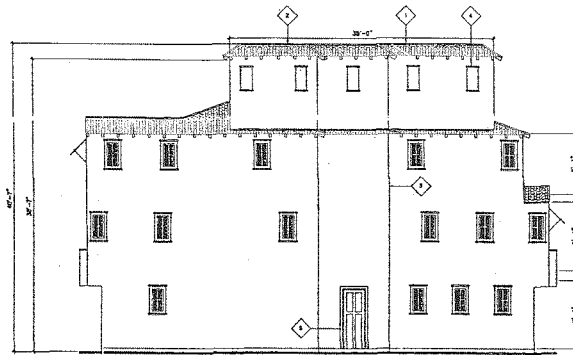
BUILDING 9 -- WEST ELEVATION



BUILDING 9 -- NORTH ELEVATION

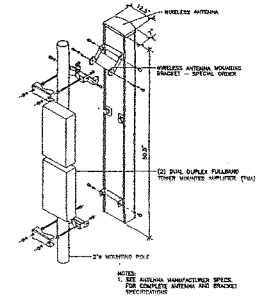


BUILDING 9 -- EAST ELEVATION



BUILDING 9 -- SOUTH ELEVATION

- ELEVATION KEYNOTES**
- ① WALLS SCREEN WALL WITH THE BANDING BODY, TEXTURED AND PAINTED TO MATCH THE BANDING SCALE
 - ② NO INTERIOR WALLS SHOWN FOR THE BANDING WALL WITH BANDING BODY (ONLY) EACH TO BE IN PLACE TO COMPLETE THE ELEVATION
 - ③ NO DOOR AND ACCESS TACKER CHASE FROM GROUND LEVEL TO ROOF LEVEL
 - ④ NO THE STRUCTURAL ARCHITECTURAL BELLIES (SEE NOTE) BOLD WITH SHADY TONED LINES - NO SHADING
 - ⑤ NO ACCESS DOOR TO ROOF LAGER



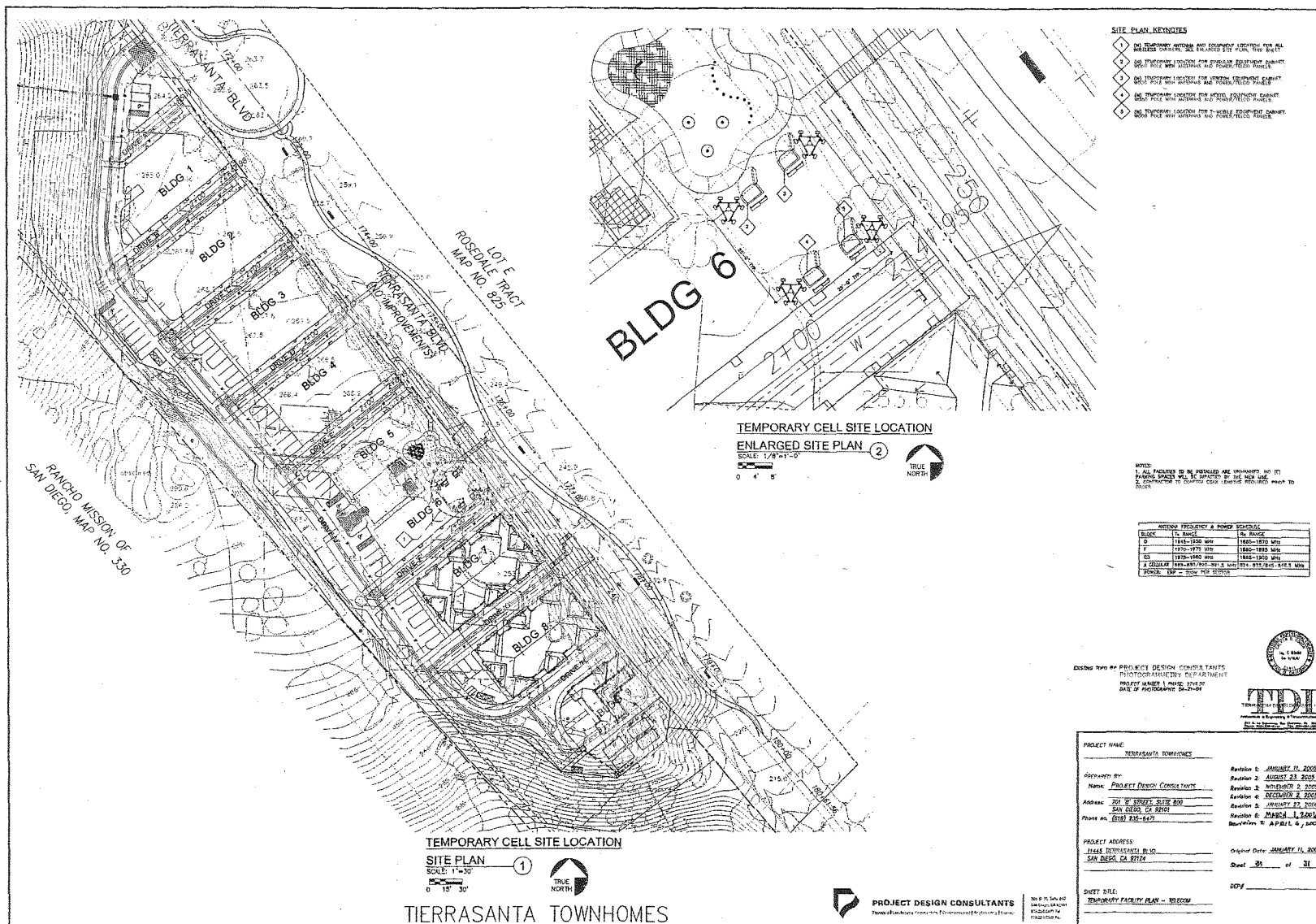
ANTENNA MOUNT ②
SCALE: NONE

ELEVATIONS ①
SCALE: 3/16" = 1'-0"

TIERRASANTA TOWNHOMES

PROJECT DESIGN CONSULTANTS
ARCHITECTS ENGINEERS INTERIORS

PROJECT NAME: TIERRASANTA TOWNHOMES	
DESIGNED BY: Name: PROJECT DESIGN CONSULTANTS	Revision 1: JANUARY 11, 2002
Address: 221 W. SHERIDAN, SUITE 800 SAN DIEGO, CA 92101	Revision 2: AUGUST 27, 2002
Phone no: (619) 235-6471	Revision 3: NOVEMBER 2, 2002
	Revision 4: DECEMBER 2, 2002
	Revision 5: JANUARY 27, 2003
	Revision 6: MARCH 1, 2004
	Revision 7: APRIL 6, 2004
PROJECT ADDRESS: 11445 BLOSSOMVILLE BLVD. SAN DIEGO, CA 92124	Original Date: JANUARY 11, 2002
	Sheet: 20 of 31
DWG FILE: ELEVATIONS - TELECOM	DATE: _____



- SITE PLAN NOTES**
- ◇ ON THEORETICAL ANTENNA AND SUPPORT STRUCTURE FOR 150 WATT TRANSMITTER
 - ◇ ON THEORETICAL ANTENNA AND SUPPORT STRUCTURE FOR 150 WATT TRANSMITTER
 - ◇ ON THEORETICAL ANTENNA AND SUPPORT STRUCTURE FOR 150 WATT TRANSMITTER
 - ◇ ON THEORETICAL ANTENNA AND SUPPORT STRUCTURE FOR 150 WATT TRANSMITTER
 - ◇ ON THEORETICAL ANTENNA AND SUPPORT STRUCTURE FOR 150 WATT TRANSMITTER

NOTES:
 1. ALL DIMENSIONS TO BE PROVIDED ARE UNLESS NOTED AS ITY.
 2. CONTRACTOR TO VERIFY ALL DIMENSIONS AND LOCATIONS.
 3. CONTRACTOR TO VERIFY ALL DIMENSIONS AND LOCATIONS.

ANTENNA FREQUENCY & TOWER SCHEDULE		
CLASS	IN RANGE	OUT OF RANGE
D	1545-1550 MHz	1545-1570 MHz
F	1570-1575 MHz	1565-1585 MHz
G	1575-1580 MHz	1580-1590 MHz
* CELLULAR 1545-1550 MHz & 1575-1580 MHz		
* CELLULAR 1575-1580 MHz & 1580-1590 MHz		

DESIGNED BY: PROJECT DESIGN CONSULTANTS
 PHOTOGRAPHY: PHOTOGRAPHY






PROJECT NAME: TIERRASANTA TOWNHOMES	
APPROVED BY:	Revision 1: JANUARY 11, 2005
NAME: PROJECT DESIGN CONSULTANTS	Revision 2: AUGUST 23, 2005
ADDRESS: 201 W STREET, SUITE 200 SAN DIEGO, CA 92101	Revision 3: NOVEMBER 2, 2005
PHONE NO.: (619) 551-6100	Revision 4: DECEMBER 2, 2005
	Revision 5: JANUARY 22, 2006
	Revision 6: MARCH 1, 2006
	Revision 7: APRIL 6, 2006
PROJECT ADDRESS: 11446 TIERRASANTA BLVD SAN DIEGO, CA 92131	
Original Date: JANUARY 11, 2005	
Sheet: 30	of 31
SHEET TITLE: TEMPORARY FACILITY PLAN - TOWNHOMES	

TIERRASANTA TOWNHOMES



THIS IS TO BE USED ONLY FOR THE PROJECT AND NOT FOR ANY OTHER PURPOSE.

Table	
	Complying walls
	Non-complying walls outside of setbacks
	Non-complying walls within the setbacks

Complying Walls

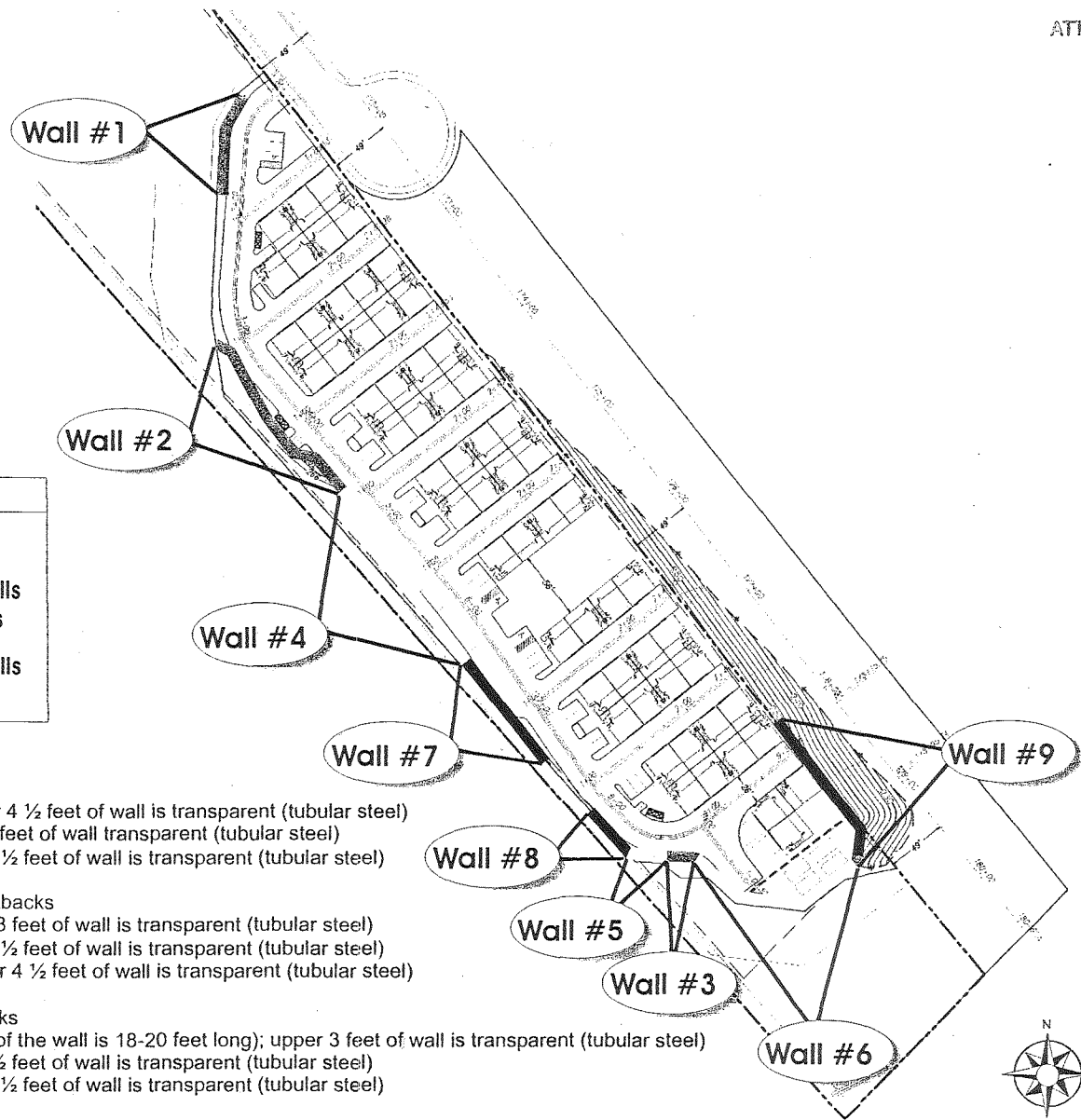
1. 6 ½ - 9 ½ feet; 80 feet long; upper 4 ½ feet of wall is transparent (tubular steel)
2. 7 - 10 feet; 110 feet long; upper 3 feet of wall transparent (tubular steel)
3. 10 - 12 feet; 30 feet long; upper 4 ½ feet of wall is transparent (tubular steel)

Non-Complying Walls Outside of Setbacks

4. 12 - 16 feet; 210 feet long; upper 3 feet of wall is transparent (tubular steel)
5. 12 - 16 feet; 40 feet long; upper 4 ½ feet of wall is transparent (tubular steel)
6. 12 - 16½ feet; 140 feet long; upper 4 ½ feet of wall is transparent (tubular steel)

Non-Complying Walls Within Setbacks

7. 6 - 20 feet; 100 feet long (40 feet of the wall is 18-20 feet long); upper 3 feet of wall is transparent (tubular steel)
8. 9 - 16 feet; 40 feet long; upper 4 ½ feet of wall is transparent (tubular steel)
9. 3 - 15 feet; 140 feet long; upper 4 ½ feet of wall is transparent (tubular steel)



LOT SUMMARY

LOT	AREA (ACRES)	AREA (SQ. FEET)	DESCRIPTION
1	2.87	127786.27	40 UNIT MULTI-FAMILY
A	.137	17181.20	104 OWNED OPEN SPACE / MEPA

GENERAL NOTES
 LOT 1 OF THIS SUBDIVISION IS A CONFORMANCE PROJECT AS DEFINED IN SECTION 116000 OF THE SUBDIVISION MAP ACT. THE TOTAL NUMBER OF CONFORMANCE PROJECTING UNITS IS 40 FOR LOT 1.
 LOT A TO BE PLACED IN A CONFORMANCE EASEMENT.

