

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED:	May 21, 2009	REPORT NO. PC-09-027
ATTENTION:	Planning Commission, Age	enda of May 28, 2009
SUBJECT:	TORREY RESERVE - PR TORREY RESERVE PHA PROCESS 4	OJECT NO. 1450 and SE IV - PROJECT NO. 124765
OWNER/ APPLICANT:	PACIFIC TORREY RESER	VE HOLDINGS, L.P. (Attachment 22)

SUMMARY

Issue(s) - Should the Planning Commission approve the following two projects, located adjacent to each other and under one ownership, which collectively propose the development of 78,400 square feet of office/commercial use within five new buildings?

- The Torrey Reserve project proposes the development of 38,400 square-feet of office/commercial use within three new buildings.
- The Torrey Reserve Phase IV project proposes the development of 40,000 square-feet of office/commercial use within two new buildings.

Both projects are situated within existing developed commercial office complexes located along El Camino Real within the Sorrento Hills Community Planning area.

Staff Recommendation -

Torrey Reserve - Project No. 1450:

- Certify Mitigated Negative Declaration No. 1450, and Adopt the Mitigation Monitoring and Reporting Program; and
- Approve Planned Development Permit No. 490145 and Coastal Development Permit No. 490146.



Torrey Reserve Phase IV- Project No. 124765:

- 1. **Certify** Mitigated Negative Declaration No. 124765, and **Adopt** the Mitigation Monitoring and Reporting Program; and
- 2. **Approve** Planned Development Permit No. 427638 and Coastal Development Permit No. 427637.

<u>Community Planning Group Recommendation</u> - The Torrey Hills Community Planning Board, on April 21, 2009, voted 11:0:1 to recommend approval of each project, with several concerns. Please see the Discussion section for more information.

<u>Environmental Review</u> - A Mitigated Negative Declaration No. 1450 and Mitigated Negative Declaration No. 124765 have been prepared for each project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation Monitoring and Reporting Program has been prepared for each project and will be implemented which will reduce, to a level of insignificance, any potential impacts identified in the environmental review process.

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

<u>Code Enforcement Impact</u> - None with this action.

<u>Housing Impact Statement</u> - None with this action. The additional development of the existing commercial site will have no impact on the supply of housing in the region. The site is designated for commercial office uses in the community plan.

BACKGROUND

The proposed development properties are subject to the 1989 Sorrento Hills Development Agreement (Development Agreement)(Attachment 1) recorded as Doc. No. 00-17300, filed May 15, 1989 in the Office of the City Clerk, the California Gov't Code § 65865.4 and § 65866 (Attachment 2), the 1983 Sorrento Hills Community Plan (Attachment 3) and Summary Judgment of Superior Court Case No. CIG 851874 (Attachment 4). The terms of the Development Agreement and California Gov't Code require proposed projects subject to the Development Agreement to be evaluated using the 1983 Sorrento Hills Community Plan. The Sorrento Hills community was renamed as the Torrey Hills community after the City entered into the Development Agreement. For purposes of this report the community will be referred to as Sorrento Hills for purposes of clarity and consistency with the Development Agreement, California Gov't Code and the Court's decision. This report presents the analysis and recommendations for two separate yet related proposed projects. The 1983 Sorrento Hills Community Plan Land Use map designates both of these sites for Commercial Office uses (Attachment 5). The sites are located north of Arroyo Sorrento Road, east and west of El Camino Real in the Sorrento Hills community (Attachment 6). Both sites are zoned CO-1-2. These sites have been developed with commercial buildings, parking and landscaping pursuant to the approval on February 9, 1993 of Planned Commercial Development/Coastal Development Permit No. 85-0824 (Attachment 7).

The Torrey Reserve site is located north of Arroyo Sorrento Road and east of El Camino Real in the CO-1-2 Zone (Attachment 8). The site is 11.24 acres and is presently developed with three buildings, surface parking, landscaping, and other minor improvements. Building Number 1 is a four story 148,066 square foot commercial office building with subterranean garage; Building Number 2 is a one story 13,197 square foot commercial office building with subterranean garage; and Building Number 3 is a one story 8,071 square foot day care center.

The Torrey Reserve Phase IV site is located at 11502 El Camino Real in the CO-1-2 Zone (Attachment 9). The site is 11.65 acres. The site is presently developed with six buildings and two two-level parking structures; P-2 and P-3, surface parking, landscaping and other minor improvements. Building Number 7 is a four story 77,508 square foot commercial office building with subterranean garage; Building Number 8 is a three-story 55,986 square foot commercial office building with subterranean garage; Building Number 9 is a three-story 77,508 square foot office building with subterranean garage; Building Number 10 is a four-story 77,508 square foot office building with subterranean garage; Building Number 11 is a one story 10,744 square foot office building; and Building Number 12 is a one story 7,661 square foot office building.

On September 2, 1998 the City Manager considered and approved Planned Commercial Development/Coastal Development Permit No. 98-0554, an amendment to the original development permit (Attachment 10). The original permit restricted enrollment in the daycare center to only employee's children. The amendment removed this restriction and opened enrollment to the general public.

1989 Sorrento Hills Development Agreement

The properties are the recipient of entitlements granted through a development agreement entered into between the property owner and the City of San Diego on September 13, 1988. The development agreement recorded as Doc. No. 00-17300, filed May 15, 1989 in the Office of the City Clerk is known as the 1989 Sorrento Hills Development Agreement (Development Agreement) (Attachment 1). The agreement expires June 2009.

The vested rights granted by the Development Agreement cannot be restricted or limited by subsequent revisions to the community plan adopted by the City. The California Government Code declares: "a development agreement shall be enforceable by any party thereto notwithstanding any change in any applicable general or specific plan, zoning, subdivision, or building regulation adopted by the city, county, or city and county entering the agreement..." (Gov't Code § 65865.4)(Attachment 2). Further, "unless otherwise provided by the development agreement, rules, regulations, and official policies governing permitted uses of the land [and]... density... shall be those rules, regulations, and official policies in force at the time of execution

of the agreement" (Gov't Code § 65866)(Attachment 2).

Since entering the contractual obligations of the Development Agreement the community plan has been updated and amended several times. However, the guarantees to the owners of the property entitled through the Development Agreement and pursuant to the government code require the analysis of the projects to utilize those policies enumerated within the 1983 Sorrento Hills Community Plan (Attachment 3).

In Case No. GIC 851874, filed in the Superior Court of the State of California for the County of San Diego (Court), the Court granted the Plaintiff's (Applicant) motion for summary judgment (Attachment 4). The complaint sought three judicial declarations of the parties' rights and obligations under the Development Agreement. Specifically, the Court concerned itself with the application of traffic conversion rates applied to proposed building uses for the purpose of traffic analysis and the number of average daily trips (ADT) possessed by Applicant for use on their properties in Sorrento Hills. The Court concluded: the Applicant currently retains 1,726 ADTs in development rights in connection with the real property it owns in the Sorrento Hills development; in the processing of the current applications the City must apply the appropriate conversion factor of 15 ADT per 1,000 square feet and/or 20 ADT per 1,000 square feet, both in determining the amount of square feet of commercial office use and visitor commercial use allowed within the proposed buildings on the properties, and in determining the number of ADT's required for such construction; and that in applying the traffic conversion factors set forth in the Development Agreement, the Applicant retains sufficient ADT's to construct the proposed buildings which are the subject of the proposed applications.

DISCUSSION

Project Description

The two projects, called Torrey Reserve and Torrey Reserve Phase IV, are described below. Each proposed project requires a Planned Development Permit to amend the Planned Commercial Development/Coastal Development Permit No. 85-0824 approved February 9, 1993 and a Coastal Development Permit as each site is within the Coastal Zone.

Torrey Reserve

The Torrey Reserve project proposes the addition of three buildings on the developed site (Attachment 11). The new buildings would total 38,400 square feet of office/commercial space. The new buildings are described as Building Number 4, a two-story 13,000 square foot office building over subterranean parking structure; Building Number 5, a one story 4,600 square foot office building; and Building Number 6, a two-story 20,800 square foot office building over subterranean parking. Other improvements would include landscaping and improvements in the public right-of-way.

Building Number 4 would be constructed between Building Numbers 1 and 2. Building Number 5 would be constructed on the corner closest to El Camino Real and Arroyo Sorrento Road. Building Number 6 would be constructed between Building Number 1 and El Camino Real. The architecture and materials of construction would be similar and compatible with the

existing development on the property.

Torrey Reserve Phase IV

The Torrey Reserve Phase IV project proposes the addition of two buildings on the developed site (Attachment 12). The new buildings would total 40,000 square feet of office/commercial space. The new buildings are described as Building Number 13, a two-story 20,000 square foot office building; and Building Number 14, a two-story 20,000 square foot office building. Other improvements would include landscaping and improvements in the public right-of-way. The architecture and materials of construction of the two new buildings would be similar and compatible with the existing development on the property.

Sustainable Design Features

The applicant proposes to construct and operate these buildings to meet or exceed a LEED certified level. Implementation of bicycle storage facilities, provision for changing rooms, special parking provisions for low-emitting and fuel efficient vehicles and reducing the heat island effect are some of the measures the applicant is proposing to assure a sustainable site. Water efficient landscaping and water use reduction would also be features of the project. In addition to fundamental analysis of the project systems the applicant has indicated a willingness to pursue an enhanced analysis to optimize energy performance. The applicant's construction team and the materials selections would divert construction waste from disposal sites, re-use building materials, utilize regional building materials and recycled content in compliance with LEED standards. The applicant's commitment to the indoor environmental quality would feature increased ventilation, utilization of low-emitting materials, enhanced controllability of lighting and thermal systems, maximizing thermal comfort and daylight access to 75% of spaces. The projects would also include erosion and sedimentation control plans, management and maintenance procedures for storm water runoff.

The projects would also incorporate, where feasible, sustainable strategies to design integrated and mechanical treatment systems. These systems would address areas of concern such as storm water runoff into landscaped and vegetated areas; low-impact development techniques; and storm water runoff and structural filtration systems to reduce pollutant loads. On-site underground storm water detention would be included in order to detain peak runoff volumes.

The proposed projects have been reviewed and evaluated pursuant to the decision of the Court, the terms of the Development Agreement, the relevant California Gov't Code sections as well as the Land Development Code. Consistent with the Development Agreement and the State Resources Code §65865.4 and §65866, the project was also reviewed and evaluated with respect to the 1983 Sorrento Hills Community Plan (1983 Plan) which was in effect at the time the owner and the City entered into the Development Agreement.

Community Plan Analysis

The 1983 Plan designates the subject parcels for Planned Commercial use. The objective for the Planned Commercial designation is to provide a balance of commercial uses for the visiting

public and for the community at large. The commercial uses in Sorrento Hills are proposed for the northern portion of the community where the subject property is located. The total area of commercially designated lands in the community is approximately 28 acres or five percent of the total community plan area. The Torrey Reserve project would add three buildings with a total of 38,400 square feet of office/commercial space. The Torrey Reserve IV project would add two buildings with a total of 40,000 square feet of office/commercial space.

The 1983 Plan recommends commercial areas be developed with twenty percent visitor commercial uses, as defined in the CV (Commercial--Visitor) Zones. The remaining eighty percent could be developed with commercial uses such as commercial visitor, financial, specialized commercial, office and corporate headquarters. The projects would comply with this recommendation. A condition has been added to the permit(s) to require no less than twenty percent of the ground floor area be developed and offered for rent or lease with commercial visitor uses as defined in the CV (Commercial--Visitor) Zones. Examples of visitor commercial uses would be: eating & drinking establishment(s); personal services; and the sale of groceries, sundries, pharmaceutical and convenience items. Building locations for visitor uses have been noted on Exhibit "A."

The 1983 Plan recommends commercial development serve the traveling public and offer an expansion of the freeway oriented uses located in the commercial areas at the general intersection of Carmel Valley Road and Interstate 5. The development sites are well situated to avoid conflicts with other development in the community. The sites are topographically isolated from the rest of the community. The proposed developments would fit into the existing development and would not create any significant visual barriers to the ridgeline of the nearby sandstone bluffs. The proposed buildings would be one and two-stories and would not create a disharmonious contrast between the buildings and hillside in the background. The 1983 Plan recommends, on page VIII-3, the sandstone bluffs be left free from development in recognition of their aesthetic value and biological importance in the regional ecosystem. The proposed development would not impact the bluffs and is located within the existing developed area of the sites.

The 1983 Plan identifies the sites as within Traffic Zone 949. Traffic Analysis Zone (TAZ) 949 allows commercial uses with a maximum building square footage of 326,350 and the Average Daily Traffic (ADT) rate of 20 ADT per 1000 square feet of building area. According to the 1983 Plan, page VI-17, the development intensity would increase if the freeway on and off-ramps were installed. The increase is identified in Table 6-2 of the 1983 Plan (Attachment 13). Within Zone 949 the maximum ADT would then be 6,527. The 1983 Plan, page VI-21, states: "the actual development of sites within each TAZ may not generate as much traffic as depicted in Table 6-2. Therefore, it is assumed that "unused" ADT's within individual TAZ's can be transferred to adjacent TAZ's (or even non-adjacent TAZ's) if additional focused traffic analysis is conducted to verify that such a transfer does not jeopardize the validity of the community's traffic circulation study." The transfer of ADT within the community is also allowed by the terms of the Development Agreement in Section 6D.7.1(b) (Attachment 1, page 32). The project is proposing 3,546 ADT's per day, with 234 and 368 trips, respectively, occurring during the AM and PM peak hours.