LEGEND



OWNER AND BUILDER

WINDACORP
 600 B STREET, SUITE 1000
 SAN DIEGO, CA 92101
 TELEPHONE: (619) 544-1905

DATE: _____
 PRESIDENT: _____

ENGINEER OF RECORD

PROJECT DESIGN CONSULTANTS
 200 B STREET, SUITE 1000
 SAN DIEGO, CA 92101
 TELEPHONE: (619) 235-4177

DATE: _____
 REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 66709/07

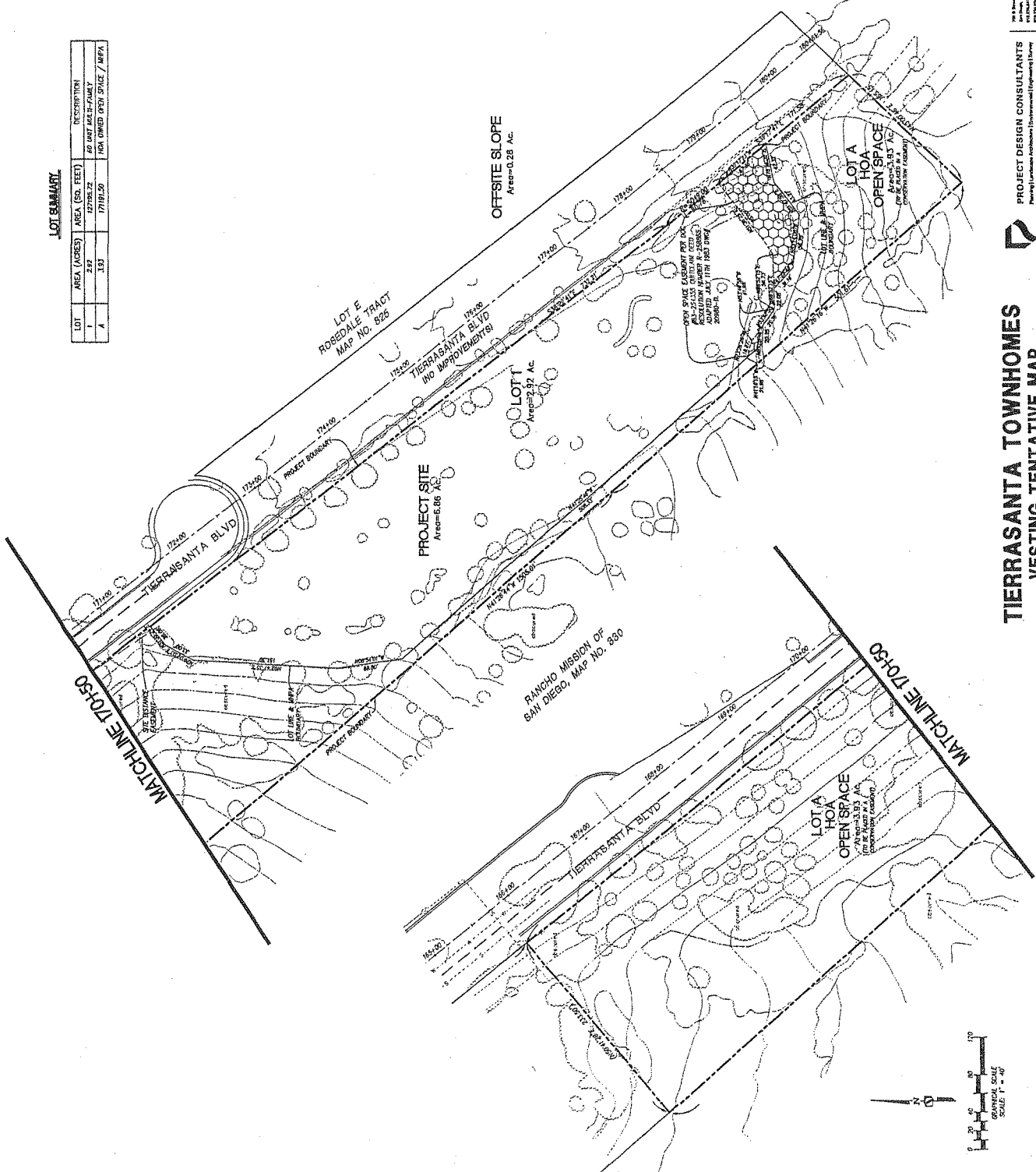


DATE: _____
 REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 66709/07

REVISIONS

REVISION NO.	DATE	DESCRIPTION
1	JANUARY 11, 2005	PRELIMINARY
2	AUGUST 23, 2005	REVISED
3	NOVEMBER 2, 2005	REVISED
4	DECEMBER 1, 2005	REVISED
5	JANUARY 11, 2005	REVISED
6	MARCH 1, 2005	REVISED
7	APRIL 6, 2005	REVISED

DATE OF PREVIOUS MAP: 04-04-04



**TIERRASANTA TOWNHOMES
 VESTING TENTATIVE MAP**

PROJECT DESIGN CONSULTANTS
 Project Location: (619) 235-4177



DATE: _____
 REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 66709/07

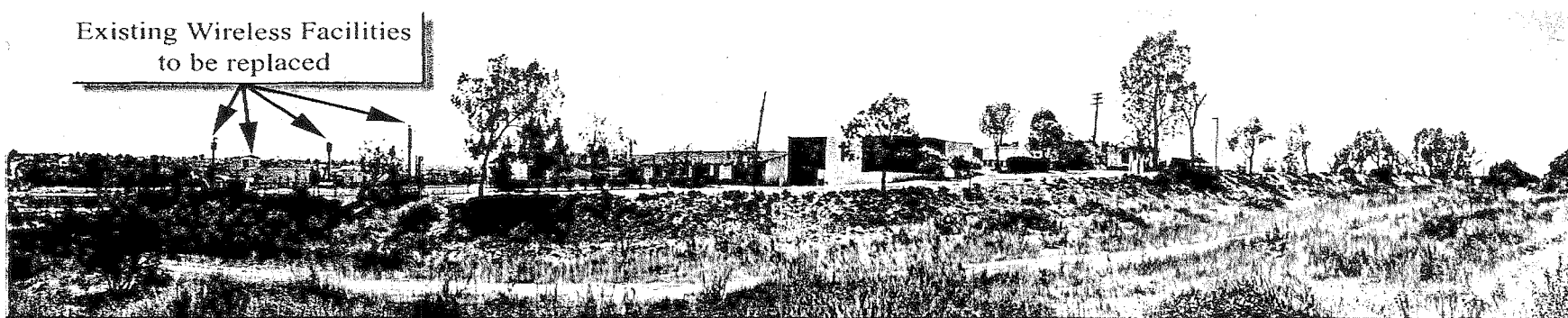
DATE: _____
 REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 66709/07

DATE: _____
 REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 66709/07

DATE: _____
 REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 66709/07

DATE: _____
 REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 66709/07

DATE: _____
 REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 66709/07



View 1: Existing Tierrasanta Christian Church and Four Wireless Facilities



View 2: Proposed Tierrasanta Condos and Architecturally Integrated Wireless Facilities
(view of equipment area not available due to topographical constraints)

CITY COUNCIL RESOLUTION NO. XXXX
VESTING TENTATIVE MAP NO. 334358
OPEN SPACE EASEMENT ABANDONMENT 184493
TIERRASANTA TOWN HOMES - PROJECT NO. 61500
DRAFT

WHEREAS, TIERRASANTA CHRISTIAN CHURCH AND SHAPPEL INDUSTRIES, INC., Applicant/Subdivider, and PROJECT DESIGN CONSULTANTS, Engineer, submitted an application with the City of San Diego for a Tentative Map, No.182476, for the proposed subdivision of a 6.86 acre sites into 60 residential condominiums lots and to waive the requirement to underground existing overhead utilities. The project site is located in the RS-1-14 zone at the south east end of Tierrasanta Boulevard adjacent to Admiral Baker Golf Course, north of Mission Gorge Road within the Tierrasanta Community Plan area at 11445 Tierrasanta Boulevard. The site is legally described as Lot 301 of Eldorado Hills Unit. 13 in the City of San Diego, County of San Diego State of California according to Map Thereof No. 9151. ; and

WHEREAS, This subdivision is a condominium project as defined in Section 1350 et. seq. of the Civil Code of the State of California and is filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is 60; and

WHEREAS, the map proposes the subdivision of a 6.86 -acre site into 2 lot(s) for 60 residential condominiums and open space development lot 1 is for residential development and lot A is open space.

WHEREAS, the applicant/subdivider shall comply with the Mitigated Negative Declaration; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to the Subdivision Map Act and Section 144.0220 of the Municipal Code of the City of San Diego; and

WHEREAS, the project consists of 60 residential condominiums under construction which have not been issued Certificates of Occupancy; and

WHEREAS, on May 25, 2006, the City Council of the City of San Diego considered Tentative Map No. 182476, including the waiver of the requirement to underground existing overhead utilities, and pursuant to Sections 125.0440 (tentative map) and 144.0240 (underground) of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 334358 with an Open Space Easement Abandonment No. 184493:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (Land Development Code Section 125.0440.a and State Map Action Sections 66473.5, 66474(a), and 66474(b)).
2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 125.0440.b).
3. The site is physically suitable for the type and density of development (Land Development Code Section 125.0440(c) and State Map Act Sections 66474(c) and 66474(d)).
4. 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 or their habitat (Land Development Code Section 125.0440.d and State Map Act Section 66474(e)).
5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (Land Development Code Section 125.0440.e and State Map Act Section 66474(f)).
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 (Land Development Code Section 125.0440.f and State Map Act Section 66474(g)).
7. The property contains an open space easement which must be vacated to implement the final map in accordance with San Diego Municipal Code section 125.0430.
8. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Land Development Code Section 125.0440.g and State Map Act Section 66473.1).
9. 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 (Land Development Code Section 125.0440.h and State Map Act Section 66412.3).

10. The requested underground waiver of the existing overhead facilities, qualifies under the guidelines of Council Policy No. 600-25 *Underground Conversion of Utility Lines at Developers Expense* in that:
- a.) The conversion would involve either a substantial investment in temporary facilities (cable poles, temporary recircuiting, etc.) or a significant amount of work considered off-site to the development which is financing the conversion.
 - b.) The conversion would involve an inordinate cost to the development. Such determination has been made on the basis of cost estimates supplied and confirmed by the utility companies or a utility consultant and was considered with regard to the type of development, the aesthetic benefits, and relative costs if the facilities were to remain overhead.
11. 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 City Council, Vesting Tentative Map No. 334358, including the waiver of the requirement to underground existing overhead utilities, is hereby granted to TIERRASANTA CHRISTIAN CHURCH AND SHAPPEL INDUSTRIES, INC, Applicant/Subdivider, subject to the following conditions:

GENERAL

1. This Tentative Map will expire XXXX, 2009.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. A Final Map shall be recorded in the Office of the County Recorder, prior to the Tentative Map expiration date.
4. Pursuant to California Government Code section 66434(g), a portion of the open space easement granted on Map No. 9151, located within the project boundaries as shown in Tentative Map No. 82746, shall be vacated, contingent upon the recordation of the approved final map for the project.
5. The Final Map shall conform to the provisions of Rezone No. 184492, Vesting Tentative Map No. 334358 with an Open Space Easement Abandonment No.184493 and a waiver to underground existing overhead utilities, Site Development Permit No. 330475, Conditional Use Permit No.'s 287678, 287680,

287681, 287682 and a Multi-Habitat Planning Area Boundary Adjustment and Certification of Mitigated Negative Declaration No. 61500

AFFORDABLE HOUSING

6. Prior to the issuance of any building permits, the developer shall comply with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code.

ENGINEERING

7. The Final Map shall comply with the provisions of Site Development Permit No. 330475 and Conditional Use Permit No.'s 287678, 287680, 287681, 287682.
8. Pursuant to City Council Policy 600-20, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.
9. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRC.
10. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99 08 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99 08 DWQ.
11. Tierrasanta Boulevard adjacent to this development southerly of the existing terminus at Colina Dorado Drive with a design speed of 55 miles per hour is classified as a 4 lane major street in the Tierrasanta community plan with a 98 feet right-of-way. This project is required construct 39 feet of pavement from curb to centerline with curb, gutter and 5 foot sidewalk within a 10 foot curb to property line distance, and construct a cul-de-sac at the south end of the property line along Tierrasanta Boulevard within the project frontage, and for the connection of these improvements to the existing full-width of Tierrasanta Boulevard north of the site.

Tierrasanta Boulevard is identified in the community plan as a circulation element. There are three (3) different options the subdivider may exercise. These options include: a.) a bonded deferred improvement agreement for construction of the improvements; b.) a lien agreement to be recorded against the property instead of a bonded agreement; and, c.) a cash deposit to the City. Whichever option is exercised, the subdivider is only responsible for the construction of 39 feet of right-of-way improvement.

a.) The subdivider may enter into a bonded deferred improvement agreement for construction of this improvement. If the community plan is amended and the road is deleted from the circulation element, the agreement will terminate and applicant will no longer be required to do this improvement.

b.) The subdivider may enter into a lien agreement to be recorded against the property instead of a bonded agreement. The lien agreement shall clearly define the scope of work and the fact that the improvement shall be provided upon a written request by the City Engineer.

c.) The subdivider shall pay a cash amount to the City for this obligation. If this option is exercised, the subdivider is only responsible for its fair share of contribution which means if and once the project is fully funded, the subdivider may receive cash back. If the community plan is amended and the road is deleted from the community plan the city shall return the cash deposit of the estimated improvements to the subdivider.

12. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
13. Prior to recordation of the Final Map, all existing on-site utilities serving the subdivision shall be undergrounded with appropriate permits. The applicant 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.
14. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the tentative map 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. 769830.

MAPPING

15. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
16. "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."
17. Every Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. 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.
18. The design of the subdivision shall include private easements, if any, serving parcels of land outside the subdivision boundary or such easements must be removed from the title of the subdivided lands prior to filing any parcel or final map encumbered by these easements.

LANDSCAPING

19. Prior to the recordation of the Final Map, the subdivider shall submit complete landscape construction documents including plans, details, and specifications (including a permanent automatic irrigation system unless otherwise approved), for the required Right-of-way improvements, slope revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards and to the satisfaction of the City manager.

20. The landscape construction documents shall be in substantial conformance with Exhibit "A", Landscape Development Plan on file in the Office of the Development Services Department. The applicant shall assure by permit and bond the installation of landscaping per landscape construction documents.
21. Prior to issuance of any engineering permits for grading, the Permittee or subsequent Owner shall enter into a Landscape Establishment and Maintenance Agreement (LEMA) to assure long-term establishment and maintenance of all common area slope revegetation. The LEMA shall be approved by the Landscape Section of Development Services and the City Manager. Agreement shall commence prior to release of the performance bond with developer or subsequent owner posting a new bond to cover the terms of the agreement.
22. Prior to recordation of the Final Map, the Permittee or subsequent Owner shall identify on a separate sheet titled 'Non-title Sheet' the brush management areas in substantial conformance with Exhibit 'A.' These brush management areas shall be identified with a hatch symbol with no specific dimensions or zones called out. The following note shall be provided on the 'Non-title sheet' to identify the hatched areas: "Indicates fire hazard zone(s) per Section 142.0412 of the Land Development Code."

SEWER AND WATER

23. The Subdivider shall design and construct a minimum 12-inch diameter public water main, within the Tierrasanta Boulevard right-of-way to provide redundancy as needed in a manner satisfactory to the Water Department Director and the City Engineer. No more than two fire hydrants shall be on a dead end water system. Proposed facilities, as shown on the approved tentative map, shall be modified at final engineering to comply with standards.
24. The Subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. If more than two (2) fire hydrants or thirty (30) dwelling units are located on a dead end main then the Subdivider shall install a redundant water system satisfactory to the Water Department Director.
25. The Subdivider shall grant adequate water easements, including vehicular access to each appurtenance (meters, blow offs, valves, fire hydrants, etc.), for all public water facilities that are not located within fully improved public rights of way, satisfactory to the Water Department Director. Easements shall be located within single lots.
26. The Subdivider agrees to design and construct all proposed public water facilities, including services, meters, and easements, in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards, and practices pertaining thereto.

Proposed facilities that do not meet the current standards for construction, operation, maintenance and access, shall be private or modified at final engineering to comply with standards.

27. The Subdivider shall provide a letter to the City Engineer assuring the preparation of CC&Rs for the operation and maintenance of any on site private water facilities that serve or traverse more than one lot or dwelling unit.
28. Prior to recordation of the Final Map, the applicant shall conform to Municipal Code provisions for "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the public right-of-way, satisfactory to the City Engineer.

INFORMATION:

- The approval of this Vesting Tentative Map by the City Council 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 USC Section 1531 et seq.).
- If the subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then 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.
- This development may be subject to payment of a park fee prior to the filing of the Final Map in accordance with San Diego Municipal Code.
- This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by Education Code Section 17620, in accordance with procedures established by the Director of Building Inspection.
- This development may be subject to the payment of a park fee in accordance with the San Diego Municipal Code, which specifies park fees applicable in the Tierrasanta Community Plan area.
- This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.

- Subsequent applications related to this Vesting Tentative Map 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 Vesting Tentative Map, may protest the imposition within 90 days of the approval of this Vesting Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, ON xxxx_____.

By

Helene Deisher
Development Project Manager
Development Services Department

Job Order No. 42-3960

RECORDING REQUESTED BY
 CITY OF SAN DIEGO
 DEVELOPMENT SERVICES
 PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
 CITY CLERK
 MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-3960

Site Development Permit 330475
TIERRASANTA TOWNHOMES [MMRP]
 CITY COUNCIL

This Site Development Permit No. 330475 is granted by the City Council of the City of San Diego to TIERRASANTA CHRISTIAN CHURCH AND SHAPPEL INDUSTRIES, INC, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0502. The 6.86 site is located at 11445 Tierrasanta Boulevard in the RS-1-7 (proposed RM-1-1 zone) of the Tierrasanta Community Plan. The project site is legally described as a portion of Lot 301 of El Dorado Hills, Unit 13, Map No. 9151.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner Tierrasanta Christian Church and Shappel Industries, Inc., Owner/Permittee to construct 60 residential condominium units on a 6.86 acre site at 11445 Tierrasanta Boulevard. The existing one-story church building, YMCA daycare building, and associated surface parking would be demolished, described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated approval date, on file in the Development Services Department. This Site Development Permit rescinds Conditional Use Permit No. 17951.