With the update to the community plan in 1997, the Traffic Analysis Zones were re-numbered and ADT's maximums increased. While these projects are not reviewed for consistency with the Sorrento Hills Community Plan of 1997 (1997 Plan), due to state government code restrictions and the Development Agreement, the 1997 Plan allows for higher ADT's in the same physical area of Traffic Zone 949. The 1997 Plan also addresses the full build out of the community which includes land not contemplated for development by the 1983 Plan. The 1997 Plan identifies the project sites as within TAZ 598 and allows an office/corporate building intensity of 440.066 square feet with a generation rate of 15 ADT per 1000 square feet of floor area and a maximum of 6,601 ADT's, yet the Development Agreement, Exhibit H-2 (Attachment 14) identifies a maximum of 366,650 square feet of building area assigned to the Sammis property, now owned by the project applicant. By using the trip generation rate of 20 ADT per 1000 square feet, as required to be applied by the Superior Court (Attachment 4), the maximum ADT allowed in TAZ 598 would be 7,333. The Superior Court ruled the applicant possesses 1,726 ADT available to be utilized for the two proposed projects. Using the ADT rate required by the Superior Court the combined ADT of the two projects is 1,568; the total combined square footage of 78,400 divided by 1000 multiplied by 20 equals 1,568. Staff has recorded the development which has occurred and is planned within the community in the Torrey Hills Community Land Uses by Traffic Analysis; Existing Land Uses Constructed or Approved, as of Dec. 2008 (Attachment 15). The existing development in the community with the proposed project would be less than the maximum evaluated in the Environmental Impact Report prepared for the 1997 Plan.

While the projects are not subject to the newly adopted 2008 General Plan policies, the General Plan recommends regional commercial areas serve as a focal point for regional commerce and activity. These regional areas should include a broad range of uses including retail, wholesale, office, employment, and public recreational and civic uses. The project includes regional and visitor commercial uses and could draw support to the commercial uses from the adjacent residential developments. The General Plan recommends improving mobility through development of a balanced transportation system that addresses walking, bicycling, transit and roadways in a manner which strengthens the City of Villages land use vision. The project does not directly address increased mobility yet does provide for a variety of commercial uses within the project which would promote internal pedestrian circulation. The properties are designated for visitor commercial which is intended to serve the freeway and given the close proximity to Interstate 5, this would be accomplished. The General Plan further recommends respecting San Diego's natural topography and distinctive neighborhoods. The proposed project is situated on the level portions of the sites to preserve the hillside and bluffs located beyond the development edge.

As a result of staff's analysis the proposed projects have been determined to be consistent with the 1989 Sorrento Hills Development Agreement, 1983 Sorrento Hills Community Plan and to the greatest extent possible the current General Plan.

Environmental Analysis

As each project is proposed on separate sites and the applications were submitted years apart, a separate analysis under the California Environmental Quality Act was performed for each

proposed project. A Mitigated Negative Declaration (MND) was prepared for each project pursuant to the California Environmental Quality Act (CEQA). The environmental review process studied the potential of each project to create impacts to Land Use, Multiple Species Conservation Program, Paleontological Resources, Circulation and Parking, Air Quality, Biological Resources and Noise. The environmental process for each project determined each project would have the potential to create significant impacts in the following areas: Land Use -Multiple Species Conservation Program and Paleontological Resources. These potential impacts would be reduced to a level of insignificance by the adoption of the proposed Mitigation Monitoring and Reporting Program (MMRP). Implementation of the MMRP would reduce the environmental effects of the project to below a level of significance.

Community Planning Group Recommendation

The Torrey Hills Community Planning Board, on April 21, 2009, voted 11:0:1 to recommend approval of each project, with seven concerns. These concerns are summarized as follows:

- 1. New signage conforming to existing on site. No internally illuminated box signs.
- 2. Parking lot lighting limited to eighteen feet and shielded.
- 3. Landscaping modifications.
- 4. Modify Building Five height, design and exterior treatment.
- 5. Drive-through for Building Five internal to parking lot.
- 6. Undesirable cooking odors from restaurants.
- 7. Reconstruct internal circulation on portion of site.

These concerns are detailed in their letter which is included as Attachment 21. The concerns have been numbered for ease of discussion. The applicant has agreed to address all of these concerns with one exception, item number seven. The draft permit includes conditions to address items one and two and the plans were revised to incorporate concerns three through five.

As presently worded Staff cannot recommend item six be a condition of approval and it cannot be addressed by a revision to the drawings. As the item is written there is no method to measure compliance and the condition is unenforceable. If a restaurant is developed and operated in this location, the applicant and restaurant owner would be required to comply with all current relevant regulations as required by condition number eight, which reads: "The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency;" yet this may not address the community concern as the City and County do not regulate cooking odors.

The Torrey Reserve and Torrey Reserve Phase IV project locations are existing developed sites which, if the proposed amendments are approved, would undergo extensive redevelopment. To address item seven would require demolition and reconstruction of a portion of the existing Torrey Reserve Phase IV site which is not proposed to be redeveloped. The applicant has not agreed to address this concern. Based upon staff's evaluation of the existing onsite circulation the site operates in an acceptable manner and no traffic issues have resulted along El Camino Real. Without any identified circulation deficiency the expense of implementing item seven would outweigh any minor benefit to the project or users of the site.

CONCLUSION

Staff has reviewed both the Torrey Reserve and Torrey Reserve Phase IV projects and all issues identified by staff through the review process have been resolved in conformance with adopted City Council policies, regulations of the Land Development Code and the 1989 Sorrento Hills Development Agreement. Staff has determined the proposed projects are consistent with these documents and the relevant regulations of the Land Development Code. Staff has provided draft findings to support approval of the development permits (Attachment 17 and 18) and draft conditions of approval (Attachment 19 and 20). Staff is recommending the Planning Commission approve the projects as proposed.

ALTERNATIVES

Torrey Reserve:

- 1. Approve Planned Development Permit No. 490145 and Coastal Development Permit No. 490146, with modifications.
- 2. Deny Planned Development Permit No. 490145 and Coastal Development Permit No. 490146, if the findings required to approve the project cannot be affirmed.

Torrey Reserve Phase IV:

- 1. Approve Planned Development Permit No. 427638 and Coastal Development Permit No. 427637, with modifications.
- 2. Deny Planned Development Permit No. 427638 and Coastal Development Permit No. 427637, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Mike Westlake Program Manager Development Services Department

BROUGHTON/JSF

Attachments:

Jóhn S. Fisher Development Project Manager Development Services Department

- 1. 1989 Sorrento Hills Development Agreement (available under separate cover)
- 2. California Gov't Code § 65865.4 and § 65866
- 3. 1983 Sorrento Hills Community Plan (available under separate cover)
- 4. Summary Judgment of Superior Court Case No. CIG 851874 (available under separate cover)
- 5. 1983 Sorrento Hills Community Plan Land Use Map
- 6. **Project Vicinity Map**
- 7. Copy of recorded Planned Commercial Development/Coastal Development Permit No. 85-0824
- 8. Torrey Reserve site development
- 9. Torrey Reserve Phase IV site development
- Copy of Planned Commercial Development/Coastal Development Permit No. 98-0554 Resolution No. D809
- 11. Torrey Reserve proposed Site Plan
- 12. Torrey Reserve Phase IV proposed Site Plan
- 13. Table 6-2, 1983 Sorrento Hills Community Plan
- 14. Exhibit H-2, 1989 Sorrento Hills Development Agreement
- 15. Torrey Hills Community Land Uses by Traffic Analysis; Existing Land Uses Constructed or Approved, as of December 2008
- 16. Project plans, elevations, landscape, and others
- 17. Torrey Reserve Draft Resolution with Findings
- 18. Torrey Reserve Phase IV Draft Resolution with Findings
- 19. Torrey Reserve Draft Permit with Conditions
- 20. Torrey Reserve Phase IV Draft Permit with Conditions
- 21. Community Planning Group Recommendations
- 22. Ownership Disclosure Statement
- 23. Project Data Sheets
- 24. Project Chronologies

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1989 Sorrento Hills Development Agreement

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(available under separate cover)



FindLaw > FindLaw California > Codes and Statutes > California Code > Government Code

- <u>Californía Codes</u>
 - o California Government Code

• GOVERNMENT CODE SECTION 65864-65869.5

65864. The Legislature finds and declares that:

(a) The lack of certainty in the approval of development projects can result in a waste of resources, escalate the cost of housing and other development to the consumer, and discourage investment in and commitment to comprehensive planning which would make maximum efficient utilization of resources at the least economic cost to the public.

(b) Assurance to the applicant for a development project that upon approval of the project, the applicant may proceed with the project in accordance with existing policies, rules and regulations, and subject to conditions of approval, will strengthen the public planning process, encourage private participation in comprehensive planning, and reduce the economic costs of development.

(c) The lack of public facilities, including, but not limited to, streets, sewerage, transportation, drinking water, school, and utility facilities, is a serious impediment to the development of new housing. Whenever possible, applicants and local governments may include provisions in agreements whereby applicants are reimbursed over time for financing public facilities.

65865. (a) Any city, county, or city and county, may enter into a development agreement with any person having a legal or equitable interest in real property for the development of the property as provided in this article.

(b) Any city may enter into a development agreement with any person having a legal or equitable interest in real property in unincorporated territory within that city's sphere of influence for the development of the property as provided in this article. However, the agreement shall not become operative unless annexation proceedings annexing the property to the city are completed within the period of time specified by the agreement. If the annexation is not completed within the time specified in the agreement or any extension of the agreement, the agreement is null and void.

(c) Every city, county, or city and county, shall, upon request of an applicant, by resolution or ordinance, establish procedures and requirements for the consideration of development agreements upon application by, or on behalf of, the property owner or other person having a legal or equitable interest in the property.

(d) A city, county, or city and county may recover from applicants the direct costs associated with adopting a resolution or ordinance to establish procedures and requirements for the consideration of development agreements.

(e) For any development agreement entered into on or after January 1, 2004, a city, county, or city and county shall comply with

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Section 66006 with respect to any fee it receives or cost it recovers pursuant to this article.

65865.1. Procedures established pursuant to Section 65865 shall include provisions requiring periodic review at least every 12 months, at which time the applicant, or successor in interest thereto, shall be required to demonstrate good faith compliance with the terms of the agreement. If, as a result of such periodic review, the local agency finds and determines, on the basis of substantial evidence, that the applicant or successor in interest thereto has not complied in good faith with terms or conditions of the agreement, the local agency may terminate or modify the agreement.

65865.2. A development agreement shall specify the duration of the agreement, the permitted uses of the property, the density or intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The development agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for subsequent development of the land for the uses and to the density or intensity of development set forth in the agreement. The agreement may provide that the project or any phase thereof be completed within a specified time.

The agreement may also include terms and conditions relating to applicant financing of necessary public facilities and subsequent reimbursement over time.

65865.3. (a) Except as otherwise provided in subdivisions (b) and (c), Section 65868, or Section 65869.5, notwithstanding any other law, if a newly incorporated city or newly annexed area comprises territory that was formerly unincorporated, any development agreement entered into by the county prior to the effective date of the incorporation or annexation shall remain valid for the duration of the agreement, or eight years from the effective date of the incorporation or annexation, whichever is earlier. The holder of the development agreement and the city may agree that the development agreement shall remain valid for more than eight years, provided that the longer period shall not exceed 15 years from the effective date of the incorporation or annexation. The holder of the development agreement and the city shall have the same rights and obligations with respect to each other as if the property had remained in the unincorporated territory of the county.

(b) The city may modify or suspend the provisions of the development agreement if the city determines that the failure of the city to do so would place the residents of the territory subject to the development agreement, or the residents of the city, or both, in a condition dangerous to their health or safety, or both.

(c) Except as otherwise provided in subdivision (d), this section applies to any development agreement which meets all of the following requirements:

(1) The application for the agreement is submitted to the county prior to the date that the first signature was affixed to the

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petition for incorporation or annexation pursuant to Section 56704 or the adoption of the resolution pursuant to Section 56800, whichever occurs first.

(2) The county enters into the agreement with the applicant prior to the date of the election on the question of incorporation or annexation, or, in the case of an annexation without an election pursuant to Section 57075, prior to the date that the conducting authority orders the annexation.

(3) The annexation proposal is initiated by the city. If the annexation proposal is initiated by a petitioner other than the city, the development agreement is valid unless the city adopts written findings that implementation of the development agreement would create a condition injurious to the health, safety, or welfare of city residents.

(d) This section does not apply to any territory subject to a development agreement if that territory is incorporated and the effective date of the incorporation is prior to January 1, 1987.

65865.4. Unless amended or canceled pursuant to Section 65868, or modified or suspended pursuant to Section 65869.5, and except as otherwise provided in subdivision (b) of Section 65865.3, a development agreement shall be enforceable by any party thereto notwithstanding any change in any applicable general or specific plan, zoning, subdivision, or building regulation adopted by the city, county, or city and county entering the agreement, which alters or amends the rules, regulations, or policies specified in Section 65866.

65865.5. (a) Notwithstanding any other provision of law, after the amendments required by Section 65302.9 and 65860.1 have become effective, the legislative body of a city or county within the Sacramento-San Joaquin Valley shall not enter into a development agreement for any property that is located within a flood hazard zone unless the city or county finds, based on substantial evidence in the record, one of the following:

(1) The facilities of the State Plan of Flood Control or other flood management facilities protect the property to the urban level of flood protection in urban and urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas.

(2) The city or county has imposed conditions on the development agreement that will protect the property to the urban level of flood protection in urban and urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas.

(3) The local flood management agency has made adequate progress on the construction of a flood protection system which will result in flood protection equal to or greater than the urban level of flood protection in urban or urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas for property located within a flood hazard zone, intended to be protected by the system. For urban and urbanizing areas protected by project levees, the urban level of flood protection shall be achieved by 2025.

(b) The effective date of amendments referred to in this section

shall be the date upon which the statutes of limitation specified in subdivision (c) of Section 65009 have run or, if the amendments and any associated environmental documents are challenged in court, the validity of the amendments and any associated environmental documents has been upheld in a final decision.

(c) Nothing in this section shall be construed to change or diminish existing requirements of local floodplain management laws, ordinances, resolutions, or regulations necessary to local agency participation in the national flood insurance program.

65866. Unless otherwise provided by the development agreement, rules, regulations, and official policies governing permitted uses of the land, governing density, and governing design, improvement, and construction standards and specifications, applicable to development of the property subject to a development agreement, shall be those rules, regulations, and official policies in force at the time of execution of the agreement. A development agreement shall not prevent a city, county, or city and county, in subsequent actions applicable to the property, from applying new rules, regulations, and policies which do not conflict with those rules, regulations, and policies applicable to the property as set forth herein, nor shall a development agreement prevent a city, county, or city and county from denying or conditionally approving any subsequent development project application on the basis of such existing or new rules, regulations, and policies.

65867. A public hearing on an application for a development agreement shall be held by the planning agency and by the legislative body. Notice of intention to consider adoption of a development agreement shall be given as provided in Sections 65090 and 65091 in addition to any other notice required by law for other actions to be considered concurrently with the development agreement.

65867.5. (a) A development agreement is a legislative act that shall be approved by ordinance and is subject to referendum.(b) A development agreement shall not be approved unless the legislative body finds that the provisions of the agreement are consistent with the general plan and any applicable specific plan.

(c) A development agreement that includes a subdivision, as defined in Section 66473.7, shall not be approved unless the agreement provides that any tentative map prepared for the subdivision will comply with the provisions of Section 66473.7.

65868. A development agreement may be amended, or canceled in whole or in part, by mutual consent of the parties to the agreement or their successors in interest. Notice of intention to amend or cancel any portion of the agreement shall be given in the manner provided by Section 65867. An amendment to an agreement shall be subject to the provisions of Section 65867.5.

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65868.5. No later than 10 days after a city, county, or city and county enters into a development agreement, the clerk of the legislative body shall record with the county recorder a copy of the agreement, which shall describe the land subject thereto. From and after the time of such recordation, the agreement shall impart such notice thereof to all persons as is afforded by the recording laws of this state. The burdens of the agreement shall be binding upon, and the benefits of the agreement shall inure to, all successors in interest to the parties to the agreement.

65869. A development agreement shall not be applicable to any development project located in an area for which a local coastal program is required to be prepared and certified pursuant to the requirements of Division 20 (commencing with Section 30000) of the Public Resources Code, unless: (1) the required local coastal program has been certified as required by such provisions prior to the date on which the development agreement is entered into, or (2) in the event that the required local coastal program has not been certified, the California Coastal Commission approves such development agreement by formal commission action.

65869.5. In the event that state or federal laws or regulations, enacted after a development agreement has been entered into, prevent or preclude compliance with one or more provisions of the development agreement, such provisions of the agreement shall be modified or suspended as may be necessary to comply with such state or federal laws or regulations.

Previous

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1983 Sorrento Hills Community Plan

(available under separate cover)

-

Summary Judgment of Superior Court Case No. CIG 851874

(available under separate cover)



Land Use Plan

SORRENTO HILLS COMMUNITY PLAN

AG LAND ASSOCIATES 9404 Genesee Avenue, Suite 340, La Jolla, CA 92037





Figure 1



Land Use Plan

SORRENTO HILLS COMMUNITY PLAN

AG LAND ASSOCIATES 9404 Genesee Avenue, Suite 340, La Jolla, CA 92037

Figure 1







PLANNED COMMERCIAL DEVELOPMENT PERMIT AND COASTAL DEVELOPMENT PERMIT NO. 85-0824

DOCUMENT NO. 85-0824

CITY COUNCIL

FILED____ June 23, 1993

ATTACHMENT

OFFICE OF THE CITY CLERK SAN DIEGO, CALIFORNIA

7

This Planned Commercial Development ("PCD")/Coastal Development Permit ("CDP") No. 85-0824 is granted by the Council of The City of San Diego to AMERICAN ASSETS, INC., a corporation, Owner/Permittee, pursuant to in Section 101.0910 of the Municipal Code of The City of San Diego.

- Permission is granted to Owner/Permittee to construct a Planned Commercial Development/Coastal Development located east of Interstate 5 and approximately one-quarter mile south of Carmel Valley Road, described as Parcel 2 of Parcel Map No. 14873, in the currently A1-1 Zone (Proposed CO zone).
- 2. The facility shall consist of the following:
 - a. The grading of 17.5 acres and the construction of 12 buildings totalling 458,646 square-feet;
 - b. The installation of an entry statement for the Arroyo Sorrento neighborhood;
 - c. Off-street parking;
 - d. Accessory uses as may be determined incidental and approved by the Planning Director.
- 3. Prior to the issuance of any building permits, a final subdivision map shall be recorded on the subject property. Rezoning of the subject property shall be approved by the City Council and become effective with the recordation of the subdivision map.
- 4. No fewer than 1,673 off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated February 9, 1993, on file in the office of the Planning Department. Parking spaces shall be consistent with San Diego Municipal Code Chapter X, Article 1, Division 8, and shall be permanently maintained and not converted for any other use. Parking spaces and aisles shall conform to Planning Department standards. Parking areas shall be marked.
- 5. No permit for grading or building of any facility shall be granted nor shall any activity authorized by this permit be conducted on the premises until:

-PAGE 1 OF 9-

- a. The Permittee signs and returns the permit to the Planning Department;
- b. The Planned Commercial Development/Coastal Development Permit is recorded in the office of the County Recorder.
- 6. Before issuance of any building permits, complete grading and building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated February 9, 1993, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications, Findings of Substantial Conformance or amendment of this permit shall have been granted.
- 7. Before issuance of any grading or building permits, a complete landscape plan, including a permanent irrigation system, shall be submitted to the Planning Director for approval. The plans shall be in substantial conformity to Exhibit "A," dated February 9, 1993, on file in the office of the Planning Department. Approved planting shall be installed before issuance of any occupancy permit on any building. Such planting shall not be modified or altered unless this permit has been amended and is to be maintained in a disease, weed and litter free condition at all times.
- 8. All outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are located.
- 9. The effective date of this permit shall be the date of final action following all appeal dates and proceedings or the effective date of a concurrent rezoning case. The permit must be utilized within 36 months after the effective date. Failure to utilize the permit within 36 months will automatically void the permit unless an extension of time has been granted by the Planning Director, as set forth in Municipal Code section 101.0910(M). Any such extension of time must meet all the Municipal Code requirements and applicable guidelines in effect at the time the extension is considered by the Planning Director.
- 10. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies. The applicant shall be able to provide proof of such compliance from all governmental agencies having jurisdiction.
- 11. After establishment of the project, the property shall not be used for any other purposes unless:
 - a. Authorized by the Planning Director; or

-PAGE 2 OF 9-

b. The proposed use meets every requirement of the zone existing for the property at the time of conversion;

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c. The permit has been revoked by the City.

The property included within this Planned Commercial Development/Coastal Development shall be used only for the purposes and under the terms and conditions set forth in this permit unless authorized by the Planning Director or the permit has been revoked by The City of San Diego.

- 12. This Planned Commercial Development Permit/Coastal Development Permit may be canceled or revoked if there is any material breach or default in any of the conditions of this permit. Cancellation or revocation may be instituted by The City of San Diego or Permittee.
- 13. This Planned Commercial Development Permit/Coastal Development 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.
- 14. Permanent and/or temporary signs shall be approved by the Sign Code Administrator and shall conform to City-wide Sign Regulations and be administered by the Sign Code Administration Division of the Neighborhood Code Compliance Department.
- 15. The use of textured or enhanced paving shall be permitted only with the approval of the City Engineer and Planning Director, and shall meet standards of these departments as to location, noise and friction values, and any other applicable criteria.
- 16. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind per the approved plans.
- 17. Noise walls, street trees, decorative pavements and other public right-of-way improvements shown on Exhibit "A," dated February 9, 1993, shall be permitted by an Encroachment Permit obtained from the City Engineer.
- 18. The Permittee/Applicant shall comply with all requirements of the Uniform Building Code (UBC) and secure all necessary building permits prior to construction.
- 19. The child care facility shall be operated and maintained for the children of employees of businesses located within the Torrey Reserve Commercial Development only. Reports shall be sent to the Planning Department upon request.

- 20. Building materials shall be in accordance with the approved Exhibit "A," dated February 9, 1993, on file in the office of the Planning Department.
- 21. An entry statement shall be provided at both the entrance to the Arroyo Sorrento neighborhood on Arroyo Sorrento Road, near the intersection with El Camino Real and at the entrance to the neighborhood at the project boundary. The entry statement shall be submitted and approved by the Planning Director, prior to the issuance of building permits.
- 22. This Coastal Development Permit/Planned Commercial Development Permit shall not become effective until 30 days following action by the Coastal Commission to adopt the Local Coastal Program Amendment related to the proposed rezone for the project site.
- 23. This Coastal Development Permit incorporates a Planned Commercial Development Permit and Rezone. The Rezone and Planned Commercial Development Permit shall not be valid until the Coastal Development Permit becomes effective.

Environmental Mitigation Conditions

- 24. The landscape contractor for the project shall be instructed to avoid the use of pesticides or herbicides within and adjacent to the open space easement. This shall be noted on the landscape plans.
- 25. Street lighting shall be designed to avoid lighting the open space easement area. Building/parking lot lighting shall be directed away from open space and only minimal security lighting shall be provided in areas adjacent to natural open space. This shall be noted on the building plans.
- 26. Future structures shall not be founded across daylight lines (the point or area where grading abuts natural ground) to provide a minimum thickness of compacted fill across the entire pad.
- 27. A 50 dBA CNEL interior noise level shall be ensured by future review of building plans by the City's Noise Abatement Office. Planning will not issue permits until plans are reviewed and approved by the Noise Abatement Office.
- 28. The applicant shall retain a soils engineer and landscape architect to monitor the grading, construction, and revegetation of the project and submit in writing to the City Engineer and the Environmental Analysis Section ("EAS"), Development and Environmental Planning Division, Planning Department, certification that the project has complied with the required mitigation measures on the

-PAGE 4 OF 9-

grading plans. Other than minor changes in grading, the applicant shall process construction changes through the Planning Department. After the Planning Director and City Engineer approves the grading, a recommendation shall be made to the City Council for the release of the surety bond.

29. A five-year monitoring program shall be conducted by the project biologist in conjunction with the maintenance program conducted by the landscape contractor for those disturbed areas and manufactured slopes addressed in the revegetation plan. A separate surety bond shall be posted to ensure installation and maintenance of the landscaping. Monitoring shall be conducted by a biologist with experience in preparation and implementation of revegetation programs and commence following the completion of planting and hydroseeding operations. Survival counts shall occur quarterly for the first year and annually for years two through five. A total of five annual reports shall be prepared upon completion of the data collection and analysis.

Quantitative analysis shall consist of measurements using belt transect. Measurements shall include height, cover, and survival to be evaluated against the following milestones:

Year 1 90 percent of container stock

- Year 2 80 percent survival of container stock 40 percent cover of all native vegetation (container stock and hydroseed vegetation)
- Year 3 80 percent survival of container stock 50 percent cover of all native vegetation
- Year 4 80 percent survival of container stock 60 percent cover of all native vegetation
- Year 5 80 percent survival of container stock 80 percent cover of all native vegetation

Survival rates shall be determined four times during the first year and during the transect visits of subsequent years. The inventory taken at each visit shall include species and surviving numbers for all plants established from container stock.

Progress and annual technical reports shall be submitted to the Planning Department after each inspection. The reports shall describe the site and plant conditions, report results of the technical analysis, and shall include proposed remedial action. The bond shall be released at the end of



the five-year monitoring program period if compliance with the survival rates listed above are met.