The project shall include:

- a. Demolition of an existing church building, YMCA daycare building, and associated surface parking;
- b. Construction of 60 unit residential condominium development totaling approximately 88,796 square feet of gross floor area within nine buildings with attached two car garages for each unit and deviations to the development regulations;
- c. Landscaping (planting, irrigation and landscape related improvements);

- d. A roof mounted photovoltaic system sufficient to generate at least 50 percent of the projects projected energy consumption.
- e. 155 off-street parking spaces and facilities; and
- f. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the ESA and by the California Department of Fish and Game [CDFG] pursuant to Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Permittee by the City: (1) to grant Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Permittee of mitigation obligations required by this Permit, as described in accordance with Section 17.1D of the IA.

8. The Owner/Permittee shall secure all necessary building permits. The owner/permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

9. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A," on file in the Development Services Department. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

11. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project.
12. As conditions of Site Development Permit No.330475 and Vesting Tentative Map No. 334358 with an Open Space Easement Abandonment No. 184493, the mitigation measures specified in the MMRP, and outlined in the Mitigated Negative Declaration No. 61500 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.
13. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in the Mitigated Negative Declaration No. 61500 satisfactory to the City Manager and City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas: Biological Resources and Multi-Habitat Planning Area. MHPA Land Use Adjacency, Historical Resources (Archaeology), and Paleontological Resources.

AFFORDABLE HOUSING REQUIREMENTS:

14. Prior to the issuance of any building permits, the developer shall comply with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).

BRUSH MANAGEMENT PROGRAM REQUIREMENTS:

15. Prior to issuance of any engineering permits for grading, landscape construction documents required for the engineering permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit 'A'.
16. Prior to issuance of any building permits, a complete set of brush management construction documents shall be submitted for approval to the City Manager and the Fire Marshall. The construction documents shall be in substantial Conformance with Exhibit 'A' and shall comply with the Uniform Fire Code, MC 0888.0201, the Landscape Standards, and the Land Development Code Section 142.0412 (Ordinance - 18451).
17. The Brush Management Program shall consist of one and two zones consistent with the Brush Management Regulations of the Land Development code section 142.0412 as follows:
- North, West, and South portions of the property shall consist of a standard Zone One of 35-ft and standard Zone Two of 65-ft. A modified Zone One of 98-ft shall extend south of Bldg 1. East portions of the property shall consist of a modified Zone One ranging from 60-ft at Bldg 2 to 72-ft at Bldg 4 to 55-ft at Bldg 7 to 58-ft at Bldg 8, with a modified Zone Two of 12-ft from Bldgs 2 through 8. In addition, all structures shall be of 1-hr fire-rated construction..

All new construction within 300 feet of the boundary between Brush Management Zone One and Brush Management Zone Two shall comply with building standards and policy per 2001 California Building Code, San Diego Municipal Code Chapter 14, Art. 5, Div. 5 and Chapter 14, Art. 2, Div. 4.

Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) are not permitted, while non-combustible accessory structures may be approved within the designated Zone One area subject to Fire Marshall and the City Manger's approval.

18. The following note shall be provided on the Brush Management Construction Documents: 'It shall be the responsibility of the Owner/Permittee to schedule a pre-construction meeting on site with the contractor and the development Services Department to discuss and outline the implementation of the Brush Management Program.'

19. In Zones One and Two, plant material shall be selected to visually blend with the existing hillside vegetation. No invasive plant material shall be permitted as jointly determined by the Landscape Section and the Environmental Analysis Section.

20. Prior to final inspection and Final Inspection for any building, the approved Brush Management Program shall be implemented.

21. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Landscape Standards.

ENGINEERING REQUIREMENTS:

22. The subdivider shall obtain a grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

23. The drainage system proposed for this subdivision, as shown on the approved tentative map, is private and subject to approval by the City Engineer.

24. This project proposes to export 13,000.00 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per LDC Section 141.0620(i).

25. Prior to the issuance of any construction permit, the subdivider shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.

26. Prior to the issuance of any construction permit, the subdivider shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

27. Prior to the issuance of any construction permit the subdivider shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report.

LANDSCAPE REQUIREMENTS:

28. No change, modification or alteration shall be made to the project unless appropriate application or amendment of this Permit shall have been granted by the City.

29. Prior to issuance of any engineering permits for grading, construction documents for the revegetation and hydroseeding of all disturbed land shall be submitted in accordance with the Landscape Standards and to the satisfaction of the City Manager. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' on file in the Office of the Development Services Department.

30. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the City Manager for approval. Improvement plans shall take into account a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

31. In the event that a foundation only permit is requested by the Permittee or subsequent Owner, a site plan or staking layout plan shall be submitted identifying all landscape areas consistent with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'

32. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Concept Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.

33. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Owner/Permittee or subsequent Owner to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

34. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

35. The Owner/Permittee or subsequent owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.

36. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager within 30 days of damage or Certificate of Occupancy.

MULTI-HABITAT PLANNING AREA

37. The issuance of this permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 (ESA) and any amendments thereto (16 U.S.C. Section 1531 et seq.). In accordance with authorization granted to the City of San Diego from the USFWS pursuant to Sec. 10(a) of the ESA and by the CDFG pursuant to Fish & Game Code sec. 2835 as part of the Multiple Species Conservation Program (MSCP), the City of San Diego through the issuance of this Permit hereby confers upon Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement (IA), executed on July 17, 1997 and on File in the Office of the City Clerk as Document No. 00-18394.

Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS or CDFG, except in the limited circumstances described in Section 9.6 and 9.7 of the IA. For lands identified as mitigation but not yet dedicated, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, as described in accordance with Section 17.1D of the IA.

PLANNING/DESIGN REQUIREMENTS:

38. No fewer than 155 off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A," on file in the Development Services Department. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.

39. Prior to issuance of first building permit, construction documents shall fully illustrate the incorporation of a roof-mounted photovoltaic system consisting of solar panels sufficient to

generate at least 50 percent of the proposed projects energy consumption as established by Council Policy 900-14.

40. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

41. The following deviations have been approved by this permit:

- a.) Height-Where 30 feet is permitted a deviation no greater than 40-feet, 7-inches is permitted. Building height deviations shall be in accordance with the Exhibit "A" on file with Development Services Department.
- b.) Front Yard Setback-Where 15 feet minimum/20-foot standard setback is required a deviation to reduce the setback to no less than 5 feet is permitted. Setback deviations shall be in accordance with the Exhibit "A" on file with Development Services Department.
- c.) Side Yard Setback-Where 5-feet or 10 percent of the width whichever is greater is required a side yard setback of 140 feet is permitted as per the Exhibit "A" on file with Development Services Department.
- d.) Retaining Wall height in front and rear yards and outside of yards The maximum permitted retaining wall height outside of any setback is 12 feet. There are three walls that exceed this height. These walls do not exceed 16.5 feet in height as follows:

- 12-16-feet; 210-feet long; upper 3-feet of wall is transparent tubular steel.
- 12-16-feet; 40-feet long; upper 4.5-feet of wall is transparent tubular steel.
- 12-16.5-feet; 140 feet long; upper 4.5-feet of wall is transparent tubular steel.

The maximum permitted retaining wall height within the required rear yard is 6 feet. There are two retaining walls along the southwestern portion of the lot that exceed the height limit:

- 6-20-feet high; 100 feet long (40-feet of the wall is 18-20-feet high); upper 3 feet is tubular steel.
- 9-16-feet high; 40-feet long upper 4.5-feet of the wall is tubular steel.

- e.) Private Open Space-Where balconies and patios are not allowed a deviation to allow balconies and patios within 9-feet of the front property line and within 5-feet of the rear property line

f.) Refuse and Recycling-Where the code requires each structure to provide one exterior storage area totaling at least 288 square feet for the entire development, storage areas may be located at 6 of the 9 structures and overall the entire development will provide a total of 360 square feet of storage.

42. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this Permit.

43. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Permittee.

44. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

45. Prior to the issuance of any grading and/or building permits the owner/permittee shall place a note in the title block of all plans listing the approved discretionary permit(s) and their associated permit numbers.

46. Prior to recording of the Final Map, the project must comply with the Inclusionary Housing Regulations as determined by the San Diego Housing Commission.

47. The applicant shall post a copy of the approved discretionary permit or Tentative Map in the sales office for consideration by each prospective buyer

48. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

49. The use of textured or enhanced paving shall meet applicable City standards as to location, noise and friction values.

50. The subject property and associated common areas on site shall be maintained in a neat and orderly fashion at all times.

51. All uses, except storage and loading, shall be conducted entirely within an enclosed building. Outdoor storage of merchandise, material and equipment is permitted in any required interior side or rear yard, provided the storage area is completely enclosed by walls, fences, or a combination thereof. Walls or fences shall be solid and not less than six feet in height and, provided further, that no merchandise, material or equipment stored not higher than any adjacent wall.

52. No mechanical equipment, tank, duct, elevator enclosure, cooling tower, mechanical ventilator, or air conditioner shall be erected, constructed, converted, established, altered, or enlarged on the roof of any building, unless all such equipment and appurtenances are contained within a completely enclosed, architecturally integrated structure whose top and sides may include grillwork, louvers, and latticework.

53. Prior to the issuance of building permits, construction documents shall fully illustrate compliance with the Citywide Storage Standards for Trash and Recyclable Materials (SDMC) to the satisfaction of the City Manager. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupants of and service providers to the project, in substantial conformance with the conceptual site plan marked Exhibit "A," on file in the Development Services Department.

TRANSPORTATION:

54. Prior to the issuance of any building permit, the owner/permittee shall construct along the project's frontage 39 feet of pavement from curb to centerline, curb, gutter, and 5-foot sidewalk, within 49' of right-of-way, satisfactory to the City Engineer. However, the owner/permittee may request a Deferred Improvement Agreement for the construction of the Tierrasanta Boulevard along the project's frontage.

55. Prior to the issuance of any building permit, the owner/permittee shall construct a cul-de-sac at the end of the required extension of Tierrasanta Boulevard with a minimum pavement radius of 50' within 60' of right-of-way, satisfactory to the City Engineer. The owner/permittee may request a Deferred Improvement Agreement for the construction of the cul-de-sac at the end of Tierrasanta Boulevard extension along the project's frontage.

56. Prior to the issuance of any building permit, the owner/permittee shall reconstruct the existing cul-de-sac with a minimum pavement radius of 50-feet within 60-feet of right-of-way, satisfactory to the City Engineer. This condition would apply regardless if the owner/permittee decided to request a Deferred Improvement Agreement for the required extension of Tierrasanta Boulevard the construction of the cul-de-sac as described above.

57. The owner/permittee shall construct a maximum of 25-foot wide driveway for the project's main entrance, satisfactory to the City Engineer.

58. This project shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.

WASTEWATER REQUIREMENTS:

59. All onsite sewer facilities serving this development will be private.
60. Prior to the issuance of any engineering or building permits, the developer shall provide, satisfactory to the Metropolitan Wastewater Department Director, CC&R's for the operation and maintenance of on site private sewer mains that serve more than one ownership.
61. The developer shall design and construct any proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.
62. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.

WATER REQUIREMENTS:

63. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of a 12-inch diameter water main within the Tierrasanta Boulevard from Colina Dorada to the project's westerly driveway entrance in order to provide a redundant source of water supply, in a manner satisfactory to the Water Department Director and the City Engineer.
64. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) outside of any driveway, and the removal of all existing unused services within the Tierrasanta Boulevard right-of-way adjacent to the project site, in a manner satisfactory to the Water Department Director and the City Engineer.
65. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s) on each water service (domestic, fire, and irrigation), in a manner satisfactory to the Water Department Director, the City Engineer, and the Cross Connection Supervisor in the Customer Support Division of the Water Department.
66. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s) on each water service (domestic, fire, and irrigation), in a manner satisfactory to the Water Department Director, the City Engineer, and the Cross Connection Supervisor in the Customer Support Division of the Water Department.
67. All on-site water facilities shall be private including domestic, fire and irrigation systems.
68. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Water facilities as shown on the approved Exhibit shall be modified at final engineering to comply with standards.

INFORMATION ONLY:

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.

APPROVED by the City Council of the City of San Diego on _____ Resolution No. _____.

AUTHENTICATED BY THE CITY MANAGER

By _____

The undersigned Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Permittee hereunder.

By _____
TIERRASANTA CHRISTIAN CHURCH Owner/Permittee

By _____
SHAPPEL INDUSTRIES, INC Owner/Permittee

NOTE: Notary acknowledgments must be attached per Civil Code section 1180 et seq.

RECORDING REQUESTED BY
 CITY OF SAN DIEGO
 DEVELOPMENT SERVICES
 PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
 CITY CLERK
 MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-3960

Conditional Use Permit No. 287678
CINGULAR - TIERRASANTA TOWNHOMES
CITY COUNCIL
PTS No. 89848

This CUP No. 287678, is granted by the City Council of the City of San Diego to TIERRASANTA CHRISTIAN CHURCHES AND SHAPPEL INDUSTRIES, INC, Owner, and CINGULAR WIRELESS PCS, LLC, Permittee, pursuant to San Diego Municipal Code [SDMC] Section 141.0405 and Chapter 13, Article 1, Division 4 and Chapter 14, Division 4, Article 3 . The 6.86 site is located at 11445 Tierrasanta Boulevard in the RS-1-7(proposed RM-1-1 zone) of the Tierrasanta Community Plan. The project site is legally described as a portion of Lot 301 of El Dorado Hills, Unit 13, Map No. 9151 filed in the Office of the County Recorder of San Diego County, March 16, 1979.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner Tierrasanta Christian Churches and Shappel Industries, INC., Permittee and Cingular Wireless PCS, LLC, Permittee, to remove the existing wireless facility approved under 99-0857-05 and construct a new wireless communication facility, described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated XXXXX, on file in the Development Services Department.

The project or facility shall include:

- a. A new wireless communication facility consisting of 6 panel antennas fully enclosed within a fourth story architectural screen (overall height of 40' 7") located on Building 9 of the Tierrasanta Townhomes project. An additional 16 antennas for three other wireless providers will also be located within the addition under separate permits. An equipment yard will be located behind and below Building 9 and Cingular Wireless PCS, LLC will occupy one of the four 200 square foot enclosures.

- b. A temporary power pole supporting 6 panel antennas and an associated ground mounted equipment cabinet will be permitted during the demolition and construction phases of the condominium complex project. The temporary facility must be completely removed prior to final inspection of Building 9.
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. This permit is valid only with the initial utilization of SDP No. 330475 and is subject to all of the conditions contained within that permit.
6. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

7. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

8. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

9. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A," on file in the Development Services Department. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. Prior to issuance of any building permits for this project, all conditions of SDP No. 330475 related to entitlements and preconstruction requirements must be satisfied.

12. This Conditional Use Permit (CUP) and corresponding use of this site shall expire on XXXX, 2016. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit.

13. Prior to the expiration date of this CUP, the Owner/Permittee may submit a new CUP application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time.

14. This Permit will be developed in phases. The first phase includes removal of the existing wireless support facility and the installation of a temporary power pole to act as a support

structure while the residential project is under construction. The temporary power pole may remain as an interim facility for a period not to exceed one year from the date of commencement of construction. The applicant shall notify the city if there is any change to this schedule.

LANDSCAPE REQUIREMENTS:

15. Prior to the issuance of a construction permit, landscape construction documents shall be submitted in accordance with the Landscape Standards and to the satisfaction of the City Manager. All plans shall be in substantial conformance to this permit and Exhibit 'A' on file in the Offices of Development Services.

16. Landscape installed as part of this project shall be maintained and irrigated for the life of the permit. All required landscape shall be maintained in a disease, weed and litter free condition at all times.

17. If any required landscape (including existing or new planting, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager within 30 days of damage.

PLANNING/DESIGN REQUIREMENTS:

18. Prior to the issuance of a construction permit, the telecommunication provider shall provide certification describing evidence that the cumulative field measurements of radio frequency power densities for all antennas to be installed on the premises are below the federal standards.

19. All equipment, including transformers, emergency generators and air conditioners shall be designed and operated consistent with the City noise ordinance. Ventilation openings shall be baffled and directed away from residential areas. Vibration resonance of operating equipment in the equipment enclosures shall be eliminated.

20. Prior to obtaining a Construction Permit the following items must be illustrated on the construction drawings; coax cable tray, meters, telco, A/C units, generator receptacles, cable runs, bridges, dog houses and external ports. These appurtenances must be minimized visually so as to avoid the effect of changing the outward appearance of the project from what was approved on the exhibits.

21. The applicant of record is responsible for notifying the city prior to the sale or takeover of this site to any other provider.

22. The building materials and paint used for the cupola shall not result in any noticeable lines or edges in the transition from the main building.

23. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections).

24. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Permittee.
25. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.
26. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.
27. All components of the wireless facility shall be maintained for the life of this permit.
28. All future residents of the condominium complex shall be notified of the wireless facility and shall be furnished with a copy of this permit.
29. Any lighting of the equipment area shall be shaded and adjusted to fall on the equipment shelter where the light is located and in accordance with the applicable regulations in the SDMC.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.
- This development may be subject to impact fees at the time of building/engineering permit issuance

APPROVED by the City Council of the City of San Diego on XXXXX by Resolution No. XXXXX.

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-3960

Conditional Use Permit No. 287680
SPRINT NEXTEL - TIERRASANTA TOWNHOMES
CITY COUNCIL
PTS No. 89848

This CUP No. 287680, is granted by the City Council of the City of San Diego to TIERRASANTA CHRISTIAN CHURCHES AND SHAPPEL INDUSTRIES, INC, Owner, and SPRINT NEXTEL, Permittee, pursuant to San Diego Municipal Code [SDMC] Section 141.0405 and Chapter 13, Article 1, Division 4 and Chapter 14, Division 4, Article 3 . The 6.86 site is located at 11445 Tierrasanta Boulevard in the RS-1-7(proposed RM-1-1 zone) of the Tierrasanta Community Plan. The project site is legally described as a portion of Lot 301 of El Dorado Hills, Unit 13, Map No. 9151 filed in the Office of the County Recorder of San Diego County, March 16, 1979.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner Tierrasanta Christian Churches and Shappel Industries, INC., Permittee and Sprint Nextel, Permittee, to remove the existing wireless facility approved under 94-0330-046 and construct a new wireless communication facility, described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated XXXXX, on file in the Development Services Department.

The project or facility shall include:

- a. A new wireless communication facility consisting of 4 panel antennas fully enclosed within a fourth story architectural screen (overall height of 40' 7") located on Building 9 of the Tierrasanta Townhomes project. An additional 18 antennas for three other wireless providers will also be located within the addition under separate permits. An equipment yard will be located behind and below Building 9 and Sprint Nextel will occupy one of the four 200 square foot enclosures.

- b. A temporary power pole supporting 4 panel antennas and an associated ground mounted equipment cabinet will be permitted during the demolition and construction phases of the condominium complex project. The temporary facility must be completely removed prior to final inspection of Building 9.
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. This permit is valid only with the initial utilization of SDP No. 330475 and is subject to all of the conditions contained within that permit.
6. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

7. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

8. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

9. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A," on file in the Development Services Department. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. Prior to issuance of any building permits for this project, all conditions of /SDP No. 330475 related to entitlements and preconstruction requirements must be satisfied.

12. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on XXXXX, 2016. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit.

13. Prior to the expiration date of this CUP, the Owner/Permittee may submit a new CUP application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time.

14. This Permit will be developed in phases. The first phase includes removal of the existing wireless support facility and the installation of a temporary power pole to act as a support

structure while the residential project is under construction. The temporary power pole may remain as an interim facility for a period not to exceed one year from the date of commencement of construction. The applicant shall notify the city if there is any change to this schedule.

LANDSCAPE REQUIREMENTS:

15. Prior to the issuance of a construction permit, landscape construction documents shall be submitted in accordance with the Landscape Standards and to the satisfaction of the City Manager. All plans shall be in substantial conformance to this permit and Exhibit 'A' on file in the Offices of Development Services.
16. Landscape installed as part of this project shall be maintained and irrigated for the life of the permit. All required landscape shall be maintained in a disease, weed and litter free condition at all times.
17. If any required landscape (including existing or new planting, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager within 30 days of damage.

PLANNING/DESIGN REQUIREMENTS:

18. Prior to the issuance of a construction permit, the telecommunication provider shall provide certification describing evidence that the cumulative field measurements of radio frequency power densities for all antennas to be installed on the premises are below the federal standards.
19. All equipment, including transformers, emergency generators and air conditioners shall be designed and operated consistent with the City noise ordinance. Ventilation openings shall be baffled and directed away from residential areas. Vibration resonance of operating equipment in the equipment enclosures shall be eliminated.
20. Prior to obtaining a Construction Permit the following items must be illustrated on the construction drawings; coax cable tray, meters, telco, A/C units, generator receptacles, cable runs, bridges, dog houses and external ports. These appurtenances must be minimized visually so as to avoid the effect of changing the outward appearance of the project from what was approved on the exhibits.
21. The applicant of record is responsible for notifying the city prior to the sale or takeover of this site to any other provider.
22. The building materials and paint used for the cupola shall not result in any noticeable lines or edges in the transition from the main building.
23. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections).

24. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Permittee.

25. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

26. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

27. All components of the wireless facility shall be maintained for the life of this permit.

28. All future residents of the condominium complex shall be notified of the wireless facility and shall be furnished with a copy of this permit.

29. Any lighting of the equipment area shall be shaded and adjusted to fall on the equipment shelter where the lights is located and in accordance with the applicable regulations in the SDMC.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.
- This development may be subject to impact fees at the time of building/engineering permit issuance

APPROVED by the City Council of the City of San Diego on XXXXX by Resolution No. XXXXX.

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-3960

Conditional Use Permit No. 287681
T-MOBILE - TIERRASANTA TOWNHOMES
CITY COUNCIL
PTS No. 89848

This CUP No. 287681, is granted by the City Council of the City of San Diego to TIERRASANTA CHRISTIAN CHURCHES AND SHAPPEL INDUSTRIES, INC, Owner, and OMNIPOINT COMMUNICATIONS DBA T-MOBILE USA, INC., Permittee, pursuant to San Diego Municipal Code [SDMC] Section 141.0405 and Chapter 13, Article 1, Division 4 and Chapter 14, Division 4, Article 3 . The 6.86 site is located at 11445 Tierrasanta Boulevard in the RS-1-7 (proposed RM-1-1 zone) of the Tierrasanta Community Plan. The project site is legally described as a portion of Lot 301 of El Dorado Hills, Unit 13, Map No. 9151 filed in the Office of the County Recorder of San Diego County, March 16, 1979.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner Tierrasanta Christian Churches and Shappel Industries, INC., Permittee and Omnipoint Communications, dba T-Mobile USA, Inc., Permittee, to remove the existing wireless facility approved under 95-0350-106 and construct a new wireless communication facility, described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated XXXXX, on file in the Development Services Department.

The project or facility shall include:

- a. A new wireless communication facility consisting of 6 panel antennas fully enclosed behind a fourth story architectural screen (overall height of 40' 7") located on Building 9 of the Tierrasanta Townhomes project. An additional 16 antennas for three other wireless providers will also be located within the addition under separate permits. An equipment yard will be located behind and below Building 9 and Omnipoint Communications, dba T-Mobile USA, Inc. will occupy one of the four 200 square foot enclosures.

- b. A temporary power pole supporting 6 panel antennas and an associated ground mounted equipment cabinet will be permitted during the demolition and construction phases of the condominium complex project. The temporary facility must be completely removed prior to final inspection of Building 9.
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. This permit is valid only with the initial utilization of SDP No. 330475 and is subject to all of the conditions contained within that permit.
6. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

7. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

8. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

9. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A," on file in the Development Services Department. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. Prior to issuance of any building permits for this project, all conditions of SDP No. 330475 related to entitlements and preconstruction requirements must be satisfied.

12. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on XXXXX, 2016. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit.

13. Prior to the expiration date of this CUP, the Owner/Permittee may submit a new CUP application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time.

14. This Permit will be developed in phases. The first phase includes removal of the existing wireless support facility and the installation of a temporary power pole to act as a support

structure while the residential project is under construction. The temporary power pole may remain as an interim facility for a period not to exceed one year from the date of commencement of construction. The applicant shall notify the city if there is any change to this schedule.

LANDSCAPE REQUIREMENTS:

15. Prior to the issuance of a construction permit, landscape construction documents shall be submitted in accordance with the Landscape Standards and to the satisfaction of the City Manager. All plans shall be in substantial conformance to this permit and Exhibit 'A' on file in the Offices of Development Services.

16. Landscape installed as part of this project shall be maintained and irrigated for the life of the permit. All required landscape shall be maintained in a disease, weed and litter free condition at all times.

17. If any required landscape (including existing or new planting, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager within 30 days of damage.

PLANNING/DESIGN REQUIREMENTS:

18. Prior to the issuance of a construction permit, the telecommunication provider shall provide certification describing evidence that the cumulative field measurements of radio frequency power densities for all antennas to be installed on the premises are below the federal standards.

19. All equipment, including transformers, emergency generators and air conditioners shall be designed and operated consistent with the City noise ordinance. Ventilation openings shall be baffled and directed away from residential areas. Vibration resonance of operating equipment in the equipment enclosures shall be eliminated.

20. Prior to obtaining a Construction Permit the following items must be illustrated on the construction drawings; coax cable tray, meters, telco, A/C units, generator receptacles, cable runs, bridges, dog houses and external ports. These appurtenances must be minimized visually so as to avoid the effect of changing the outward appearance of the project from what was approved on the exhibits.

21. The applicant of record is responsible for notifying the city prior to the sale or takeover of this site to any other provider.

22. The building materials and paint used for the cupola shall not result in any noticeable lines or edges in the transition from the main building.

23. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections).

24. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Permittee.
25. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.
26. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.
27. All components of the wireless facility shall be maintained for the life of this permit.
28. All future residents of the condominium complex shall be notified of the wireless facility and shall be furnished with a copy of this permit.
29. Any lighting of the equipment area shall be shaded and adjusted to fall on the equipment shelter where the lights is located and in accordance with the applicable regulations in the SDMC.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.
- This development may be subject to impact fees at the time of building/engineering permit issuance

APPROVED by the City Council of the City of San Diego on XXXXX by Resolution No. XXXXX.

RECORDING REQUESTED BY
 CITY OF SAN DIEGO
 DEVELOPMENT SERVICES
 PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-3960

Conditional Use Permit No. 287682
VERIZON - TIERRASANTA TOWNHOMES
CITY COUNCIL
PTS No. 89848

This CUP No. 287682, is granted by the City Council of the City of San Diego to TIERRASANTA CHRISTIAN CHURCHES AND SHAPPEL INDUSTRIES, INC, Owner, and VERIZON WIRELESS, Permittee, pursuant to San Diego Municipal Code [SDMC] Section 141.0405 and Chapter 13, Article 1, Division 4 and Chapter 14, Division 4, Article 3 . The 6.86 site is located at 11445 Tierrasanta Boulevard in the RS-1-7 (proposed RM-1-1 zone) of the Tierrasanta Community Plan. The project site is legally described as a portion of Lot 301 of El Dorado Hills, Unit 13, Map No. 9151 filed in the Office of the County Recorder of San Diego County, March 16, 1979.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner Tierrasanta Christian Churches and Shappel Industries, INC., Permittee and Verizon Wireless, Permittee, to remove the existing wireless facility approved under 99-0960-04 and construct a new wireless communication facility, described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated XXXXX, on file in the Development Services Department.

The project or facility shall include:

- a. A new wireless communication facility consisting of 6 panel antennas fully enclosed within a fourth story architectural screen (overall height of 40' 7") located on Building 9 of the Tierrasanta Townhomes project. An additional 16 antennas for three other wireless providers will also be located within the addition under separate permits. An equipment yard will be located behind and below Building 9 and Verizon Wireless will occupy one of the four 200 square foot enclosures.

- b. A temporary power pole supporting 6 panel antennas and an associated ground mounted equipment cabinet will be permitted during the demolition and construction phases of the condominium complex project. The temporary facility must be completely removed prior to final inspection of Building 9.
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. This permit is valid only with the initial utilization of SDP No. 330475 and is subject to all of the conditions contained within that permit.
6. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

7. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

8. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

9. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A," on file in the Development Services Department. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. Prior to issuance of any building permits for this project, all conditions of SDP No. 330475 related to entitlements and preconstruction requirements must be satisfied.

12. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on XXXXX, 2016. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit.

13. Prior to the expiration date of this CUP, the Owner/Permittee may submit a new CUP application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time.

14. This Permit will be developed in phases. The first phase includes removal of the existing wireless support facility and the installation of a temporary power pole to act as a support

structure while the residential project is under construction. The temporary power pole may remain as an interim facility for a period not to exceed one year from the date of commencement of construction. The applicant shall notify the city if there is any change to this schedule.

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17. If any required landscape (including existing or new planting, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager within 30 days of damage.

PLANNING/DESIGN REQUIREMENTS:

18. Prior to the issuance of a construction permit, the telecommunication provider shall provide certification describing evidence that the cumulative field measurements of radio frequency power densities for all antennas to be installed on the premises are below the federal standards.
19. All equipment, including transformers, emergency generators and air conditioners shall be designed and operated consistent with the City noise ordinance. Ventilation openings shall be baffled and directed away from residential areas. Vibration resonance of operating equipment in the equipment enclosures shall be eliminated.
20. Prior to obtaining a Construction Permit the following items must be illustrated on the construction drawings; coax cable tray, meters, telco, A/C units, generator receptacles, cable runs, bridges, dog houses and external ports. These appurtenances must be minimized visually so as to avoid the effect of changing the outward appearance of the project from what was approved on the exhibits.
21. The applicant of record is responsible for notifying the city prior to the sale or takeover of this site to any other provider.
22. The building materials and paint used for the cupola shall not result in any noticeable lines or edges in the transition from the main building.
23. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections).

24. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Permittee.
25. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.
26. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.
27. All components of the wireless facility shall be maintained for the life of this permit.
28. All future residents of the condominium complex shall be notified of the wireless facility and shall be furnished with a copy of this permit.
29. Any lighting of the equipment area shall be shaded and adjusted to fall on the equipment shelter where the lights is located and in accordance with the applicable regulations in the SDMC.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.
- This development may be subject to impact fees at the time of building/engineering permit issuance

APPROVED by the City Council of the City of San Diego on XXXXX by Resolution No. XXXXX.

Resolution for ~~Approving/Denying~~ Permits

(R-XXXX)

RESOLUTION NUMBER R-XXXX

ADOPTED ON (DATE)

WHEREAS, Tierrasanta Christian Church and Shappel Industries, Inc., Owner/Permittee, filed an application with the City of San Diego for a Site Development Permit No. 330475, Conditional Use Permit No.'s 287678, 287680, 287681, 287682 and a Multi-Habitat Planning Area Boundary Adjustment to construct 60 residential condominium units and relocate 4 existing wireless telecommunication facilities. The existing church building, YMCA daycare building, and associated surface parking would be demolished. The project known as Tierrasanta Townhomes, located at 11445 Tierrasanta Boulevard, and legally described as a portion of Lot 301 of El Dorado Hills, Unit 13, Map No. 9151, within the Tierrasanta Community Plan area, in the RS-1-7 which is proposed to be rezoned to the RM-1-1 zone; and

WHEREAS, on May 25, 2006, the Planning Commission of the City of San Diego considered Site Development Permit No. 330475, Conditional Use Permit No.'s 287678, 287680, 287681, 287682 and a Multi-Habitat Planning Area Boundary Adjustment, and pursuant to Resolution No. XXXX-PC voted to recommend City Council approval of the permit" OR "approved/denied the permit"; and

WHEREAS, after approval of the above referenced project by the City Council, _____, Owner, will transfer the property to _____ New Owner, thereby making _____ NEW OWNER NAME the new Owner of the Tierrasanta Townhome project; and

WHEREAS, the matter was set for public hearing on XXXX, 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 it adopts the following findings with respect to Site Development Permit No. 330475, Conditional Use Permit No. 287678, 287680, 287681, 287682 and a MHPA Boundary Adjustment:

Site Development Permit findings - Section 126.0504

1. The proposed development will not adversely affect the applicable land use plan.

The project site is located at 11445 Tierrasanta Boulevard, within the Tierrasanta Community Plan area. The proposed development of 60 residential condominium units and related improvements will be consistent with the Tierrasanta Community Plan with the concurrent approval of the rezone associated with the permit. Approximately 2.5 acres of the 6.86-acre site is currently developed with a church building, YMCA daycare, and associated surface parking. The land use designation for this property is Open Space and will not be acquired by the City. The proposed 60 residential condominium unit project will implement the Land Use Plan which states that for open space which will not be acquired by the City should be allowed to be developed at the same residential density as adjacent properties. The proposed development is adjacent to the El Dorado Apartments which is a multifamily residential development, located to the north and west along Tierrasanta Boulevard. The community plan states that that a density between 5 and 10 du/acre is acceptable to the Planned Residential Development for El Dorado. The proposed project is designed to cluster the residential development in order to retain the maximum amount of open space and protect view corridors to the south, as recommended in the community plan. Therefore, the proposed density of 9 du/acre development is consistent with the Land Use Plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The proposed development of 60 residential condominium units and related improvements will provide the necessary sewer and water facilities to serve the residents. Police and Fire currently serve the site. The project site is located in the Eastern Division which is located at 9225 Aero Drive. Average emergency response times (Priority E) in the Eastern Division are 8.52 minutes and Priority One response times are 13.42 minutes. The nearest fire station is Fire Station 38, located at La Cuenta and Tierrasanta Boulevard. The average response times to the project site is 3.3 minutes and are consistent with the City's General Plan Standards. The project will also employ the latest brush management requirements for fire safety. The development will also provide for the health, safety, and welfare of the residents by incorporating mitigation measures as contained in the Mitigation, Monitoring and Reporting Program and through the use of efficient building materials and techniques.