- Manufactured slopes and disturbed open space areas adjacent 30. to undisturbed native habitat (approximately 2.2 acres) shall be vegetated with native species which are known to occur locally in accordance with the revegetation plan. Torrey pine may be used as a landscape element adjacent to the natural areas; however, it should not be planted within native habitat areas, as that would degrade the quality of this habitat for California gnatcatchers. No non-native plant species which are known to invade native habitats should be planted adjacent to natural areas. A surety bond to assure implementation of the revegetation program shall be a condition of PCD No. 85-0824. Successful revegetation of these areas with southern maritime chaparral would serve to fully mitigate 0.43 acre of impact to southern maritime chaparral; a total of approximately 2.2 acres of disturbed areas and manufactured slopes would be revegetated resulting in greater than a 3:1 ratio of mitigation area.
- 31. The grading plan shall incorporate a maintenance program for erosion and runoff control measures, which shall be approved by the City Engineer and Planning Department. The erosion and runoff control measures shall be designed and bonded prior to recordation of the final map; erosion control measures shall be implemented prior to acceptance of the grading and public improvements by the City. The applicant and future property owners shall be responsible for the specialized maintenance program and shall maintain records of the maintenance.
- 32. The applicant shall retain a soils engineer to monitor the grading, construction, installation of runoff control devices, and revegetation of the project and submit in writing to the City Engineer and the EAS certification that the project has complied with the required notes on the grading plans addressing erosion/urban runoff controls prior to issuance of building permits for the project.
- 33. During grading and construction of the proposed improvements, steps shall be taken to ensure that all waste chemicals, especially lubricants, paints, and fuels are properly contained and transported off-site, where they should be recycled or destroyed. The installation of temporary desilting basins during grading, permanent pollution control devices, and rock energy dissipaters at drainage discharge points will reduce the load of urban pollutants before they reach the lagoon. The above measures shall be noted on the grading plans.
- 34. Pollution control devices shall be provided to the satisfaction of the City Engineer in conjunction with site development and shall be a condition of the PCD and CDP.

The locations shall be noted on the grading plans. Prior to the issuance of grading permits, the EAS shall review the plans to ensure the measures have been provided. The applicant shall notify the EAS upon installation of the pollution control devices prior to release of the subdivision bond. Annual maintenance reports summarizing their effectiveness shall be provided to the EAS. The maintenance shall be the responsibility of the applicant and then the property owner for the individual lots. The City shall be responsible for maintenance of drainage improvements in the public right-of-way.

- 35. A paleontological monitoring results report, with appropriate graphics, summarizing the results, even if negative, analysis, and conclusions of the paleontological 'monitoring program as described in the EIR shall be prepared and submitted to EAS following the termination of the paleontological monitoring program and prior to issuance of building permits.
- 36. If grading is to occur during the nesting season of the California gnatcatcher and this species is found to be nesting adjacent to the area to be graded, the applicant will implement a monitoring and reporting program as described in the Environmental Impact Report to the satisfaction of the Principal Planner of the Environmental Analysis Section.

Street Vacation Conditions

1.

- 37. Clearances must be obtained from all concerned public utilities and franchise facility companies.
- 38. Easements must be reserved for any public utilities and franchise facilities within the area to be vacated, or the facilities may be relocated, in a manner satisfactory to the affected utility companies.
- 39. The final map for Torrey Reserve (Tentative Map No. 85-0824) must be approved and recorded in conjunction with the street vacation.
- 40. Construction of the new alignment for El Camino Real must be dedicated and open for public use, in a manner satisfactory to the City Engineer.
- 41. In the event that the permittee elects not to obtain title to the Caltrans parcel, the Planning Director and the City Engineer or their designated representatives shall be authorized to review and approve revisions to project, provided that such revisions are in substantial conformance to the approved project.

- 42. 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.
- 43. The total project shall not exceed 458,646 square feet of development. The commercial office buildings on the west side of El Camino Real shall not exceed 287,480 square feet, and the commercial office buildings on the east side of El Camino Real shall not exceed 171,166 square feet.

The modified buildings shall be designed so that the reduction in square footage results in increased terracing features to the buildings. The revised building plans shall be subject to the approval of the Planning Director.

The project shall be requires to maintain a total of 1,673 parking spaces. A minimum of 615 parking spaces shall be located on the east side of El Camino Real and 1,058 parking spaces shall be located on the west side of El Camino Real, as indicated on Exhibit "A," dated February 9, 1993, on file in the Planning Department.

- 44. The vehicular access shall not be permitted from the project site onto Arroyo Sorrento Road.
- 45. Prior to the issuance of building or grading permits, the applicant shall be required to pay as a fee to the Los Penasquitos Lagoon Enhancement Fund and Escrow account for the restoration of the Los Penasquitos Lagoon and watershed. The watershed restoration and enhancement fee shall be computed in accordance with Section 105.0209 of the San Diego Municipal Code.

APPROVED by the Council of The City of San Diego on February 9, 1993, by Resolution Nos. R-281470 and R-281471.

2154

AUTHENTICATED BY: SUSAN GOLDING, Mayor

CHARLES G. ABDELNOUR, City Clerk The City of San Diego

STATE OF CALIFORNIA)) COUNTY OF SAN DIEGO)

The City of San Diego

) ss.

On this <u>33</u> day of <u>June</u>, <u>1993</u>, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared CHARLES G. ABDELNOUR, known to me to be the City Clerk of The City of San Diego, the municipal corporation that executed the within instrument, and known to me to be the person whose name is subscribed to the within instrument, as a witness thereto, who being by me duly sworn, deposes and says that he was present and saw SUSAN GOLDING known to him to be the Mayor of The City of San Diego, and known to him to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same, and that said affiant subscribed his name to the within instrument as a witness.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the County of San Diego, State of California, the day and year in this certificate first above written.



Public in and for the County Notary

of San Diego, State of California

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.

AMERICAN ASSETS, INC. Owner/Permittee By Bγ JOHN W. CHAMBERLAIN - V.P.

ORIGINAL

NOTE: Notary acknowledgments must be attached per Civil Code Section 1180, et seq. Form=p.ack

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(R-93-1195)

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RESOLUTION NUMBER R-281470 ADOPTED ON FEBRUARY 9, 1993

WHEREAS, on December 3, 1993, the Planning Department recommended approval of Coastal Development Permit ("CDP") No. 85-0824 submitted by American Assets, Inc., a corporation, Owner/Permittee, for the development of approximately 458,646 square feet of visitor commercial and office uses on a 60-acre site located east of Interstate 5 and approximately one-quarter mile south of Carmel Valley Road and described as Parcel 2 of Parcel Map No. 14873, in the Sorrento Hills Community Plan area, in the A1-1 zone (proposed CO zone); and

WHEREAS, the matter was set for public hearing on February 9, 1993, 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 this Council adopts the following findings with respect to Coastal Development Permit No. 85-0824:

1. The proposed development will not encroach upon any existing physical accessway legally utilized by the public or any proposed public accessway identified in an adopted Local Coastal Program ("LCP") Land Use Plan; nor will it obstruct views to and along the ocean and other scenic coastal areas from public vantage points. The project is not located on or near any physical accessways. The project has been designed so that it will not obstruct views to sandstone bluffs located east of the Interstate 5, as identified in the Sorrento Hills Community Plan and Local Coastal Program.

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2. The proposed development will not adversely affect marine resources, environmentally sensitive areas, or archaeological or paleontological resources. The project's impact to environmentally sensitive areas, archaeological or paleontological resources is addressed in the Environmental Impact Report ("EIR") No. 85-0824. As mitigation for potential impacts to paleontological resources, all grading operations shall be monitored by a qualified paleontologist. The proposed development was not identified as affecting marine resources or archaeological resources. Any disturbance to environmentally sensitive areas will be revegetated to reduce any impacts.

3. The proposed development will comply with the requirements related to biologically sensitive lands and significant prehistoric and historic resources as set forth in the Resource Protection Ordinance (San Diego Municipal Code section 101.0462), unless by the terms of the Resource Protection Ordinance, it is exempted therefrom. The project has been designed to reduce impacts to biologically sensitive lands, to the extent possible. Any encroachment into biologically

-PAGE 2 OF 5-

sensitive lands, shall be revegetated where appropriate. In the areas known to have gnatcatchers, the applicant has agreed to a monitoring and reporting program to be approved by the Principal Planner of the Environmental Analysis Section.

4. The proposed development will not adversely affect recreational or visitor-serving facilities or coastal scenic resources. The project site is not adjacent to any legally recognized recreational or visitor-serving facilities. The project site is across Interstate 5 from the Los Penasquitos Lagoon and will therefore not cause any adverse affect to the reserve. Views to the sandstone bluff, adjacent to the property, have been preserved.

5. The proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources. The project site has been designed to prevent adverse impacts to the extent possible, given development rights for the site, as approved in the Sorrento Hills Development Agreement. The project is adequately buffered from the adjacent Los Penasquitos Lagoon and the residential development. The project has been sited so that the views to the scenic sandstone bluffs are protected.

6. The proposed development will minimize the alterations of natural landforms and will not result in undue risks from

-PAGE 3 OF 5-

geologic and erosional forces and/or flood and fire hazards. The project is designed to minimize landform alterations, as much as possible, given the previously approved location for the realignment of El Camino Real. The proposed grading techniques, with revegetation of manufactured slopes and disturbed areas ensure that undue risks from geologic and erosional forces will not occur. The EIR specified that based on the proposed grading techniques, landform alteration will be reduced to a level below significance.

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7. The proposed development will be visually compatible with the character of surrounding areas, and where feasible, will restore and enhance visual quality in visually degraded areas. The proposed development is a office commercial and visitor commercial development located in an area surrounded by residential, freeway, and office and visitor commercial uses. Although the area not yet built-out, there are approved plans for visitor commercial uses adjacent to the site. The uses with which this project is less compatible is adequately buffered by natural topographic features.

8. The proposed development will conform with the General Plan, the Local Coastal Program, and any other applicable adopted plans and programs. The project complies with all relevant regulations of the Municipal Code. Further, the project complies with the land use designation and guidelines of the Sorrento Hills Community Plan.

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

-PAGE 4 OF 5-
BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is granted, and Coastal Development Permit No. 85-0824 is hereby granted to American Assets, Inc., under the terms and conditions set forth in the permit attached hereto and made a part hereof.

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APPROVED: JOHN W. WITT, City Attorney

Ву Valderhaug Harold O.

Chief Deputy City Attorney

HOV:1c 03/16/93 Or.Dept:Clerk R-93-1195 Form=r.permit Passed and adopted by the Council (the City of San Diego on, by the following vote:

Council Members	· Yeas,	Nays	Not Present	Ineligible
Abbe Wolfsheimer	V			
Ron Roberts	I			
John Hardey	Ø,	Ď		
George Stevens	V			
Tom Behr	D,			
Valerie Stallings	Ø			
Judy McCarty			র্তি	
District 8 - VACANT	••			
Mayor Susan Golding	₽.			

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING

Mayor of The City of San Diego, California.

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CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

Mit Beputy. By.

Office of the City Clerk, San Diego, California

Adopted ..

FEB 0 9 1993

Resolution R-281470Number

City of dan Diego Revolution no. R-281470

SS. STATE OF CALIFORNIA COUNTY OF SAN DIEGO)

I, CHARLES G. ABDELNOUR, Clerk of the City of San Diego, California, having a Seal, hereby certify, that by law, I have the custody of said Seal and all the official records of the City, the custody of which is not otherwise provided for in the charter or by ordinances of the City.

That the records annexed hereto are true copies of records on file and of record in the office of the Clerk of said City.

WITNESS my hand and seal on ________ 1993

CHARLES G. ABDELNOUR, City Clerk

Deputy City Clerk

(SEAL)

MM:ch Rev. 9-88 RECORDING REQUESTED BY <u>Mary Lou Sanford</u> AND MAIL TO: City Clerk, Mail Station 2A

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DOCUMENT NO. 85-0824

FILED June 23, 1993 OFFICE OF THE CITY CLERK SAN DIEGO, CALIFORNIA

(PERM - PCD/CDP-85-0824)

American Assets Inc. Owner/Permittee Planned Commercial/Coastal Development Perm East of I-5 and approx. 1 mile south of Carmel Valley Road. Parcel 2 of Parcel Map 14873.

cc: Planning - 5a
Zoning 300
Bldg. Inspection 301
American Assets Inc.
10140 Campus Point Drive
San Diego 92121



6/23/93 mls

DOC # 1993-0 25-JUN-1993 01:01 PM OFFICIAL RECORDS

SAN DIEGO	COUNTY	RECORDER'S OFFICE	
ANHETTE	EVANS,	COUNTY RECORDER	
RF:	21.00	fees:	59.00
AF:	37.00		
MF:	1.00		

RECORDING REQUESTED BY <u>Mary Lou Sanford</u> AND MAIL TO: City Clerk, Moil Station 2A

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DOCUMENT NO. 85-0824

FILED June 23, 1993 OFFICE OF THE CITY CLERK SAN DIEGO, CALIFORNIA

(PERM - PCD/CDP-85-0824)

American Assets Inc. Owner/Permittee Planned Commercial/Coastal Development Perr East of I-5 and approx. 1 mile south of Carmel Valley Road. Parcel 2 of Parcel Map 14873.

cc: Planning - 5a Zoning 300 Bldg. Inspection 301 American Assets Inc. 10140 Campus Point Drive San Diego 92121



6/23/93 mls

DOC # 1993-0403713 01=01 PM

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Torrey Reserve

ATTACHMENT

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ATTACHMENT

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CITY MANAGER RESOLUTION NO. D 809 Coastal Development Permit (CDP)/Planned Commercial Development Permit (PCD) No. 98-0550 TORREY RESERVE COMMERCIAL DEVELOPMENT CHILD CARE AMENDMENT

WHEREAS, PACIFIC TORREY RESERVE HOLDINGS, L.P., Owner/Permittee, filed an application with the City of San Diego for a permit to amend CDP/PCD No. 85-0824 to delete condition 19. Condition 19 restricts enrollment of the child care center to employees of the Torrey Reserve Business Park. Elimination of condition 19 will open enrollment to the public.

WHEREAS, the project site is located at 3720 Arroyo Sorrento Road in the CO Zone of the Sorrento Hills Community Plan area; and

WHEREAS, the project site is legally described as Parcel 2 of Parcel Map No. 14873; and

WHEREAS, on September 2, 1998, the City Manager of the City of San Diego considered CDP/PCD No. 98-0550 pursuant to Sections 105.0202 and 101.0910 of the Municipal Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the city Manger of the City of San Diego as follows:

That the City Manager adopts the following written Findings, dated September 2, 1998.

FINDINGS:

COASTAL DEVELOPMENT PERMIT (Municipal Code Section 105.0202)

A. THE PROPOSED DEVELOPMENT WILL NOT ENCROACH UPON ANY EXISTING PHYSICAL ACCESSWAY LEGALLY UTILIZED BY THE GENERAL PUBLIC OR ANY PROPOSED PUBLIC ACCESSWAY IDENTIFIED IN AN ADOPTED LCP LAND USE PLAN; NOR WILL IT OBSTRUCT VIEWS TO AND ALONG THE OCEAN AND OTHER SCENIC COASTAL AREAS FROM PUBLIC VANTAGE POINTS.

The proposed amendment to delete condition 19 from CDP/PCD No. 85-0824 will open enrollment of the previously approved child care center to the public. Deletion of condition 19 does not alter the previous findings for CDP/PCD No. 85-0824. The project as approved under CDP/PCD Permit No. 85-0824 was not located on or near any physical accessways, and was designed so that it did not obstruct views to the sandstone bluffs located east of Interstate 5, as

Page 1 of 4



identified in the Sorrento Hills Community Plan and Local Coastal Program.

B. THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT IDENTIFIED MARINE RESOURCES, ENVIRONMENTALLY SENSITIVE AREAS, OR ARCHAEOLOGICAL OR PALEONTOLOGICAL RESOURCES.

The project's impacts to environmentally sensitive areas, archaeological or paleontological resources was addressed in certified Environmental Impact Report (EIR) No. 85-0824. As mitigation for potential impacts to paleontological resources, all grading operations are required to be monitored by a qualified paleontologist. The project was not identified as affecting marine resources or archaeological resources.

C. THE PROPOSED DEVELOPMENT WILL COMPLY WITH THE REQUIREMENTS RELATED TO BIOLOGICALLY SENSITIVE LANDS AND SIGNIFICANT PREHISTORIC AND HISTORIC RESOURCES AS SET FORTH IN THE RESOURCE PROTECTION ORDINANCE, CHAPTER X, SECTION 101.0462 OF THE SAN DIEGO MUNICIPAL CODE, UNLESS BY THE TERMS OF THE RESOURCE PROTECTION ORDINANCE, IT IS EXEMPTED THEREFROM.

The proposed amendment to delete condition 19 of CDP/PCD No. 85-0824 does not alter this finding. CDP/PCD No. 85-0824 was designed to reduce impacts to biologically sensitive lands, to the extent possible.

D. <u>THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT</u> IDENTIFIED RECREATIONAL OR VISITOR-SERVING FACILITIES OR COASTAL SCENIC RESOURCES.

The project site is not located adjacent to any legally recognized recreational or visitor-serving facilities. The project site is across Interstate 5 from the Los Peñasquitos Lagoon. Under this finding for CDP/PCD No. 85-0824 it was determined that the project would not cause any adverse affects to the reserve. The proposed amendment will not alter this finding.

E. THE PROPOSED DEVELOPMENT WILL BE SITED AND DESIGNED TO PREVENT ADVERSE IMPACTS TO ENVIRONMENTALLY SENSITIVE HABITATS AND SCENIC RESOURCES LOCATED IN ADJACENT PARKS AND RECREATION AREAS, AND WILL PROVIDE ADEQUATE BUFFER AREAS TO PROTECT SUCH RESOURCES.

Pursuant to CDP/PCD No. 85-0824 it was found that the project is adequately buffered from the adjacent Los Peñasquitos Lagoon and the residential

development, and is sited so that the views to the scenic sandstone bluffs are protected.

F. THE PROPOSED DEVELOPMENT WILL MINIMIZE THE ALTERATIONS OF NATURAL LANDFORMS AND WILL NOT RESULT IN UNDUE RISKS FROM GEOLOGIC AND EROSIONAL FORCES AND/OR FLOOD AND FIRE HAZARDS.

The EIR certified for CDP/PCD No. 85-0824 determined that based upon the proposed grading techniques that impacts to the landform were reduced to a level below significant. The proposed amendment does not alter this finding.

G. THE PROPOSED DEVELOPMENT WILL BE VISUALLY COMPATIBLE WITH THE CHARACTER OF THE SURROUNDING AREA, AND WHERE FEASIBLE, WILL RESTORE AND ENHANCE VISUAL QUALITY IN VISUALLY DEGRADED AREAS.

The proposed amendment does not alter this finding for CDP/PCD No. 85-0824, which found that the project is adequately buffered by natural topographic features.

H. THE PROPOSED DEVELOPMENT WILL CONFORM WITH THE CITY'S PROGRESS GUIDE AND GENERAL PLAN, THE LOCAL COASTAL PROGRAM, AND ANY OTHER APPLICABLE ADOPTED PLANS AND PROGRAMS IN EFFECT FOR THIS SITE.

The proposed amendment is in conformance with the land use designation of the General Plan and Sorrento Hills Community Plan for the site.

PLANNED COMMERCIAL DEVELOPMENT (Municipal Code Section 101,0910)

A. THE PROPOSED USE WILL FULFILL A COMMUNITY NEED AND WILL NOT ADVERSELY AFFECT THE CITY'S PROGRESS GUIDE AND GENERAL PLAN OR THE ADOPTED COMMUNITY PLAN.

The proposal to open the existing child care center to the public will fulfill a community need by providing child care nearby where parents live and work.

B. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE AREA AND WILL NOT ADVERSELY AFFECT OTHER PROPERTIES IN THE VICINITY. The proposed amendment to CDP/PCD No. 85-0824 will not be detrimental to the health, safety or general welfare of persons working or residing in the area and will not adversely affect other properties. Opening enrollment to the public was identified to generate an additional 770 average daily trips (ADT's). The owner/permittee, as a condition of the permit, is required to transfer 770 ADT's to permit the child care center to be opened to the public. This is permitted pursuant to Section 60.7.1 (6) "Transfer to Development Rights", of the Sorrento Hill Development Agreement.

C. THE PROPOSED USE WILL FULLY COMPLY WITH THE RELEVANT REGULATIONS OF THE MUNICIPAL CODE IN EFFECT FOR THIS SITE.

The proposed amendment is in full compliance with the relevant regulations of the Municipal Code in effect for this site.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the City Manager, CDP/PCD. No. 98-0550 is hereby GRANTED by the City Manager to the referenced Owner/Permittee, in the terms and conditions as set forth in Permit No. 98-0550, a copy of which is attached hereto and made a part hereof.

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Patricia Grabski, AICP Development Project Manager Development Services

Adopted on: September 2, 1998

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Torrey Reserve - Phase 3 Landscape Concept Plan

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ATTACHMENT

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ATTACHMENT

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PERCENTAGES/SIZE 20% - 5 GALLON ROSEMARY ANTANA 80% - 1G411 ON GAZANIA ROCKROSE ORNAMENTAL GRASSES CALIFORNIA LILAC CREEPING FIG 100% - 15 GALLON

> BUILDING 3 (DAYCARE) EXISTING, 1 STORY 8,071 SF. BUILDING EXISTING MATURE TREES TO REMAIN AS EXISTING SCREEN LANDSCAPE TO BE MODIFIED TO MATCH PROPOSED LANDSCAPING ALONG ARROYO SORRENTO RD EXISTING PARKING AND LANDSCAPING TO REMAIN, NO CHANGES PROPOSED EXISTING UTILITIES ANDSCAPE MOUNDING TYPICAL ALONG ARROYO SORRENTO - SEE CIVIL DRAWINGS -EXISTING DRIVEWAY ACCESS TO BE REMOVED and 0 SORRENTC BLDG. 5 (VC-5.O-7) NEW, 1 STORY 4,600 SF BUILDING 0 ARROT



RAISED TREE PLANTERS W/ ORNAMENTAL GRASSES (TYPICAL AT SUBTERRANEAN PARKING)





UNIT 2 AREA & BASE PARKING ANALYSIS

LOCATION	LOCATION AREA/USES			BASE PARKING ANALYSIS							
	AREA	USE	GROUND FLOOR AREA	OFFICE	OFFICE 1/300 SF	VC FLOOR AREA	VC PARKING 1/200 BE	DAYCARE	GAYCARE PARKING	TOTAL REQUIRED PARKING	VQ USE DESCRIPTION
BULDING 7	77,508	OFFICE	20.681 SF	\$06,11	258	0	0	<u> </u>		258	
BUILDING 8	55,986	OFFICE	20,45 55	65,686	156	0	ç	0		t96	
BULDAKG 8	56,969	0(1)(25	20,46 SF	56.986	166	0	0	; o		186	
BULDING 10 BULDING 10 BULDING 11	77.506	o≓κε	20.681 SF	77608	256	0	э	0		259	* A * A
BULDING 11	:0,744	ve	IQ,744 SF	0	¢	Ю744	54	0		54	10,744 SF VG
BULDING 12	7 661	vc	7.661 SF	0	с	7,661	38	; O		36	Z861 SE VC
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31 TOTAL CARS FOR PARKING STRUCTURE IN REQUEED ZER PARKING STUDY COMPLETED BY LINGCOTT, LAW AND GREENSPAN RIVENEES UDATED 2/6/07 AND ATTACHED WITH APPLICATION



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	1455 B Canin Sen Diago CA	o Real, Skite 200 . 92130			
	Tel (858) (35 Fax: (858) (35	0-2900			
6. OLOCI	ARCHITECT				
		CTURE PLANNING IN	TERIORS		
	CONTACT : N 4435 Easigete	ADK DAVIS			
	Sen Jiego, CA.	92121			
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TORREY RESERVE - UNIT TWO - PHASE IV

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مدر است.	BPA Architopture Planning Interiors	Privation (3) _	
	Contact Person Mark Davis	-1945ian 12	
Aanaas	4430 Emilyine Mail 5,3a 100	Pervision 5	
	Sen Diego, CA 92121	Protect (C:	
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SORRENTO HILLS COMMUNITY PLAN TRAFFIC ANALYSIS ZONES

TRAFFIC ZONE	LAND USE	BUILDABLE SQ. FT.	RATE	ADT	EXTERNAL*
854R	Res	72 du	10	720	662
860R	Res	48 du	10	480	441
949	Comm	326,350	20	6,527	6,168
956A	Res	406 du	8	3,248	2,985
951	BusOff	144,100	20	2,822	2,667
952	I	524,133	15	7,862	7,430
953	I	203,800	15	3,057	2,889
954	I	276,400	15	4,146	3,918
955	I	165,267	15	2,479	2,343
956B	BusOff	109,500	20	2,190	2,070
957	BusOff	180,350	20	3,607	3,409
958	Ĩ	186,333	15	2,795	2,641
959	Ĩ	424,267	15	6,364	6,014
960	I	149,667	15	2,245	2,121
961	I	235,400	15	3,531	3,337
962	BusOff	46,050	20	921	870
9 63	BusOff	32,700	20	654	618
964	Comm	40,300	20	806	762
	Totals			54,454	51,345

* At 91.9% for residential and 94.5% for all other uses.

VI-18

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EXHIBIT H-2

Exhibit H-2 is included as part of this development agreement in order to divide the various levels of development thresholds among the Sorrento Hills property owners. In doing so, it is necessary to relate Exhibit H-2 to Exhibit H-1. In relating Exhibit H-2 to Exhibit H-1, it is important to remember that the threshold of development within each Section cannot be <u>exceeded</u> prior to the assurance of the facility improvements within that Section. In other words, the threshold of development within each Section can be constructed without the assurance of the facility improvements within that Section; that is, the assurance of the facility improvements within a particular Section permits the threshold of development of the subsequent Section. As an example, the assurance of the facility improvements in Section 11 permits the development thresholds noted in Section 111.