The project will comply with all relevant regulations of the City of San Diego's Municipal Code including deviations requested through the sustainable expedite program, the California Building Code, Title 24 Electrical, Mechanical and Fire Codes addressing the public health, safety and general welfare. The conditions of approval for the project require continued compliance with these regulations during the construction and during the use of the site.

The permit prepared for the project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the San Diego Municipal Code in effect for this project. Such conditions have been determined by the decision-maker as necessary to avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area. As such the proposed development will not be detrimental to the public health, safety, and welfare

3. The proposed development will comply with the applicable regulations of the Land Development Code.

With the exception of the deviations requested with this application, which are appropriate for this location, the proposed development of 60 residential condominium units with related improvements, in all other respects complies with the Land Development Code. All other requirements including density, and parking requirements will comply with the regulations of the Land Development Code, reflecting the desired development patterns of the area and accommodating the need for future growth.

Supplemental Findings--Environmentally Sensitive Lands

1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

Approximately 2.5 acres of the 6.86-acre site is currently developed with a church building, YMCA daycare, and associated surface parking. The proposed development will occupy approximately 2.93 acres with a majority of the proposed development remaining within the previously developed portion of the site. Permanent and temporary impacts on the undeveloped portions of the site would be limited to areas directly adjacent to the western and southern boundaries of the proposed development and along Tierrasanta Boulevard. Prior to April 2005, the MHPA boundary had extended across about half of the existing paved parking lot located onsite. Coordination with the City resulted in the removal of a 0.80-acre area from the MHPA through an MHPA boundary correction. The proposed development would still encroach approximately 0.1-0.2 acres into the MHPA at the northern and northwestern portions of the project. This impact is minimal and will be fully mitigated by the proposed adjustment to the MHPA boundary. In addition, the applicant is proposing to exchange the 0.1 to 0.2-acre degraded area with an area of higher quality coastal sage scrub onsite and directly outside of the MHPA boundary. The project has been designed to comply with the land use adjacency guidelines and the MSCP general management directives. Therefore, the proposed development would be consistent with the City of San Diego's MSCP Subarea Plan and will result in a minimum disturbance to the Environmentally Sensitive Lands.

2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

The proposed project will grade the site in a manner consistent with all relevant City of San Diego regulations and the Tierrasanta Community Plan, and will preserve the structural character of the natural landforms and open space while also allowing for 60 residential units and related improvements. The proposed project will preserve approximately 3.93 acres of the site and grade the remaining 2.93 acres, of which 2.5 acres are already developed, in a manner that results in minimal topographic alteration. The area proposed for grading is the least sensitive topographically and is the most suitable area for development since it has been previously developed and the general topographic character will be retained. All manufactured slopes will be planted with species capable of reducing and eventually preventing soil erosion from wind and rain. All slopes will be constructed in a manner consistent with current geotechnical and engineering standards. Therefore, the proposed development will not present undue risks to persons living or working in the area. The site is not located in an area prone to flooding and risks to persons or property from flooding is not present. A brush management plan will also be implemented to assure a reduction in the risks associated from wild fires to persons or property. In these ways the development will minimize the alteration of natural land forms; will not pose risks from geological and erosional forces and/or flood and fire hazards.

3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

The site is physically suitable for the design and siting of the proposed residential units and open space areas. The proposed development area is consistent with previous limits of disturbance associated with the existing church onsite and proposes only a minor encroachment into the MHPA at the northern and northwestern portions of the project. The project has been designed to comply with the land use adjacency guidelines and the MSCP general management directives.

The proposed project design is compatible with the surrounding land uses and will serve as an extension of the adjacent existing multi-family residential development while preserving the open space on-site and off-site as specified in the Tierrasanta Community Plan. Therefore, the design of the development prevents any adverse impacts to the adjacent Environmentally Sensitive Lands.

4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

The project's consistency with the City of San Diego's Multiple Species Conservation Program is addressed in the Biological Survey Report for the proposed project. The proposed development area is consistent with previous limits of disturbance associated with the existing church onsite and proposes only a minor encroachment into the MHPA area at the northern and northwestern portions of the project. An adjustment to the existing MHPA boundary is proposed to ensure a non-reduction in the biological value of the MHPA through the exchange of an area with higher biological value onsite than the degraded area.

According to the City's MSCP Plan, adjustments to the MHPA boundary may be made without amending the Subarea Plan or the MSCP in cases where the new MHPA boundary preserves an area with equivalent or greater biological value. Final determination regarding the biological value of a proposed boundary change will be made by the City per the MSCP Plan and with concurrence of the wildlife agencies. The net result of the proposed boundary adjustment would be an overall increase of higher quality habitat in the MHPA.

Therefore, the proposed development is consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

The proposed project located at 11445 Tierrasanta Boulevard is located approximately 10 miles inland and therefore would not contribute to the erosion of public beaches nor would it impact the local shoreline sand supply.

6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

An initial study has been conducted for the analysis of the proposed development of 60 residential units located at 11445 Tierrasanta Boulevard and concluded that a Mitigated Negative Declaration is the appropriate CEQA document for the project. Mitigation measures associated with the proposed development have been incorporated into the requirements of the Site Development Permit. Thus all mitigation reasonably related to and calculated to alleviate negative impacts created by the proposed development has been or will be incorporated into the development permit.

Conditional Use Permit Findings per San Diego Municipal Code Section 126.0305

Conditional Use Permit - Section 126.0305

1. The proposed development will not adversely affect the applicable land use plan;

The proposed development of 60 residential units located at 11445 Tierrasanta Boulevard also includes the relocation of a wireless collocation facility consisting of four carriers with a total of 22 antennas. The antennas are being relocated from the existing church facility so that they are completely integrated into the condominium project. Neither the City of San Diego General Plan nor the Tierrasanta Community Plan address wireless communication facilities as a specific land use. Pursuant to the San Diego Land Development Code, wireless communication facilities are permitted in all zones citywide with the appropriate permit process. Wireless communication facilities are separately regulated uses, which have limitations or require compliance with conditions in order to minimize potential impacts. The intent of the regulations is to camouflage facilities from public view. In this case, the existing antennas are being incorporated into the

redevelopment of the property from the existing church use to a multi-unit residential use. The existing exposed antenna facility will be removed and the antennas will be relocated into a cupola on top of Building 9 and will not be visible to future residents of the complex nor the surrounding community. The equipment will be located behind and six feet below Building 9 in an equipment yard. The proposal is part of an existing collocation that includes four providers. Each provider will maintain an equipment shelter in the designated portion of the property below the residential complex. Each shelter will be designed with similar architectural elements as the condominium complex and will be approximately 200 square feet in area. The shelters will be open on the top with lattice covers and will not require air conditioning units. Routine maintenance of the facility will be restricted to normal business hours Monday through Friday, thereby minimizing potential impact on the complex or the surrounding neighborhood. Therefore, the proposed development would not adversely affect the Tierrasanta Community Plan or the City of San Diego General Plan and Progress Guide.

2. The proposed development will not be detrimental to the public health, safety, and welfare;

The Telecommunication Act of 1996 preempts local governments from regulating the “placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission’s (FCC) standards for such emissions.” To insure the proposed project would be consistent with the FCC’s regulations for wireless facilities, a condition has been added to the permit to require each carrier to perform a cumulative model RF test and submit the findings in a report to the City of San Diego prior to the issuance of building permits for the condominium development. Based on this, the project would not result in any significant health or safety risks to the surrounding area.

3. The proposed development will comply to the maximum extent feasible with the regulations of the Land Development Code; and

In an effort to relocate the existing wireless facilities and comply with Section 141.0405 of the Land Development Code in terms of fully integrating the facilities into the development, the cupola addition to Building 9 exceeds the 30 foot maximum height limit of the RM-1-1 zone. The overall height of Building 9 is proposed at 40 feet 7 inches. This increase allows the antennas of four wireless providers to be incorporated into a completely stealthed facility that will appear as an architectural element rather than a wireless facility. This proposal complies with Section 141.0405; however, a Site Development Permit is required since the project does not comply with the height limitation of the RM-1-1 zone. See Site Development Permit findings.

4. The proposed use is appropriate at the proposed location.

Council Policy 600-43 sets forth locational categories that establish a hierarchy from most preferred locations to least preferred locations. Residential uses are the least preferred locations for telecommunication facilities; however this particular collocation project is

part of an effort to redevelop the existing church site into condominiums. The four existing projects do not comply with Section 141.0405 of the Land Development Code, as they were developed individually over the past ten years when the requirements for integration and concealment did not exist. The property owner currently has active leases with each of the carriers and each of the carriers have active permits with the City. Rather than terminate the leases, the applicant chose to integrate the facilities into the condominiums as a completely stealth site. The antennas will not be visibly apparent as they are located behind a fourth story screen wall on Building 9. The equipment shelters are located below Building 9 and will utilize similar building materials and colors as the condominiums. Additionally, they will be screened by Greenscreen and landscape materials. The collocation facility is appropriately located within the context of the proposed project.

Deviations for Sustainable Buildings

1. The proposed development will materially assist in reducing impacts associated with fossil fuel energy use by utilizing alternative energy resources, self-generation and other renewable technologies (e.g. photovoltaic, wind and/or fuel cells) to generate electricity needed by the building and its occupants.

The project meets the requirement for the Sustainable Buildings definition as established by Council Policy 900-14. Each residential unit will be provided a photovoltaic system which will supply more than fifty percent of the project's total energy consumption with a 1590 watt dc solar photovoltaic system. This proposal offers a higher-end housing alternative and state of the art technology for energy savings. This system will aide in reducing the energy costs for each residential unit.

2. The development will not be inconsistent with the purpose or the underlying zone.

The 6.86 acre site is currently zoned for single family residential RS-1-7. The Tierrasanta Community Plan designates the site for open space and is currently developed with a church building, YMCA daycare, and associated surface parking. The Plan recommends that for open space which will not be acquired by the City should be allowed to be developed at the same residential density as adjacent properties. This site is adjacent to the El Dorado Apartments which is a multifamily residential development, located to the north and west along Tierrasanta Boulevard. The community plan states that that a density between 5 and 10 du/acre is acceptable to the Planned Residential Development for El Dorado. The proposed project is designed to cluster the residential development in order to retain the maximum amount of open space and protect view corridors to the south, as recommended in the community plan. Therefore, staff found the proposed density of 9 du/acre acceptable for this development.

The site is currently zoned for single family residence, RS-1-7. The applicant is requesting a rezone to RM-1-1. This rezone would allow development on the site with a density consistent with the adjacent multi-family development as recommended by the community plan and is therefore consistent with the community plan.

The Tierrasanta Condos project proposes the demolition of the existing church and the consolidation of four existing wireless facilities into one architecturally integrated facility with the construction of 60 multi-family (for sale) residential units. The San Diego Municipal Code allows for flexibility in the application of development regulations for projects where strict application of the base zone development regulations would restrict design options and result in a less desirable project, through the processing of a Site Development Permit in conjunction with the Sustainable Buildings Program. The proposed development is in full compliance with the Land Development Code with the exception of the height limit, the front and side yard setbacks, retaining wall regulations, refuse and recyclable storage, and private open space.

Height:

The applicant is requesting to deviate from the required height limit of 30 feet to a maximum height of 40'-7" for Building 9 in order to accommodate the architectural integration of four existing wireless facilities into the overall design of the project. The remaining eight buildings would not exceed 38 feet in height. The increase in height for the remaining buildings will not cause visual impacts.

Front Yard Setback:

The applicant is proposing to deviate from the required 15 foot minimum/20 foot standard front yard setback. A 5-foot minimum front yard setback is proposed along the portion of the lot adjacent to Tierrasanta Boulevard. Buildings 1, 2, 8, and 9 cannot be located any further away from the front property line due to constraints resulting from the existing MHPA boundary and open space easement. In addition, Buildings 1 and 2 cannot be moved any further away because access into the site would be affected. Losing units to address the setback deviation would not implement the Community Plan density for the site. Also, the ability to conform with the City's Brush Management regulations would be impacted the more the buildings are shifted towards the rear property line. The irregular shape of the lot also adds to the inability to conform to the front yard setback requirement.

Side Yard Setback:

The side yard zoning standard is 5 feet or 10 percent of the lot width (approximately 150 feet), whichever is greater. The applicant is proposing to deviate from the required side yard setback along the southeastern property line and is proposing a 140-foot side yard due to the existing MHPA boundary and open space easement.

Retaining Walls:

Retaining walls are required within the front and rear yards that exceed the height limits permitted within those areas. Given the existing topographic constraints of the project site, the necessary retaining walls are as follows:

- The maximum permitted retaining wall height within the required front yard setback is 3 feet. There is a retaining wall at the southeastern corner of the lot that projects into the required front yard setback. The wall within the front yard ranges in height from 3 to 15 feet and is 140 feet long.

- The maximum permitted retaining wall height outside of any setback is 12 feet. There are three walls that exceed this height. These walls do not exceed 16.5 feet in height as follows:

12-16-feet; 210-feet long; upper 3-feet of wall is transparent tubular steel.
 12-16-feet; 40-feet long; upper 4.5-feet of wall is transparent tubular steel.
 12-16.5-feet; 140 feet long; upper 4.5-feet of wall is transparent tubular steel.

- The maximum permitted retaining wall height within the required rear yard is 6 feet. There are two retaining walls along the southwestern portion of the lot that exceed the height limit:

6-20-feet high; 100 feet long (40-feet of the wall is 18-20-feet high); upper 3 feet is tubular steel.
 9-16-feet high; 40-feet long upper 4.5-feet of the wall is tubular steel.

Private Open Space:

Due to the site constraints on the property, the secondary balconies along the northeastern property line (front yard) cannot count towards the private open space because they are not at least 9 feet away from the property line. The required private open space for the project is 3,600 square feet; the project now provides 3,356 square feet (a shortage of 244 square feet). If the balconies were counted, the project would be providing 3,848 square feet of private open space. However, the project does provide over 17,000 square feet of common open space, when only 1,500 square feet is required. In addition, an enhanced landscaped area just off the front of the project would provide over 65,000 square feet of open space.

The buildings were shifted away from the front property line as much as possible, but buildings cannot be located any further away from the front property line due to constraints resulting from the existing MHPA boundary and open space easement. In addition, Buildings 1 and 2 cannot be moved any further away because access into the site would be affected. Losing units to address the setback deviation would not implement the community plan density for the site. Also, the ability to conform with the City's Brush Management regulations would be impacted the more the buildings are shifted towards the rear property line. The irregular shape of the lot also adds to the inability to conform with the stipulation that private open space be located at least 9 feet from the front property line.

Refuse and Recycling Storage:

The project does not meet the City's refuse and recycling materials storage requirements in that each structure is not provided with one exterior storage area with at least 288 square feet for the entire development. However, the storage areas that are provided for the entire project total 360 square feet. Due to site constraints (lot configuration, MHPA boundary, brush management, site access) it is not feasible to provide storage areas for each structure. In addition, providing a storage area per structure would impact the pedestrian orientation of the project. The project does exceed the total requirement for refuse and recycling materials storage and it is located in the proximity of each building.

Each of the requested deviations are appropriate for this location and would result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone. The proposed development has otherwise been designed and conditioned to ensure conformance with the requirements of the City of San Diego Land Development Code. The project would be beneficial to the community by allowing for the provision of 60 multi-family residential units when the City is experiencing a shortage of housing units. Therefore, based on the above, the project would comply with the applicable regulations of the Land Development Code.