	SECTION	· ·	SECTION IT SECTI		SECTION	DW 111 SECTION IV		VI V	SECTION V		BUILD-OUT	
	INDUSTRIAL	CONN./	INDUSTRIAL	COMH. /	INDUSTRIAL	сонн./	INDUSTRIAL	COMH./	INDUSTRIAL	сомн./	INDUSTRIAL	COHH./
HEHLAND LAHO	-0-	•0•	·O• ,	-0-	350,133 -	•0•	400,608 (406	312,750 DU's)	899,703 (454	412,750 DU'S)	1,308,579 (526	512,700 DU's)
ALLRED LAND	21,765	-0.	40,361	•0•	58,680	-0-	58,680	-0.	79,344	-0-	107,989	-0-
SORRENTO LAND	52,425	-0.	97,205	-0•	141,320	-0-	141,320	-0-	191,086	-0-	260,074	-0-
SANH1S LAND	-0-	-0-	-0-	•0•	•0-	•0•	-0-	200,000	-0-	264,174	-0-	366,650
COOPER LANO	74,190		137,567	•0•	200,000	-0-	250,225	-0-	250,225	-0-	250,225	•0•
HCREYNDLDS/ GRAFF LAND	•0•	-0-	- 0 <i>-</i>	•0•	- 0-	-0-	+0-	- 0-	¹ 169,668	·0 <i>·</i>	235,400	-0-
TOTALS	148,380	-0-	275,133	-0-	750, 133	-0-	850,833 (406	512,750 D(r's)	1,590,026 {454	676,924 DU's)	2,162,267 (526	879,350 DU's)

(6) BUILDABLE SQUARE FEET CAN BE ADJUSTED AS DESCRIBED IN SECTION 60.7.1

(b) CONTRARY TO TABLE 20, THE THRESHOLDS FOR EACH SECTION ARE GOVERNED BY THE ISSUANCE OF BUILDING PERMITS AND NOT THE RECORDATION OF FINAL MAPS.

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TORREY HILLS COMMUNITY LAND USES BY TRAFFIC ANALYSIS EXISTING LAND USES CONSTRUCTED OR APPROVED DECEMBER 2008

	LAND USE	BUILDABLE	GENERATION	ADT
		INTERSITY	RATE	
598	OFFICE CORPORATE	415,054 SF	15/KSF	6,226
	VISITOR SERVING COMM	31,602 SF	20/KSF	632
	DAY CARE	90 STUDENTS	5/STUDENT	450
	COMMERICAL OFFICE*	49,316 SF	21/KSF	1,041
	RETAIL*	19,964 SF	36/KSF	719
	RESTAURANT, HI QUALITY*	7,320 SF	90/KSF	659
	RESTAURANT, HI T'OVER*	4,200 SF	104/KSF	437
	BANK W/DRIVE THRU*	4,600 SF	150/KSF	690
684	SINGLE FAMILY (4,000 SF)	108 DU	10/DU	1.080
	SINGLE FAMILY (5,000 SF)	34 DU	10/DU	340
685	SINGLE FAMILY	2 DU	10/ U	20
720	OFFICE	210,000 SF	20/KSF	4,200
721	OFFICE	215,000 SF	20/KSF	4,300
121	SINGLE FAMILY	121 DU	10/DU	1,210
	OFFICE/INDUSTRIAL	200,000 SF	15/KSF	3,000
722	COURTYARD	53 DU	10/DU	530
723	COURTYARD	144 DU	10/DU	1,440
724	COURTYARD	107 DU	10/DU	1,070
127	SINGLE FAMILY (5,000 SF)	27 DU	10/DU	270
725	SINGLE FAMILY (5,000 SF)	81 DU	10/DU	810
726	MULTI-FAMILY	384 DU	6/DU	2,304
	SINGLE FAMILY (5,000 SF)	134 DU	10/DU	1,340
727	PARK	14 AC	50/AC	700
720	SINGLE FAMILY (4,000 SF)	212 DU	10/DU	2,120
730	ELEMENTARY SCHOOL	11 AC	60/AC	660
704	MULTI-FAMILY	340 DU	8/DU	2,720
731		Service Charles Control Price		Control of Manager
	OFFICE/INDUSTRIAL	60,000 SF 1,500 SF	20/KSF	1,200
	SUPPORT COMMERCIAL		72 KSF	109
	OFFICE/INDUSTRIAL	165,000 SF	15/KSF	2,475
	HOTEL SUITES	120 ROOMS	8/SUITE	960
700	HOTEL	80 ROOMS	9/ROOM	720
732	NEIGHBORHOOD COMM	18,000 SF	73.7/KSF	1,314
733	NEIGHBORHOOD COMM	133,300 SF	56.4/KSF	7,511
735	MULTI-FAMILY	430 DU	8/DU	3,440
	SINGLE FAMILY (4,000 SF)	163 DU	10/DU	1,630
737	OFFICE	75,000 SF	20/KSF	1,500
	MULTI-FAMILY	100 DU	8/DU	800
	MULTI-FAMILY	384 DU	6/DU	2,304
	COMMERCIAL	4,000 SF	40/KSF	160
738	SINGLE FAMILY (5,000 SF)	89 DU	10/DU	890
	TC	DTAL		63,981
	1997 COM	MUNITY PLAN		65,123
		PLAN AMENDMEN	17	64,588

* Includes proposed Torrey Reserve & Torrey Reserve Phase IV project shown in red italics.



ATTACHMENT 1 6

Bauelon mod. Summary

ATTACHMENT

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	Development Summory	
1. PROJECT TEAM		
	CIVIL ENGINEER	LANDOCAPE ARCHITEOT
	RICK ENGINEERING	MWPELTZ
	CONTACT: GARY OSTEGARD \$820 Finers Road	CONTACT: MKE NONDLS 143 South Centre
	Son 07-go, CA 92110	Solaria Basah, CA 82073
	Te≟ (Brait 29 ⊢0707 Faxe (Brit) 29 ⊢495	i≇ (656) -481-0838 Fox (958) -487-6808
2. PENNING PENNING/APPROVALS		
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SAN HERD ROUMLY, O	CITUREA 13, 2000.	
4. ASSESSOR'S PARKEL MUMBER APM: S07-390-06		
307 - 390 - 59		307-330-58
5. CANERS HAND		•
	REPERVE HOLDING	
1456 B Canino Re-	el, Suite 200	
Tai 1950-360-2€ Fea: \\300-26	00	
	20	
 Mountes qué Architect 		
BRIAN PALLA & A	BROOKTER INC.	
CONTACT : MARK	DAVE	
4435 EASTGATE N Sed Deve CA 920	1444, 5189 100 71	
9an (June CA 92) Tel: (869) 463-67 Filte: (869) 463-67	ώρ	
7. CONSTRUCTION FITTE BILLOWS & TYPE Y-	n, fully spinnslald, building it type 1. rully spinnslered. P-4. type 1, rul	Y-N FULLY SPRING AND
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14. GROSS ALCOR ANGA BARDHO C 13000 RULENO & 20800 S	ŞY., BUTLONIS SX 4.800 SF. F. P-4, 78.236 SF.	J BADNE PARAFT.
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Project Name	Revision 1
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	Pervision 7:
ar (858) 453-1913	Revision 608-02-07
North (556) 452-200	Revision 9: 12-19-07
Ser Dega CA 9227	Revision 10:00-02-08
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THAN PALL & ADDIVINIES IN	Ravialon Ra
H ERENE BY. HAR BHAN PALL & ASSOCIATES NO.	Revision 14:













Bldg. 4 East Elevation

BPA

Bldg. 4 West Elevation

0 4 8 SCALE 1/8" = 1-0"

0 4 8

SCALE VE = 1-0"

0 4 8 Bldg. 4 North Elevation SCALE 1/8" = 1-0"

Torrey Reserve - Phase 3 **Buildings 4 - Exterior Elevations**

ATTACHMENT 16

ATTACHMENT

5

Elevation Legend

0 4 8

SCALE VIST = 1-0"



NDCATES I NELLAING EVIROPEEN INIED GLAZIKO NOCATES GRANDEL GLAZIKO UAF EVIROPEEN W/ TEUPA TRANSLUCENT FRT. NOCATES TLE X-MEABELLA LIGHT 5/8' LIKESTONE TLE NDICATES SANDELASTED FINSH CONC.

NDCATES TLE 8-MRABELLA BLUE 5/8' LINESTONE TLE NDCATES TLE D- CALFORNA GOLD 5/8' SANOSTONE TLE

NDCATES METALLIC SLVER PANELS.



Torrey Reserve - Phase 3 Buildings 5 - Exterior Elevations

BPA

ATTACHMENT 1 6



Torrey Reserve - Phase 3 **Buildings 6 - Exterior Elevations**

BPA

ATTACHMENT 1 6

ATTACHMENT

-6







BPA

Landscape Concept Plan

ATTACHMENT 1 6

COMMON NAME SIZE

LARGE ACCENT TREE: PINUS TORREY ANA TO MATCH EXISTING PARKING LOT TREES

DESCRIPTION / BOTANICAL NAME

PARKING LOT TREE: CUPANIOPSIS ANACARDIOIDES TO MATCH EXISTING PARKING LOT TREES

ARBUTUS UNEDO 'COMPACTA' MAGNOLIA 'LITTLE GEM'

ACCENT PALM TREE: STAGRUS ROMANZOFFIANUM

MEDIUM SHRUB / SMALL TREE HETEROMELES ARBUTFOLA RHUS INTEGRIFOLIA

TORREY PINE

CARROTHOOD

STRAWBERRY TREE

DWARF MAGNOLIA

QUEEN PALM

PLAN SYMBOL

Par la

E.

36" BOX AND TRANSPLANTED EXISTING TREES

24" BOX

36' BO×

24' BOX

CALIFORNIA HOLLY IS GALLON LEMONADE BERRY

ATTACHMENT

-5

No. Con	ORNAMENTAL SHRUBS
	RHAPHIOLEPSIS INDICA PHORMILM SPECIES ROSMARINUS SPECIES BOUGAINVILLEA
3991	MEDIUM SHRUB MASSING
(1)	WESTRINGA FRUTICOSA CISTUS PURPUREA BACCHARIS PILULARIS CEANOTHUS SPECIES
ur?	SMALL SHRUB MASSING
and -	SALVIA SPECIES GREVILLEA COPROSMA KIRKII' CISTUS CORBARIENSIS ROSMARINUS SPECIES
time	ACCENT GROUNDCOVER MASSING:
ada ?	GAZANIA SPECIES LANTANA SPECIES ORNAMENTAL GRASSES
0	MEDIUM SHRUB / ACCENT
	LEPTOOPERMUM SPECIES LAVENTERA MARITIMA ARBUTUS UNEDO 'ELFIN KING
	SMALL SHRUB / ACCENT

DESCRIPTION BOTANICAL NAME

LAVANDULA STOECHAS

ANIGOZANTHUS HYBRID

BLDG. 3 TYPE V-N (DAYCARE) EXISTING, 1 STORY 8,071 SF. BUILDING





Torrey Reserve - Phase 4 Landscape Concept Plan

BPA

16 ATTACHMENT

100% - 14" BOX

100% - 24 BOX

00% - 24' BOX

100% - 24' BOX

100% B GALLON

PLAN SYMBOL DESCRIPTION / BOTANICAL NAME COMMON NAME PERCENTAGE 5/6/2E STREET TREE / LARGE ACCENT TREE 4.001 AN

ORRY PINE

CARROTHOOD

PURPLE-LEAF PLUM

COAST LIVE OAK

GALFORN A BT CAMORE

CALABR AN FINE

CALIFORNIA ST CATORE

PLATANUS RACEMORA TO MATCH EXISTING STREET TREES (ALT. PLATANUS ACER FOL A)

PINLS TORREY ANA TO MATCH EXISTING PARKING LOT TREES (ALT PINJS BRUTIA)

PARKING LOT SHADE TREE such as MATURE HE GHT 25 - "ALL X 20 - WIDE

CUPANIOPSIS ANACARD ODES TO MATCH EXISTING PARKING LOT TREES (ALT JUMAS PARVFOLIA)

COLOR ACCENT TREE such as MATURE HE GHT 25'- TALL × 20 - NIDE

PRINIS CERASIFERA

NATIVE / SCREENING TREE such its MATURE HE GHT 40" TALL X 25" W DE

QUERCUS AGRIFOLIA PLATANUS RACEMOSA

ACCENT TREE / SHRUE such as MATURE HEIGHT & . TALL X & . WIDE

PHOENIX ROEBELEN STRELITZIA NICOLAI CHAMAEROPS HUMILIS

CON - IS GALLON PYGMY DATE PALM GIANT BIRD-OF-PARAD BE MEDITERRANEAN FAN PAL

ORNAMENTAL ACCENT SHRUB SUCH ASI (PROVIDE A VARIETY OF SPECIES TO COMPLEMENT THE ADJACENT EXISTING BUILDINGS) MATURE HEIGHT VARIES (SEE HATCH STMBOL) CLIMENG HYBRID GAZANIA PLANT AT 30' 0'C. MIRROR PLANT DAYLILY DAYLILY

> SILVERBERRY EBCALLONIA

BOUGAINVILLEA

KANGAROO PAN

ROSEMARY BOUGAINVILLEA

KAFFER LILY

CREEPING FG

PINK JASMINE

NEW ZEALAND PLAX

HEAVENLY BATBOO

TRACHELOSPERMUM JASMINICDES GAZANIA HYBRID ISUNSHINE COPROSMA REPENS HEMMEROCALLIS SP

NANDINA DOMESTICA EL AE AGNUS PUNGENS EBCALLONIA RHAPHIOLEPSIS NDIGA BOUGAINVILLEA LA JOLLA P TTOSPORJY TOBRIA

ANIGOZANTHOS SE ROSMARINUS OFFICINALIS BOUGAINVILLEA LA JOLLA PHORMUM TENAX

SCREENING / CLIMEING VINES such 4s. FICUA REPENS

JASMINUM POLYANTHUM

EXISTING ORNAMENTAL SHRUBS AND GROUNDCOVERS FROM EARL ER PHASES OF WORK TO REMAIN AND PROTECT IN PLACE such as SLVERBERRY EL AE AGNUS PUNGENS

ESCALLONIA RHAPHIOLEPSIS NDICA PITOSPORM TOBRIA

ESCALLONIA PITTOSPORUM

ALL SHRUBS ARE MAINTAINED AT 3-4 TALL

50% - 1 GALLON PLANT AT 30' 0.C

50% - 5 GALLON PLANT AT 42 00

100% · 5 GALLON PLANT AT 36' O.C.