3. Any proposed deviations are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

Not allowing the requested deviations would limit the development potential of the property as well as the ability to meet the existing Community Plan designation of 10-15 dwelling units per acre (low-medium density). Under the existing zoning (RS-1-7), only 26 dwelling units could be developed, resulting in a density of 4 dwelling units per acre. The proposed rezone to RM-1-1 allows the site to be developed at the existing designation while utilizing a townhome product and the proposed deviations further ensure that the Community Plan density can be achieved. This project qualified for this program as each residential unit will provide a PV system supplying more than fifty percent of the project's total energy consumption with a 1590 watt dc solar PV system which will showcase state-of-the-art solar products. The project meets the requirement for the Sustainable Buildings definition as established by Council Policy 900-14. The applicant intends to exceed the fifty percent minimum with a goal of one hundred percent of the total energy use for the new residential units. The photovoltaic system would be located on the roofs of the proposed structures.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Site Development Permit No. 330475, Conditional Use Permit No.'s 287678, 287680, 287681, 287682 and a MHPA Boundary Adjustment is granted to TIERRASANTA CHRISTIAN CHURCH AND SHAPPEL INDUSTRIES, INC, Owner/Permittee, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED : MICHAEL AGUIRRE, City Attorney

By

Shannon Thomas
Deputy City Attorney

ATTY/SEC. INITIALS

DATE

Or.Dept:Clerk

R-INSERT

Form=permitr.frm(61203wct)

Reviewed by Helene Deisher

Rezone Ordinance

(O-INSERT~)

ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 6.86 ACRES LOCATED 11445 TIERRASANTA BOULEVARD, WITHIN THE TIERRASANTA COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE RS-1-7 ZONE INTO THE RM-1-1 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0401; AND REPEALING ORDINANCE NO. R-301263 (NEW SERIES), ADOPTED DATE-FEBRUARY 28, 2006, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INSOFAR AS THE SAME CONFLICT HEREWITH.

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That 6.86 acres located at 11445 Tierrasanta Boulevard, and legally described as a portion of Lot 301 of El Dorado Hills, Unit 13, in the Tierrasanta Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. 9151, filed in the office of the City Clerk as Document No. OO- _____, are rezoned from the RS-1-7 zone into the RM-1-1 zone, as the described and defined by San Diego Municipal Code Chapter 13 Article 1 Division 4. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. XXX (New Series), adopted DATE~XXX, of the ordinances of the City of San Diego is repealed insofar as the same conflict with the rezoned uses of the land.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the date of adoption of this ordinance.

APPROVED: MICHAEL AGUIRRE, City Attorney

By _____

Deputy City Attorney

Initials~

Date~

Or.Dept: INSERT~

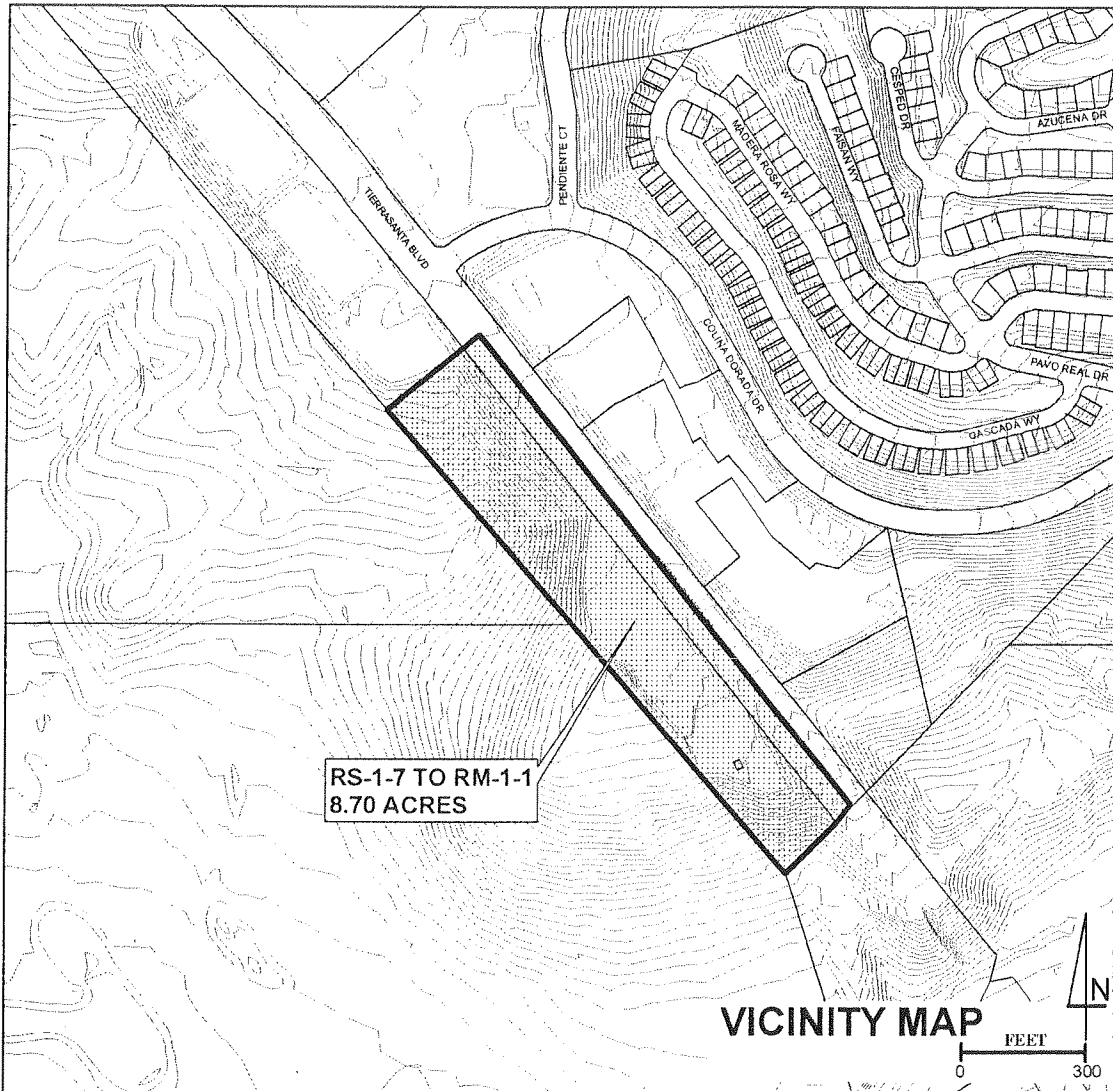
Case No.PTS 61500

O-XXX

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CITY OF SAN DIEGO • DEVELOPMENT SERVICES
PROPOSED REZONING



LOT 301 of El Dorado Hills, Unit 13, Map Nol 9151		CASE NO. PTS 65100
ORDINANCE NO. _____	REQUEST RM-1-1	DEVELOPMENT SERVICES MANAGER
EFF. DATE ORD. _____	PLANNING COMM. RECOMMENDATION	
ZONING SUBJ. TO _____	CITY COUNCIL ACTION	B-4232
BEFORE DATE _____		APN: 455-210-07
EFF. DATE ZONING _____		(234-1743) 5-5-06 lcj
MAP NAME AND NO. _____		

ORIGINAL

CITY OF SAN DIEGO - DECISION OF THE ZONING ADMINISTRATOR - CASE NO. 17951

CONDITIONAL USE PERMIT

The Zoning Administrator has APPROVED the request of SHAPEL-LOMASANTAS PARTNERSHIP, owner; EAST SAN DIEGO CHRISTIAN CHURCH, purchaser - (1) To construct a 22,000 sq. ft., two-story church complex containing sanctuary, classrooms and related facilities and providing 123 parking spaces; (2) church building to include an architectural projection with a maximum height of 34' where 30' is the maximum height permitted; and (3) Hillside Review Permit for grading in the Hillside Review Overlay Zone - Lot 301, El Dorado Hills, Unit No. 13, Map No. 9151, located 200' east of Colina Dorada, south of Tierrasanta Boulevard, R-1-5 Zone/HR, subject to the following conditions:

1. That this approval is contingent upon vacation of the open space easement;
2. That portions of the site which are not involved in construction or grading shall be retained as open space;
3. That final plans shall be submitted to and approved by the Zoning Administrator prior to the issuance of any permits;
4. That the project shall be constructed substantially as shown on plans submitted;
5. That all parking facilities shall be installed and maintained in substantial conformance with Chapter 10, Division 8, of the San Diego Municipal Code;
6. That landscape plans shall be submitted to and reviewed by the Zoning Administrator prior to the issuance of any permits; landscaping to encourage the use of drought resistive plants and avoiding the use of a sprinkler system on the graded slopes;
7. That the project shall comply with all requirements of the Engineering and Development Department and the Building Inspection Department;
8. That a detailed program of the proposed future daycare facility, including the hours of operation and the number of children, be submitted to and reviewed by Zoning Administration;
9. That plans for the proposed freestanding sign shall be submitted to and reviewed by Zoning Administration;
10. That this Conditional Use Permit shall be recorded within thirty (30) days of receipt of this resolution.
(For HR information see HR. #128-ZA)

FINDING OF FACTS

a. The subject property is a 6.85 acre lot located on the southwest side of Tierrasanta Boulevard, 150' southeast of Colina Dorada. The lot has 1,484.7' of frontage along Tierrasanta Boulevard and has an average depth of 199'. Tierrasanta Boulevard is a 102' right-of-way which has its paved terminus 200' southeast of the northernmost corner of the subject lot. The remainder of the Boulevard adjoining the lot is graded but unpaved. The Tierrasanta Boulevard dedication ends 340' southeast of the subject lot.

The subject lot is of irregular topography. Much of the original topography has been altered by grading for the extension of Tierrasanta Boulevard. The northwestern end of the lot consists of a steep embankment which drops 70' to 80' from the grade of Tierrasanta Boulevard. The central portion of the lot contains a steep cut slope which rises 40' above the grade of the Boulevard and drops sharply toward the west and somewhat more gradually toward the east. The southeastern end of the lot slopes down toward the southeast.

The subject lot was rezoned from R-1-40 to R-1-5 in 1979. It was originally part of PRD No. 75 but an amendment to delete it from that development was adopted on 4/26/83. It is within a Hillside Review Overlay Zone and the entire lot is also covered by an open space easement to the City of San Diego. A vacation of the open space easement has been requested.

ORIGINAL CUP 17951
before amendments

1467

-2-

CUP-17951

The applicants plan to develop the subject lot with a church complex. The church building will be located in the southeastern end of the lot, approximately 550' from the southeastern property line. It will be set back 60' from the right-of-way of Tierrasanta Boulevard. One hundred twenty three on-site parking spaces will be provided, 112 full size and 11 compact. This will result in a parking ratio of one space for every 3.2 seats in the sanctuary. A 25' wide driveway from Tierrasanta Boulevard will provide access to the parking area.

The church building will have two stories and result in a maximum height of 27', with the exception of one 11' wide, vertical projection which will have a height of 34' where 30' is the maximum height permitted in the R-1-5 Zone. The building will contain approximately 22,000 sq. ft. of floor area. The first floor will consist of a 2,944 sq. ft. fellowship hall, 7 classrooms, nursery, kitchen, office storage area and rest-rooms. The second floor will consist of a main sanctuary with seating for 395 persons, 4 classrooms, a choir room, parlor, library and related facilities. The church buildings will be used for weekend services and the applicants have also proposed to use the lower level classrooms on weekdays as a preschool facility for approximately 96 children.

The applicants propose to grade 4.2 acres of the lot to create the building pads for construction of the church and level pads for the parking areas. Approximately 49,000 cubic yards of earth movement is proposed. Maximum 70', 2:1 fill slopes will result from the development. The applicants propose to landscape the manufactured slopes to blend with adjacent native vegetation. In addition, a landscaped strip varying from 14' to 20' in depth will be located along the perimeter of the lot adjoining Tierrasanta Boulevard in front of the proposed parking area.

The proposed site has been the subject of numerous public hearings and community discussions involved in deleting a portion of this property from open space easement. This action is contingent upon the successful conclusion of that action.

In terms of a church site, this property is well located. It is adjacent to a major street which will prevent adverse traffic impacts on surrounding property and is geographically separate from residential uses to minimize other impacts associated with church use. In view of the foregoing, the Hearing Officer found that the proposed use will not have an adverse impact on the neighborhood, the General Plan or the Community Plan, and will not be detrimental to the health, safety and general welfare of persons residing or working in the area.

b. The proposed use will comply with all the relevant regulations in the Municipal Code.

This Conditional Use Permit is not a permit or license and any permits and licenses required by law must be obtained from the proper department. Furthermore, if any condition of this Grant is violated, or if the same be not complied with in every respect, then this Conditional Use Permit shall be subject to revocation; provided, however, that after being notified in writing by the City that a condition has been violated and that subject permit is null and void within ten (10) days, an appeal may be filed with the Board of Zoning Appeals to show cause why subject permit should be reinstated.

Failure to utilize such Conditional Use Permit within the eighteen (18) month period will automatically void the same, in accordance with Municipal Code Section 101.0508. Except as provided in Section 101.0509, during the eighteen (18) month period referred to in this Section, the property covered by a Conditional Use Permit granted by the Zoning Administrator shall not be used for any purpose other than that authorized by the permit.

The permission granted by this Conditional Use Permit shall become effective and final on the eleventh day after a decision is made; said appeal to be filed in Zoning Administration, Third Floor, City Operations Building, 1222 First Avenue. An appeal from any decision of the Zoning Administrator may be taken to the Board of Zoning Appeals by the applicant, any governmental body or agency, by any owner of real property located within the City or by any resident of the City. See Municipal Code Section 101.0504.

CITY PLANNING DEPARTMENT

MAY 20, 1983

RIGHT OF APPEAL expires
10 DAYS
after the above date.

JTF:KH:eg

Joseph T. Flynn
Joseph T. Flynn
Zoning Administrator

cc: Biggs Engineering Corporation

THIS IS NOT A BUILDING PERMIT

CITY OF SAN DIEGO - DECISION OF THE ZONING ADMINISTRATOR - CASE NO. 17951

CONDITIONAL USE PERMIT - AMENDMENT - (NO HEARING)AUG 84
AMENDMENT

The Zoning Administrator has considered your request, dated 6/13/84, for Amendment to Case No. 17951, dated 5/20/83, which permitted SHAPELL-LOMASANTAS PARTNERSHIP, owner; EAST SAN DIEGO CHRISTIAN CHURCH, purchaser - (1) To construct a 22,000 sq. ft., two-story church complex containing sanctuary, classrooms and related facilities and providing 123 parking spaces; (2) church building to include an architectural projection with a maximum height of 34' where 30' is the maximum height permitted; and (3) Hillside Review Permit for grading in the Hillside Review Overlay Zone - Lot 301, El Dorado Hills, Unit No. 13, Map No. 9151, located 200' east of Colina Dorada, south of Tierrasanta Boulevard, Zone R-1-5/HR; and does hereby AMEND said permit to allow a church building to include an architectural projection with a maximum height of 43'-0", and a spire and cross with a maximum height of 48'-0", subject to conditions #1 through #9, specified on the original Conditional Use Permit dated May 20, 1983.

FINDING OF FACTS

The subject property is a 6.85 acre, undeveloped lot located on the southwest side of Tierrasanta Boulevard, 150'-0" southeast of Colina Dorada. The topography of the lot is irregular. The site has recently been graded in accordance with Land Development Permit #27667.

The applicants propose to alter original plans to include two architectural projections. The first will be an 8'-6" wide, eight-sided skylight which will project 11'-0" above the roof of the building. The skylight will have a maximum height of 43'-0" when measured from adjoining grade. The second will be an octagonal spire and cross. The spire and cross will have a 2'-0" wide base and a maximum height of 48'-0" measured from adjoining grade. Both the spire and skylight are situated above the sanctuary of the church which is located 58'-0" from the front property line and 20'-0" from the rear property line. The proposed architectural projections are in keeping with the scale and design of the proposed church building. They are separated by both distance and topography from the adjoining residential developments.

In view of the foregoing, the Hearing Officer believed the amendment could be approved as requested.

This Amendment is not a permit or license and any permits and licenses required by law must be obtained from the proper department. Furthermore, if any condition of this grant is violated, or if the same be not complied with in every respect, then this Conditional Use Permit shall be subject to revocation; provided, however, that after being notified in writing by the City that a condition has been violated and that subject permit is null and void within five (5) days, an appeal may be filed with the Board of Zoning Appeals to show cause why subject permit should be reinstated.

permission granted by this Amendment shall become effective and final on the sixth day after a decision is made, unless a written appeal is filed on official form and accompanied by required fee within five (5) days; said appeal to be filed in Zoning Administration, Third Floor, City Operations Building, 1222 First Avenue. An appeal from any decision of the Zoning Administrator may be taken to the Board of Zoning Appeals by the applicant, any governmental body or agency, by any owner of real property located within the City or by any resident of the City. See Municipal Code Section 101.0504.

CITY PLANNING DEPARTMENT

AUG 7 1984

RIGHT OF APPEAL EXPIRES

5 DAYS

after the above date.

Joseph T. Flynn

Zoning Administrator

JTF:KH:eg

CC: Biggs Engineering Corp.

CUP 17951

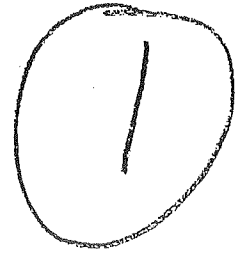
8-84 AMENDMENT

5
 CONDITIONAL USE PERMIT: C-17951

HEARING DATE: May 20, 1983

STAFF REPORT: May 17, 1983

K.H.



SHAPEL-LOMASANTAS PARTNERSHIP, owner; EAST SAN DIEGO CHRISTIAN CHURCH, purchaser -

(1) To construct a 22,000 sq. ft., two-story church complex containing sanctuary, classrooms and related facilities and providing 123 parking spaces; (2) church building to include an architectural projection with a maximum height of 34' where 30' is the maximum height permitted; and (3) Hillside Review permit for grading in the Hillside Review Overlay Zone.

1. A
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The subject lot is of irregular topography. Much of the original topography has been altered by grading for the extension of Tierrasanta Boulevard. The northwestern end of the lot consists of a steep embankment which drops 70' to 80' from the grade of Tierrasanta Boulevard. The central portion of the lot contains a steep cut slope which rises 40' above the grade of the Boulevard and drops sharply toward the west and somewhat more gradually toward the east. The southeastern end of the lot slopes down toward the southeast.

Staff report

The subject lot was rezoned from R-1-40 to R-1-5 in 1979. It was originally part of PRD No. 75 but an amendment to delete it from that development was adopted on 4-26-83. It is within a Hillside Review Overlay Zone and the entire lot is also covered by an open space easement to the City of San Diego. A vacation of the open space easement has been requested.

The subject property is currently unimproved and covered with native and imported vegetation.

The surrounding area is zoned R-1-40 and R-1-5. The lot immediately adjacent to the northwest is zoned R-1-5 and has been developed with 2 four-story condominium buildings. The proposed improvements on the subject property will be located more than 550' from this lot. The property northeast of the subject lot, across Tierrasanta Boulevard, is from 20' to 30' higher in elevation. It is part of El Dorado Hills Planned Residential District No. 75 and two-story apartment buildings are currently under construction. Land adjacent to the southeast of the subject property is currently unimproved. The property adjacent to the southwest of the subject lot is zoned R-1-40 and is owned by the United States Navy. It has been developed with a golf course.

There have been no similar variances within a 300' radius of the subject property.

The applicants plan to develop the subject lot with a church complex. The church building will be located in the southeastern end of the lot, approximately 550' from the southeastern property line. It will be set back 60' from the right-of-way of Tierrasanta Boulevard. One hundred twenty three on-site parking spaces will be provided, 112 full size and 11 compact. This will result in a parking ratio of one space for every 3.2 seats in the sanctuary. A 25' wide driveway from Tierrasanta Boulevard will provide

access to the parking area.

The church building will have two stories and result in a maximum height of 27', with the exception of one 11' wide, vertical projection which will have a height of 34' where 30' is the maximum height permitted in the R-1-5 Zone. The building will contain approximately 22,000 sq. ft. of floor area. The first floor will consist of a 2,944 sq. ft. fellowship hall, 7 classrooms, nursery, kitchen, office storage area and restrooms. The second floor will consist of a main sanctuary with seating for 395 persons, 4 classrooms, a choir room, parlor, library and related facilities. The church buildings will be used for weekend services and the applicants have also proposed to use the lower level classrooms on weekdays as a preschool facility for approximately 96 children.

The applicants propose to grade 4.2 acres of the lot to create the building pads for construction of the church and level pads for the parking areas. Approximately 49,000 cubic yards of earth movement is proposed. Maximum 70', 2:1 fill slopes will result from the development. The applicants propose to landscape the manufactured slopes to blend with adjacent native vegetation. In addition, a landscaped strip varying from 14' to 20' in depth will be located along the perimeter of the lot adjoining Tierrasanta Boulevard in front of the proposed parking area.



We have received comments from the Planning Department and the Fire Department. No objections have been received from other City Departments and no letters have been received from property owners in the area.

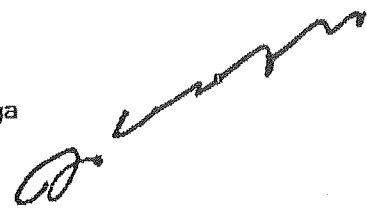
City of San Diego
 COUNCILMEMBER JIM MADAFFER
 DISTRICT SEVEN

MEMORANDUM

M 02-05-02 *Please refer to this number when responding to this memo*

DATE: May 8, 2002

TO: City Manager Michael Uberuaga

FROM: Councilmember Jim Madaffer 

SUBJECT: Tierrasanta Community Plan Update

There is an issue that surfaces from time to time that stirs confusion and fear in the Tierrasanta community. This issue is the proposed extension of four roads that would change the character of Tierrasanta forever.

Several planning documents, including the Tierrasanta Community Plan and the Tierrasanta Public Facilities Financing Plan, reference these road connections that the community and that I, for nearly 20 years as a Tierrasanta resident, have clearly stated we are not interested in.

The Tierrasanta Community Plan is in desperate need of an update, as it has been decades since the last one. I have recently received a letter from the Tierrasanta Community Council formally asking me to initiate a community plan update.

In order to once and for all dispel any fear or confusion among residents of Tierrasanta with regard to any road extensions, I am requesting that the Tierrasanta Community Plan be updated immediately and that the following projects be removed:

PROJECT NUMBER	PROJECT DESCRIPTION
47-04B	Tierrasanta Boulevard-Colina Dorado to Mission Gorge Road
47-06B	Clairemont Mesa Boulevard-Rueda Drive to Jackson Drive
47-07	Jackson Drive-Mission Gorge Road to SR52
47-11	Santo Road-Patriot Street to Ambrosia Drive

The Tierrasanta Community Council should be directly involved in the process to ensure that there is adequate community input.

Thank you for your prompt attention to this matter.

JM/ea
 Attachment

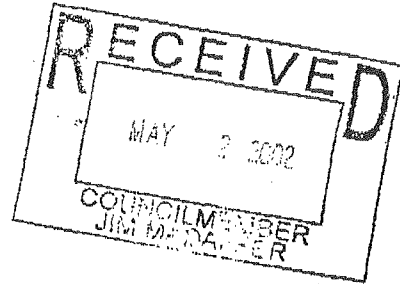


Tierrasanta Community Council

A Non-Profit Corporation • Recognized Planning Group • Serving the Citizens of Tierrasanta

April 29, 2002

City Councilmember Jim Madaffer
202 C Street, MS 10A
San Diego CA 92101



Dear Councilmember Madaffer:

As part of the annual review of the Tierrasanta Public Facilities Financing Plan and Facilities Benefit Assessment for Fiscal Year 2003, the Tierrasanta Community Council voted unanimously on February 20, 2002, to request that the four following transportation projects be removed from our community plan:

- Tierrasanta Blvd. extension from its current terminus to Princess View
- Clairemont Mesa Blvd. extension from its current terminus to Jackson Drive
- Jackson Drive from SR52 to Mission Gorge Road
- Santo Road extension from its current terminus to Ambrosia Drive

On behalf of the Tierrasanta Community Council, and consistent with the action taken by the TCC on February 20, 2002, I formally request that you initiate action to remove these road projects from the Tierrasanta Community Plan.

Thank you for your assistance in this matter.

Deanna Spehn
President

CC: Tierrasanta Community Councilmembers

4985 La Cuenta Drive, San Diego, California 92124

(R-2003-145)

RESOLUTION NUMBER R-296859

ADOPTED ON JULY 29, 2002

A RESOLUTION INITIATING A COMMUNITY PLAN
AMENDMENT TO DELETE SPECIFIED CIRCULATION
ELEMENTS.

WHEREAS, the Transportation Element [Element] of the adopted Tierrasanta Community Plan proposes a circulation system intended to adequately accommodate the traffic generated by the Tierrasanta community and surrounding areas upon buildout; and

WHEREAS, the Element includes several street segments which have not been built to date, including portions of Santo Road, Tierrasanta Boulevard, Clairemont Mesa Boulevard, and Jackson Drive; and

WHEREAS, the Tierrasanta Community Council supports removal of the following segments from the Tierrasanta Community Plan in order to prevent increased through-traffic within the community which would likely be generated by the completion of these segments:

1. Tierrasanta Boulevard: Colina Dorado to Mission Gorge Road
2. Clairemont Mesa Boulevard: Rueda Drive to Jackson Drive
3. Jackson Drive: Mission Gorge Road to SR-52
4. Santo Road: Patriot Street to Ambrosia Drive; and

WHEREAS, the first step in this process is for the City Council to initiate the community plan amendment which would allow staff to proceed with the analysis of the proposals and preparation of any necessary revisions to adopted documents; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that this Council initiates the plan amendment process to delete the specified circulation elements.

APPROVED: CASEY GWINN, City Attorney

By _____
Mary Jo Lanzafame
Deputy City Attorney

MJL:pev
7/15/02
Or.Dept:CouncilDist7
R-2003-145
Form=r&t.frm

FY 2003 Update to the Tierrasanta Public Facilities Financing Plan

**CITY OF SAN DIEGO
FACILITIES FINANCING PROGRAM**

TITLE: TIERRASANTA BLVD. - COLINA DORADO TO MISSION GORGE ROAD

DEPARTMENT: TRANSPORTATION

PROJECT: 47 - 04B

CIP NO.: N/A

COUNCIL DISTRICT: 7

COMMUNITY PLAN: 47

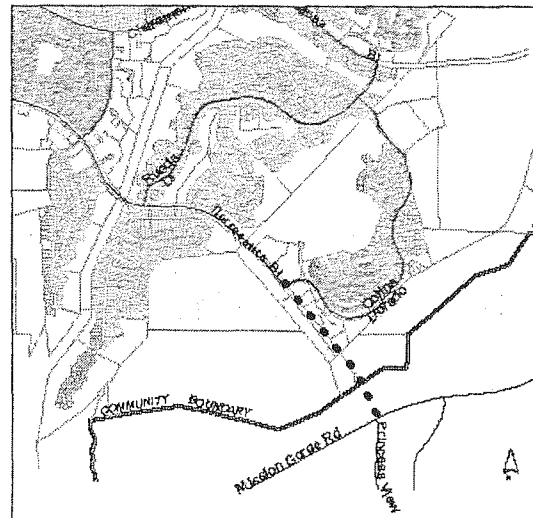
DESCRIPTION: THIS PROJECT PROVIDES FOR THE EXTENSION OF TIERRASANTA BOULEVARD AS A FOUR-LANE MAJOR STREET FROM POINT WEST OF COLINA DORADO DRIVE TO MISSION GORGE ROAD AT PRINCESS VIEW DRIVE. IMPROVEMENTS WILL INCLUDE RECONSTRUCTION OF THE CREST ON TIERRASANTA BOULEVARD AT COLINA DORADO, A BRIDGE ACROSS THE SAN DIEGO RIVER, AND MODIFICATION OF THE EXISTING TRAFFIC SIGNAL SYSTEM AT MISSION GORGE ROAD.

JUSTIFICATION: THIS FOUR-LANE MAJOR ROAD IS IN THE COMMUNITY PLAN.

SCHEDULE: DESIGN AND CONSTRUCTION ARE ON HOLD.

PROJECT FUNDING

FUTURE BUDGET AND FUNDING TO BE DETERMINED .



FUNDING:	SOURCE	EXPEN/ENCUM	CONT	APP	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
FUTURE BUDGET AND FUNDING TO BE DETERMINED .									
\$0	TOTAL	\$0		\$0	\$0	\$0	\$0	\$0	\$0

Contact: Ron D'Argento

Email: Rdargento@sandiego.gov

Phone: (619) 533-3744



Tierrasanta Community Council

4985 La Cuenta Drive, San Diego, CA 92124

www.tierrasantacc.org

A Non-Profit Corporation • Recognized Planning Group • Serving the Citizens of Tierrasanta

August 12, 2005

Councilman Jim Madaffer
Seventh District
202 C St. MS 10A
San Diego, CA 92101

Re: DSD project 67993 (a.k.a. Tierrasanta Townhomes)

Dear Councilman Madaffer:

On behalf of the Tierrasanta Community Council, I am writing to express the TCC's full and unanimous support for a "Linear Park" to be developed in conjunction with Intracorp's project to build the Tierrasanta Townhome development at the end of Tierrasanta Blvd (at the site of the former Tierrasanta Christian Church).

Intracorp has proposed creating a park-like setting along the path of the boulevard extension, eastward from the cul-de-sac and immediately adjacent to the townhome development site. They intend to include safety lighting, some level of irrigation, and direct access from the townhome complex. They intend to include maintenance of the park as a required function of the homeowners association. They propose the park be ungated and open to all pedestrians.

The TCC understands the townhome development is on a constrained site that leaves little room for open space within the project. We agree that a park in the adjacent area improves the open space situation, both for the complex's residents and for all Tierrasantans who live in the area.

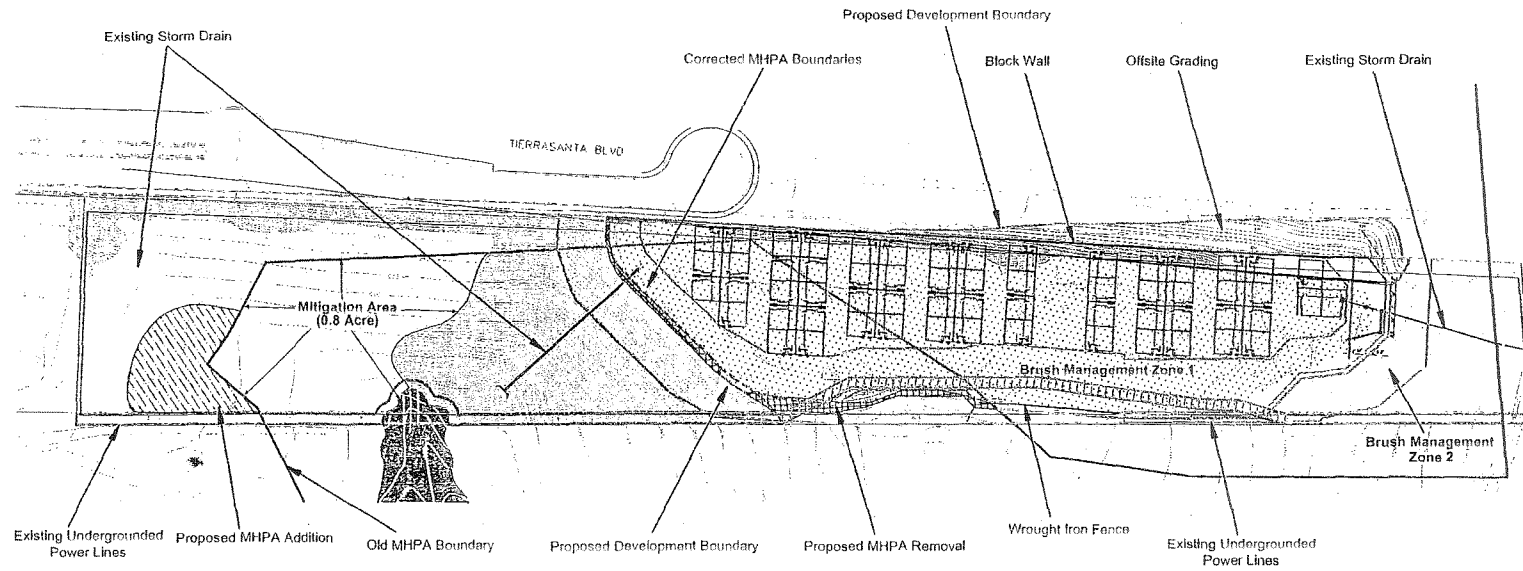
We strongly urge support by the City Council for the granting of any necessary rights of way or use permits or grants of special access that may be necessary for the Linear Park to be created as Intracorp has proposed.