PLANT AT & OC

EXISTING REGVETATED COASTAL SAGE SCRUB (AND SIMILAR) PLANTS FROM EARILER PHASES OF NORK TO REMAIN AND PROTECT IN PLACE - ALL AREA SUBJECT TO BRUGH MANAGEMENT REQUIREMENTS PER CITY OF SAN DIEGO. AREAS

EXISTING REGISTATED COASTAL SAGE SCRUB (AND SIMILAR) PLANTS FROM EARLER PHASES OF HORK TO REMAIN AND PROTECT IN PLACE



AMERICAN ASSETS, INC

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ATTACHMENT

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Precarbó By. Neme: BRAN FALL & ASSOCIATER INC. io.uka 14 Hevisian Th
 Hervison
 Dispute

 Hervison
 12

 Despution
 12

 OS-02-06

 Revision 32
 12-19-07
 Address 4406 EASTGATE MALL # 100 Set Diggs CA 92781 For t: (868) 403-1903 **Binlact Address** Parvision 5: _____7-14-08 3 Centro Reel Sen Diego, CA 92087 Rovision 4: Revision 3 12-18-02 ____ Revision 2: ______ Project Name Paryantan . _____ Organaj Danta ______ Parant ______ 4_ot_15___ TORREY RESERVE DEP1 Sheet Title: (FOR REFERENCE ONLY) Sheet 4 EXISTING BUILDING 01 - GROUND FLOOR

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ATTACHMENT 1 6

	Development Summer	y
1. PROJECT TEAM		
	OVIL ENGINEER	LANDSCAPE AND HIEOT
	FICK ENGINEERING	MWPELTZ
	CONTACT: GARY OBTEGARD 6830 Filers Road	CONTACT: MIKE NOVOLS 143 South Cedros
	San Diega, CA 92110	Some Board (A Contra
	Tel 1910 201-0707	Seena Beach CA 27075 (at 1958) 48-0358 Fax1958) 49-0358
	Tel (819) 291-0707 Fex. (819) 291-4125	Fix (858) 481-8918
2. REDURED PERMITS/APPROVAL	5	
APPROVAL FOR THREE	ADDITIONAL BUILDINGS: BUILDING 4, BUILDIN	<u>C 5, RUI.DIN</u> G 8
LULAZED WINDL SR.	SAUSTING TORREY RESERVE DEVELOPMENT.	RUSTROADS FOR THE SITE
ARE EL COMPONEN	AND ARRITE STRENT HEAD. THE HEAD	AS AS LOCAND
UN A JUSE ADDE (NE	CAUSING REPORT RESERVE SCHEDHEN, C AND ARROYD SOMENTC ROAD, THE GUID T AND A ROYD SOMENTC ROAD, THE GUID T AND A ROYD WITH THE SHADE ROAD AND AS AN AUDICIDENT TO APPROAD POD/COP	NER RYL DE VELOPMENT, THIS PROJECT
IS BEING SUDWITTED	as an addition of the approved peoplese	10701 HO. 981-0556
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	s or 6 of 4AP NO. 1856' FILED BY THE OFFIC CIC/TOBUR 13, 2000.	
 ACCRECANCE SALENCE MILLINE 		
APN: 507-500-56	AU7-JSC-54 307-390-57	367-390-58
307-300-59		
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S. UNNER'S MAKE		
PACIFIC TORRE	Y FIEBERVE HOLDINGS, LP	
CONTACT . JOH	N CHAMBERLAN	
1965 Bi Camina A Rea Dever 21 - 2	iadi, Sulle 200	
aan unaga uaA 6 Teé 18160 350⊶3	600	
7ex (619) 350-2	Y RESERVE HOLDINGS, LP IN CHANGERIAN MOL Suhi 200 12130 13600 1320	
6. DESIGNER'S INNE		
ARCHITECT		
BRIAN PAUL & J	Abboolates, incl	
CONTACT : MAR	K DAVE	
4485 EASTGATE	MALL, SUZA XOO	
San Dege, CA, B2	121	
San Diege, CA, B2 Tek (31680)4453⇒1 Fax: (31660)4453≈1	200	
Fax: (356) 453~1	973	
7. CONSTRUCTION TIPE	-	·····
BURLEING & TIPE 1	V-N. FULLY SPRINGERF1 BUILDING 5. TYP	e v-n. Fuilly seriendard
BULLCINC 6: TYPE 10	K-N, PULY SPRINCERES BUILDING S TYP -N, PULY SPRINCERED, F-K TOPET, PU	LLY SPRIMULTIMED
8. DODIPARCY DUDDERCATION		
BUNDING 4, BUILDING	SS. & DULOXYG 8: DROUP B	
P-+ PAPaha:	CROUP 4-2	
	CROUP 5-2	
	CROUP 4-2	
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	CROUP 4-2	
9. GALFORMA BULDING CODE 2007 CALFORMA BU	CROUP 5-2	
9. GALFORMA BULDING CODE 2007 CALFORMA BU	CROUP 5-2	
9. CALIFORMA BULLINKE ODDE 2007 Chliforma Bu	CROUP 5-2 REDING (200) (TRE-30)	
5. CALFORMA BULDING CORE 2007 CNARCHAR BU 20, Tonic Occursion and/o 200000: CD-1-2	CROUP 5-2	
5. CALFERRA BULDAR CODE 	CROUP 5-2 REDING (200) (TRE-30)	
5. CALFORMA BULDING CORE 2007 CNARCHAR BU 20, Tonic Occursion and/o 200000: CD-1-2	CROUP 5-2 REDING (200) (TRE-30)	
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San Diego, CA 82121		00-00-08
CATEROR 4435 EASTGATE MALL & CO		05-06-09
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BRAN PALL & ASSOCIATES NO.	Review Br	
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ATTACHMENT 1 6

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. PHC	CAVIL ENGINEER	LANDSCLAPE ARCHITECT
	FRCK, ENGINEERING	NWPELTZ
	CONTACT: GARY OST 9620 Fres Red	GARD CONTACT: MKE NOHULS
	Sen Dega CA 9210	Science Beach CA \$2076
	Tet (576)296-0707 Face (516)299-4755	ĩni (868) 491-0888 Faa:(8 58) 491-0806
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, QM	OPER'S NAME	
	PACIFIC: TORREY REBERIVE HOLDINGE, LP CONTACT - JOHN CHANDER AN	
	1455 B Ceano Real, Sute 200- Sep Deep, CA, 92190	
	COVIACT: JOHN DAARDERLAN 1455 B Cearlo Real Suite 200- Sen Dega CA 92130 Tel. (05) 350-2000 Fex. (05) 350-2020	
JE	ARCHITEOT	
	BRIAN PALL & ABSICHATES, INC.	
	CONTACT - WARK DAME	
	4496 EASTGATE MALL Suite 100	
	Sen Diego, C.A. 62121 Tet: (856) 453-12003 Fan: (856) 453-1913	
20	RETRUCTION THE BURDING & THE Y-H, RULLY SPRINGERED. BLUDGE	
	BURDING & TYPE V-N, RULLY SPRINGERED. BLIDAN BURDING & TYPE V-N, FULLY SPRINGERED. P-4: F	THE LIFE VER, FOR CT BENINDLESSED.
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0. 20 1. FB 2. KU 3. BJ 4. CP 6. EC	2007 COLFFORM & RUIDANG CODE (101,1-75) 	I'MP BULMA RANEN & DE GRADE LIVE B 5: 25-05 B 10 DP & BULGHO PARANT
0. 29 1. FB 2. FU 3. BU 4. CP 6. Tr 6. Tr 7. FS	2002 COLFERENCE A BULGANE CODE (DT. (-74) 	31007 RULHAS REVEN & DE DRAN LEVIL 25 5: 20-27 25 10 DP OF SULDING PARAPYL 8
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8 Centro Real		7-14-03
Projeci Address		1-10-08
Fax 4. (856) 453-1913		06-02-07
Park h (255) 402-200	Fieviator &	
San Diego, GA -82121		06-02-08
Address 4495 FASTIGATE MALL 1 100		06-08-09
	Revision 12	
NOTE BOOM PALL & ASSOCIATES INC.		
Precered By:	Revision 14:	

ATTACHMENT

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GENERAL NOTES 3 ALL SINGLE DOORS TO BE 3-0' WDE BY 5-10' HGH, NEBOOR SINGLE COOR TO BE 9-0' WDE BY 7-0' HGH 2. ALL DOUBLE DOORS TO BE 6'-0' WIDE BY 8-10' HIGH - TYPICAL

ATTACHMENT 1 6

ATTACHMENT

<u>__</u> 6

	D	evelopment Summ	ary	
1. PROJECT TEAM			· · · · · · · · · · · · · · · · · · ·	_
		OVIL ENGINEER	LANDECAPE ARCHITECT	t
		RICK ENGINEERING	WW.PEI 17	•
		CONTACT: SARY OSTESA	0 DONTACT: MIC NORS	
		6670 Fries Reed	143 South Cadras	
		San Diego, GA 92710	Soland Beech CA 92075	
		Tel: (813) 291-0707 Fax: (819) 291-4165	Tet (366) 48+0688 Fex (368) 48+6608	
2. HEQ. MED FED	TS/WPROVILS	(Tranal Burgings, Bullings, 4, Bu		_
APPRO	AL FOR THREE ALLO	(Tional Burlings: Bullowis 4, Bu	LDAG <u>5. BUILDANG 8</u>	
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47E EL	CHUNC FEAL AND	ARROND SORRONIO ROAD. THE BU	IDIS AT LOCATED	
<u>Del X 3</u>	THE ACRE IN TARE	A) LOT WITHIN THE SH ADRE TOPS	EY RUSTRYC DEVIEL OPPIERT DIS 2004	ECT
D DEW	A SIGNIFIED AS AN	AMENDINENT TO APPROVED PODIC	IN NUMBER OF STREET	
3. LEGA, DESCRIP				
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SAN D	EDD COUNTY, OCTOR	EA 13, 2000.		
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N ^A	307-390-56	307-390-54 307-390-57	307-390-56	
	30390-36			
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5. CHIMER'S VAME				
PAGE	NO KORMET PE	BERVE HOLDINGS, LP		
1485	ACT: JOHN CH Gicanina Real S	HANDERLAIN Alta 200		
San D	Ago, CA 92130			
Tet	1615) 350-2600			
Fase	1616) 350-2620			
4. DESCRETS NO	alf			_
	TEGT			
CONT	ACT: MARK D	2,471 EE1 1904		
4436	EASTGATE MAL	- S- m		
Sen D	HOL CA WETEN			
Tet i	1699, CA 127721 (252) 453-1270 (855) 453-1313			
Fex 1	858) 463-7873			
7. CURSTRUCTION	T-SK			
PULCH	HEA: THRE V-N, P	CILY SPRANCERED. SUIDAYS B: Jily Sprandered: P-4: Type I	TIPE V-N. FULLY SPRINKLERED.	
But in	NG 5: TYPE Y-N, FL	ILLY SPRIMALENED. P. 4: TYPE L	FULLY SPRINKLETRED	
B. DOGLAWARY C	unsshitation NC 4, Blauding 5, A Wanghic:			
BLAC DA	C 4, BLQDSC 5, &	JADAG 6: 02010 0		
P-4 P		GROUP S-Z	^ ·	
9. CALIFORNIA (R.	where webf			
2007	JUDING CORE Californija Blat (Jing	CODE {TTLE-24}		
10. 20NW9 0E90	NUTCH AND/OR OVER	BLUT DESIGNATIONS		
2.000	0: CD-1-2			
IT. HEATELLS.	Numi fe		<i>"</i>	
41-08				
12. NUMBER OF 5	TORIES			
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<u>anto</u>	NE D: THE STERRY (AVALIENDE I PHA: ONE SUBTEARIAN	ON A DIE LIKADE LEVEL	
				_
1). BULINKS HUG BUALO		MILDING 5: 21'-0" BUILDING 8	: 28-0"	
	ASURE FROM TOP	of FREE FLOOR RUNDING ALM IN	THE DE FAILDING PARAMIT	
<u></u>			A ROLL	
14. GROSS FLOOR	AFEA			
BLR_C	16 4 11.000 SF.	BULDH6 & 4.62 9		
BULD	NO 5: 20.800 SF.	P-e: 75,238 \$F.		
15. FLOOD ANEA D	NATHU NATHU - MAT N. MAT	234 / 1.460,018 🛪 = .14		
(nk (hind their 1 ar >	495,127 / 2,358,600 9F21		
15. EUSTING USE	ACCUIVANCE			
15. EUTIPA UTE, PARIS	ks La*			
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17. PROPISED US	E/OCCUPANCY	han her en anver free		
BLCD Red	NC 4, BULLING 5 FARIONS OF MOT	s un∧uters a: 01°NE / 1791 ne venantes	OR DOULIERCOAL LEASE SPACE	
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IB. YEAR OF COM	GENERAL STREET	And an and an		
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19. CONDITION OF				
COMP	ACTED FILL			