Sincerely,

Eric Germain
President





cc (email): Tierrasanta Community Council
Bill Reschke, Chair, Tierrasanta Community Development Committee.
Kahi Pacarro, Intracorp San Diego

Revised Biological Survey Report
 Tierrasanta Property, San Diego, California


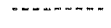
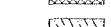



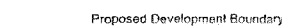
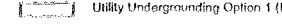

LEGEND

Vegetation Types

-  Riparian
-  Coastal Sage Scrub (Tier II)
-  Eucalyptus Woodland/Ornamental Plantings (Tier IV)
-  Developed (Church/School and associated parking lot)

MHPA Boundaries

-  Old MHPA boundary
-  Corrected MHPA Boundary (April 2005)
-  Proposed MHPA Removal (0.1 Acre)
-  Proposed MHPA Addition (0.2 Acre)

-  Proposed Development Boundary
-  Utility Undergrounding Option 1 (Includes 0.1 Acre MHPA Removal)
-  Utility Undergrounding Option 2 (Includes < 0.1 Acre MHPA Removal)



Source: Project Design Consultants, December 2004
 Revised: August 2005

Vegetation & MHPA Boundary Map

Intracorp



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5210

Community Planning Committee Distribution Form Part 2

Project Name : TIERRASANTA TOWNHOMES		Project Number 61500	Distribution Date 11/4/05
Project Scope: TIERRASANTA JO#42-3960. (PROCESS 5) Planned Development Permit, Tentative Map, MHPA Boundary Adjustment, Open Space Easement Abandonment and Rezone from RS-1-14 to RM-1-1 for 58 residential condominium units on a 6.86 acre site at 11445 Tierrasanta Boulevard within the Tierrasanta Community Plan.			
Project Location: 11445 Tierrasanta Boulevard			
Applicant Name: Kim Sheredy		Applicant Phone No. (619) 881-3449	
Related Projects 89848			
Project Manager Helene Deisher	Phone Number (619) 446-5223	Fax Number (619) 446-5245	E-mail Address HDeisher@sandiego.gov
Community Plan Tierrasanta		Council District 7	
Existing Zone	Proposed Zone	Building Height	Number of Stories
FAR			
Committee Recommendations (To be completed for Initial Review):			
<input type="checkbox"/> Vote to Approve	Members Yes	Members No	Members Abstain
<input checked="" type="checkbox"/> Vote to Approve With Conditions Listed Below	Members Yes 14	Members No 0	Members Abstain 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
CONDITIONS: SEE ATTACHED			
NAME ERIC GERMAN		TITLE CHAIRMAN	
SIGNATURE		DATE 23 MAR 06	
Attach Additional Pages If Necessary.		Please Return Within 30 Days of Distribution of Project Plans To: Project Management Division City Of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	

ATTACHMENT 19

Continuation sheet re project 61500, Tierrasanta Townhomes

Motion: The TCC recommends approval of the Intracorp project as presented with the following contingencies:

- TCC approval of the following project specifics shall be required before any building permits are issued:
 - signage plan,
 - lighting plan,
 - trash management plan,
 - exterior color scheme.

- TCC approval of the HOA's draft CC&Rs shall be required before any units are offered for sale.

- TCC requires that the full complement of 155 on-site parking spaces, as presented by Intracorp, be maintained for the life of the project.

Passed 14-0-0.

Vote taken on: 15 March 2006



THE CITY OF SAN DIEGO

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
 Variances Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other _____

Project Title Project No. For City Use Only
 Tierrasanta Townhomes

Project Address:
 11445 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: _____

This information is available in alternative formats for persons with disabilities.
 Be sure to see us on the World Wide Web at www.sandiego.gov/development-services

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? CA Corporate Identification No. 0120909
 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):
TERRASANTA CHRISTIAN CHURCH
 Owner Tenant/Lessee

Street Address:
PO BOX 880335
 City/State/Zip:
SAN DIEGO CA 92168-0335
 Phone No: 619 449 8809 Fax No:

Name of Corporate Officer/Partner (type or print):
JOHN PARI
 Title (type or print):
CHAIRMAN
 Signature: [Signature] Date: 07/08/06

Corporate/Partnership Name (type or print):
TERRASANTA CHRISTIAN CHURCH
 Owner Tenant/Lessee

Street Address:
PO BOX 880335
 City/State/Zip:
SAN DIEGO CA 92168-0335
 Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):
RYAN SOULIBNY
 Title (type or print):
TREASURER/CFD
 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):
TERRASANTA CHRISTIAN CHURCH
 Owner Tenant/Lessee

Street Address:
PO BOX 880335
 City/State/Zip:
SAN DIEGO CA 92168-0335
 Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):
RYAN PERRY
 Title (type or print):
SECRETARY
 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:

Project Title:
Tierrasanta Townhomes

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? _____ 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):
Tierrasanta Christian Church/Disciples of Christ
 Owner Tenant/Lessee

Street Address:
11445 Tierrasanta Boulevard
City/State/Zip:
San Diego, CA 92124
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):
Intracorp San Diego, LLC / ISD, PROPERTY INVESTMENTS LLC.
 Owner Tenant/Lessee Owner in Escrow

Street Address:
600 B Street, Suite 2000
City/State/Zip:
San Diego, CA 92101
Phone No: 619-544-6967 Fax No: 619-696-1546

Name of Corporate Officer/Partner (type or print):
William Nichol
Title (type or print):
VICE PRESIDENT
Signature: _____ Date: 5/8/06

Corporate/Partnership Name (type or print):
 Owner Tenant/Lessee

Street Address:
600 B STREET SUITE 2000
City/State/Zip:
Phone No: 619-544-6963 Fax No: _____

Name of Corporate Officer/Partner (type or print):
LOREN ADAMS
Title (type or print):
VP
Signature: _____ Date: _____

Corporate/Partnership Name (type or print):
 Owner Tenant/Lessee

Street Address:
City/State/Zip:
Phone No: 619 544 6970 Fax No: _____

Name of Corporate Officer/Partner (type or print):
SULIA BRANAN
Title (type or print):
SECRETARY
Signature: _____ Date: _____

Project Title: <u>Tierrasanta Townhomes</u>	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? CA Corporate Identification No. C0565862
 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):
Shapell Industries

Owner Tenant/Lessee


Street Address:
8383 Wilshire Blvd. Ste. 700

City/State/Zip:
Beverly Hills, CA 90211

Phone No: (323) 655-7330 Fax No: (323) 651-4349

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

Title (type or print):
Senior Vice President

Signature:  Date: 5/8/06

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: 323-655-7330 Fax No:

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

Title (type or print):
CEO/PRESIDENT

Signature: _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: (323) 655-7330 Fax No:

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

Title (type or print):
SECRETARY/VP

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: _____

DEVELOPMENT SERVICES
Project Chronology
 TIERRASANTA TOWNHOMES-PROJECT NO. 61500

Date	Action	Description	City Review Time	Applicant Response
1/20/05	First Submittal	Project Deemed Complete		
4/06/05	First Assessment Letter		45	
8-23-05	Second submittal			116
10-07-06	Second Review Complete		45	
11-04-05	Third Submittal			29
01-04-06	Third Review Complete		61	
01-09-06	Fourth Review			5
2-23-06	Fourth Review Complete		45	
3-02-06	Fifth Review			7
4-10-06	Fifth Review Complete		39	
**TOTAL STAFF TIME			235	
TOTAL APPLICANT TIME				157
TOTAL PROJECT RUNNING TIME		From deemed complete date to Hearing	270	

Staff time and applicant response time based on calendar days including holidays
 Total Project Time includes Scheduling Hearing.

ATTACHMENT 22



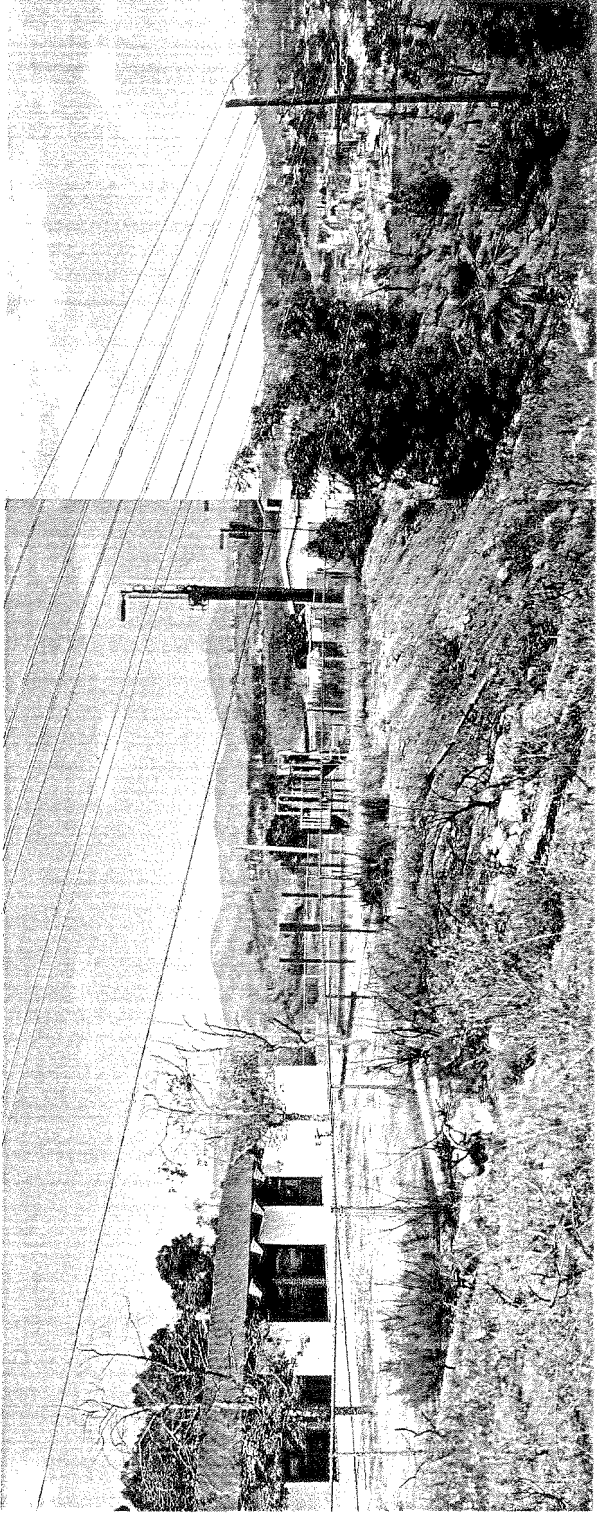
View across subject property from rear property line looking east towards the El Dorado Apartments.

ATTACHMENT 22



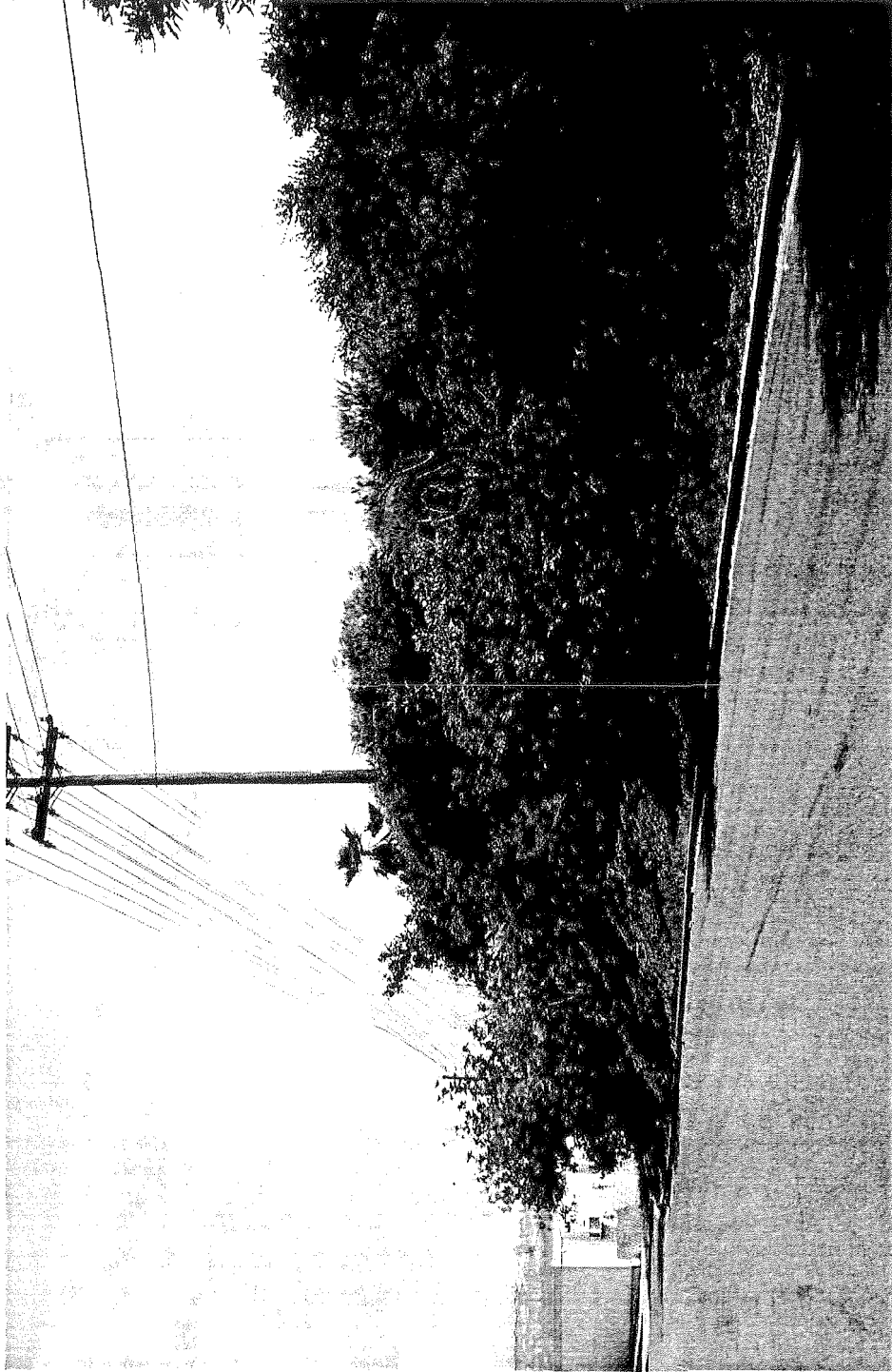
View looking north east across subject property
Admiral Baker to the left and El Dorado Apartments
To the right.

ATTACHMENT 22



Southern most development boundary
looking east across property.

ATTACHMENT 22



Looking south from property
along rear property line.

ATTACHMENT 22



Open space and golf course south view
from the south end of the subject property

ATTACHMENT 22



View from the north end of property looking south
Along unimproved Tierrasanta Blvd

ATTACHMENT 22



View of south end of property from
unimproved Tierrasanta Blvd.

ATTACHMENT 22



View from the south end of property looking north
Along unimproved Tierrasanta Blvd.

ATTACHMENT 22




Admiral Baker Golf Course on left looking north along the subject property line.

ATTACHMENT 2 3



San Diego Gas & Electric
8315 Century Park Court
San Diego, CA 92123

A  Sempra Energy utility™

FILE COPY

FILE NO. PLA 580

January 17, 2006

Julius Ocen
The City of San Diego, Development Services
1222 First Avenue
San Diego, CA 92101-4154

Dear Mr. Ocen:

Subject: Tierrasanta Townhomes (Lot E, Rosedale Tract, Map #826) in San Diego

SDG&E prefers to have the existing overhead power lines remain at the above project. The cost to convert the overhead lines to underground would be substantial and unnecessary. Also, it may disturb the endangered plant life and its surroundings. In addition, access to maintain the underground facilities would be almost impossible. Thank you for your consideration.

If you have any questions or need further clarification, please call me at the number listed below. My office hours are 7:00 A.M. to 4:00 P.M., Monday through Friday.

Sincerely,

Tiffany Kirk
Customer Project Planner
8315 Century Park Court, CP-22A
San Diego, CA 92123-1548
Office: (858) 636-3961
Fax: (866) 892-3845



January 26, 2006

Scott Russell
INTRACORP
600 B Street, Suite 2000
San Diego, CA 92101

RE: SITE REVIEW – PROPOSED TIERRASANTA SITE, TIERRA SANTA, CA.

Dear Scott:

Thank you for the opportunity to review the proposed site in Tierrasanta regarding the possibility and costs of under grounding SDG&E's existing overhead power lines.

In our review of the site, a couple of items should be noted. The first and most concerning is the terrain of the area where the existing lines transition the projects southwest boundary. This is a major feeder route which has three 12KV circuits of large conductor size. There are such extensive slopes and inaccessible areas that we do not see any practical way to place a major underground feeder system and be able to meet SDG&E's construction and access standards. With the environmental constraints as they are, there would be no way to grade a permanent road capable of handling the equipment necessary to operate and maintain the proposed underground system.

Another item is the potential cost of converting the lines balanced with the potential benefit of the development. We would estimate the cost to be in excess of \$850,000 independent of the costs of any grading and miscellaneous site work necessary to construct an area acceptable to the utility for an underground system.

Please feel free to call us and we are available to answer any questions you or the City of San Diego may have.

Sincerely,
BUTSKO UTILITY DESIGN, INC.

Patrick H. Gorgas
Vice President

cc: Gregg A. Butsko, Butsko Utility Design, Inc.

Enclosures