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Revision & 06-08-09
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Revision B. 12-19-07
Aevelor 8 08-02-07
Receiver 7: 11-10-00
Revenion B
Revealen &
Revision 4: <u>12</u> -18-02
Ravden S
Revision 2:
Reymonth
Oliginai Deter <u>3/22/0</u> 2
Steel B_d_R
US**
PLANS



BUILDINGS EAST ELEVATION SCALE: 1/8'-1'-0'

9 K. l.

ATTACHMENT 1 6

. PR	NECT TEAN	Development Summary	
/"	ntv- 16 7 €	CIVIL ENGINEERING CONTACT: GARY OSTEGARE BEED FINS Float Sim Dings, CA 9210 Tel: (BEI 201-0707 Fax: 180 (201-076	LANDSCAPE ARCHITECT MWPELTZ CONTACT: NKE NCHCLS M3 South Centre Starre Beech, CA 92075 Tet (8569-48)-6386 Fee(858-48)-6308
7 80			
	LOCATED MITHIN THE EX APE EL CAMPAGE REAL AN ON A 7.38 ACRE (NET A 15 DENA: SLENKTED AS	Cottonal Bundings Bulding A, Bladini 1970; Torney Rebend Donlorhent, G Ng Arroyd Streentd Road. The Buldin NED, Lot, Mithy The 44 Adre Torney F An Andrean To Arrended Pod/Cof F	RANSACADIS FOR THE STE ICS ARE LOCATED FSRAF DEVELOPMENT, THIS PROUFD FSRAF DEVELOPMENT, THIS PROUFD FSRAF NO. 98-0650.
3. LD	NU. DESCRIPTION NAMED 1, 2, 3, 4, 5 & SAK DESC COUNTY, CC.	: 6 of Map No. 18001 FLED & The Diffic Tober 113, 2008.	E DE THE COUNTY AECONOLY OF
4. AS	SETSOR'S RAPCEL MUMBEL: AP4: 207-390-56 307-380-59	307-300-54 307-300-57	307-380-38
5. ON	NUY HANG PACIFIC TORREY CONTACT : JOIN 1455 D Casaro Real Sen Diego CA 9213 Tel. (859) 350-280 Res. (859) 350-280	RESERVE HOLDINGS, LP CHARGERLAN 50 50 50 50	
6. DE	ARCHITEOT		
	BRIAN PAUL & AS CONTACT : MARK I 4495 EASTGATE NA San Daga, CA. 02121 Tat. 15581 453-120 Fax. 15681 453-1213	DAVIS NLL Suite 100	
7. 60	NUTRICTION TYPE BUNDING (: TYPE Y-N BUNDING & TYPE Y-N,	i, fully sprinklighed. Building 5: type fully sprinklighed. F-4: type 1, ru	V-N, FLOLY SAMAKLERED. LY SAMALERED
8. úC	CURARY CLASSIFICATION BARDING 4, P.T.CHIC 3, P-4 PAINONS	é Bullonné & Grund B Gridup S-9	
9. 64	LIFORMA BUILDING CODE 2007 Cáliparna Buildi	eng gode (Titre -94)	<u> </u>
10. 30	ние ораснытон ано/он о Точна: Со-1-2		
11. PR	olect LD. Numeer: 41-com		
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12. *	BULING & TWS-STO BULING & TWS-STO BULING & TWS-STOP	<u>rt Bullding.</u> Building & One story Bi Y Building. P-4: One subtervision	ALDANS & GHE GRADE LEWEL
13. RJ	ILZING RECONT Building 4: 28'-8'. As éfasured fride to	Bulling 5: 21'-6' Bulling 6 . 2 PP DE PRET FLOOR DULING 5:48 F3 TOP	e'-c'
14. 0	135 FLOOR JELA BULGAG 4: 12,000 S BULGING 8: 20,400 SF	<u>E. Guille</u> ing & 4.500 Sr. 1. P-et: 70.206 St.	
15. H	COR ATEN NATIO For (Ating, Unit 1- 2 For Extrine Unit 1-3: 5	07.734 / 1,463.876 57 × .14 2. −403.127 / 3,958.500 57 = .71	,,,,
H6. E0	ESTRIC ESE/OCCUPANCY Parking Lot	,	·····
17. 19	DPSED USE/OCTUPANCY BIA, NAC 4. BIA, NAC P-4: PARONG OF M	6 ar Quilding IB. – dyfige / Watter (Dtar Venig 75	CONNEHIONAL LEASE SPACE
18. 10	AR OF CONSTRUCTION OF ALL <u>N/A</u>	L DIGTING STRUCIUM(S	
	THE YES CONTRACTOR		

Preparecí By. Neme <u>Brian Pall, & Associates, N</u>C. Desident 14:
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 Review 13

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 Appens 4435 EASTGATE MALL 1 100 9ar Diago, CA 22121 Fac & 2080-452-598 Project Address: É Cantro Paal Sen Dieps, CA R2C97 _____ Revision 2 Project Name: TORREY RESERVE D Orighal Date _____3/22/02 Sheet _____7 of 10 DEPR _____ Shoet Title: SHEET 7 BUILDING 6 ELEVATIONS

ATTACHMENT

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ATTACHMENT

16







A	TTACHMENT	16	
Development Summary			
I. PRODUCT TEAM	CIMIL ENCANEER FROM ENGINEERING CONTACT: BARY CORRESS 6820 First Read Sim Depa CA 9200 14: 033 920-0707 Fact: 033 920-465	LANDBOCADE ARCHITECT, MWPELTZ CONTACT: MAR MONEY S Mail South Controls Mail South Control Serve Beneth CA 82075 Tr 82639 431-6906 Fer:02639 431-6906	
1476 EL D 261 A 7,22	Amprovals RRF Yrice Alcondial Burgangs Riland A (n. Rrf The Lassing Transf Scare Oralisades) Maro Real, And Abdits Exfering Aska. The B Aska (NEI Angla), and Marina He & Arabit Right Rd Ask an Ambriddent to Amprove Pellay	LALDONCS ARE LONGATED NET RESERVE DEVELOPMENT. THIS PROJECT	
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Attente 4050 La Jole Vilage Drive 100	Revision 1:0608-09
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Prepared By: Jume, Brian Prof & Accusing	Revision 14:

ATTACHMENT

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BLDG 6 & P-4 GARAGE BASEMENT PLAN



	saligi ilem	CIVIL ENGINEER	LANDSCAPE ARCHITEC
		RICK ENGINEERING	MWPELTZ
		· CONTACT, GARY OSTEJARD	CONTACT: MRE INCHOLS
		5020 Friers Pried	140 South Cedrus
		San Diego, CA 9250 Tue - référi dest-07717	Solano Beuch, CA (12075) Tuli (258) 48-0888
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	201174075 100000000000 1463561 Charton Road Son Diego, CA 92180 7d (6191) 360-2800 Fax 1619) 360-2820		
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	ARCHITECT		
	Brian Paul & Ass	ociates, INCL	
	(CINTACL) - MARK () 4435 EASTCATE MA	AV15	
	Sen Diego, CA 82191		
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- 30.00 - 2005 10.00 3.1.0%3.5 P

Propared By: Nome: <u>Staty Palit, is</u> Associates, No. Autors 4406 EAST GAATE NALL + 100 Son Deep, C.A. RCEL + 100 Prove 1: 6553 439-1200 Fear 4: 1669 452-1203 Project Address: S Carine Real Ser Degs. CA 92037 Project Name: TORIES ASSERVE OF

> SHEET 11 SITE SECTIONS

-----Hevalor 3 ______ Revision 2 ______ Corpus Data _____220/00 Sheet ______ 1_et <u>14</u> DEF4 _____

Revision 34

Fireisson s≥ _____

Sheet Title;



ATTACHMENT 1 6



ATTACHMENT 16

CITY OF SAN DIEGO

LANDSCAPE CONCEPT PLAN/BRUSH



EL CAMINO REAL

PLAN

SCALE 1" - 42 - 2"

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TRUE Nostr

SOLANA BEACH, CALIFORNA 553.481.0583 / RLA 2010

SCALE: 1'= 42'-0"

LANDSCAPE

EXISTING AIDENALK-

PROFERITY LINE -

ĐĐ

CUTOCOR DINING AREA.

REFER TO ARCHITECT'S PLAN FOR SITE FURNITURE SELECTION

(16)

EXISTING SITE VISIBILITY

GROUNDCOVER, LOW SCREEN/HEDGE

OUTSIDE OF EASE YENT (TYP)

BRUSH MANAGEMENT NOTES

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SALLED ALL ANTERS W ORNAMENTAL GRASSES (TYP AT SUBTERRAKEAN PARKING)

ATTACHMENT 16

- AFTER

	Development	Summory		_
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	Sev Denzo, CA Tet (899) 227- Fac. (693) 221-	9203 0707 485	Solana Baach, CA 22075 Tai: 1868: 431-0886 Fao: 1858) 485-8808	斉
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	4. 2575.7524/5 PAREEL VUUNDER AP4: 507-390-36 307-390-54 307-390-69	507-590-52	307-300-50	-1
;- 3 his calaptel al 7hS al 7hS each ta	3. WH-15' HAVE PACIFIC SOFFICENTO VALLEY HOLDI OOK ACT : JOHN CHAMBELIN 1055 E Camiro Hal 9328 200 San Dag, CA 92'00 Ten: Wei SSO 2000 Fan: Wei SSO 2000	N38 1 LP		16
	6. SERVER'S WAR ARCHITEOT BRIAN PAUL & ASSOCIATES, INC. CONTACT: NARK DAVS 4405 EASTRAFT MAIL, SAND TO SET Days, CA. SECE Te: (6534 455-200 Fon: (6534 455-200			
	7. EXHIBITALEDEN TYPE BLILDING 4: TYPE V-K, RULLY SPRINLENED. BLILDING 6: TYPE (-K, RULLY SPRINLENED.	BULDING & TYPE V-	-N. FLLLY SPRINCERED.	_
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	ta. Mean of construction of all existing structures $\frac{k}{\lambda}$			
	19. Соншточ аг заг. Сомячства ди			_
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	FOR PERFERINGE ONLY SHEET 5 SULLONG 5 FLOOR PLAN, AND SLOVATIONS SHEET 6 SULLONG 5 FLOOR PLANS	SHEFT & GRAD	/ Building Sections Ding Digraphic Map	
		SHOT 14 LANE	2504F5 CONCEPT FLAN 24 MANAGEMENT FLAN LINES	
	Prepared By: _{Norm} <u>BRAN FALL & ASSOCIATES, N</u> C		• •• · ··· · · · · · · ·	
	Addresse 4498 EASTGATE MALL & 100 3m Diago, CA 92121	Revision 1	0. 05-02-08	_
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SHEET 14 - LANDSCAPE CONCEPT PLAN/ BRUSH MANAGEMENT PROGRAM

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ATTACHMENT 1 6



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	Development Summ	ary
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WW. PELTZ	RICK ENGINEERING	UNSCOTT, LAW & GREENSPAN, ENGRS
YNTACE - MKE PEI 7	CONTACT : GARY OSTEGARD SEEC Friens Reed	CX2NTACT . JOHN KEATING 4542 RUFFINER STREET, MOO
43 SOUTH CECHOS Soland Beach, Co. 82075	Sen Dogo, Cs. 9380-2596	Snn Diego, Cal 9211 j
"p) (258) 481—0882 "sx (858) 481—6808	Tel: 1610) 291–4387 Fex 1610) 29−4166	Те: (аза) 300-аясо Рам: (аза) 300-авю
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557-356-40		
. OWNER'S NAME		
	"RESERVE HOLDINGS, LP	
CONTACT: JOEN 1455 El Canine Re San Diago, CA \$2	ant. Sute 200	
Tet (958) 350-2 Fax (958) 350-2 Fax (958) 350-2	300	
5. DESKREF'S MAK ARCHITECT		
BPA ARCHITECT	URE PLANNING INTERIORS	
CONTACT, MAR 4435 Bestgete Ma San Diago CA, 32	i Sle KK) M	
Tel (B5B) 453-5	200	
Fax: (858) 453-1	93	
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13. BURLINNC HEIGHT		
SE ELYATIONS	·····	
14. DROSS FLOOR ABER GUILDING 15 - 20,0	00 SF. BULDING 14 - 20,000 SF	,
15. FLUCK AREA RATE FOR ENTRE UNIT F	207.734/1.436.616 SF - 0.14	
FOR ENTRE UNIT 2	325,393/894,984 ST = 0.56	
16. EXSTAG USE/OCCUPANCY	A 2: 533,177/2,358,600 SF = 0.226	
PARKING STRUCTUR	<u>. </u>	
17. PROFOSED USE/OCCUPANCY VC 4 2 / MULTI-1	ENANT OFFICE - CROUP 18'	
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	LET TEAM CAPE ARCHITECT		TRAFFIC ENGINEER
MW. PE CONTAG	T. MAKE PELTZ	RICK ENGINEERING CONTACT - GARY OSTEGARD	LINSCOTT, LAW & DREENSPAK, ENG CONTACT
143 SOL Solama B	7H CEDROS 19467 Cx 920/5	5820 Finans Read Son Degal Co (12/10-2545	4542 RUHENER STREET, \$100 San Dego, Cal 2071
⊺н (8 Fex (8)	58) 481 0586 58) 481-6866	Tel: 1619) 291∼4367 Fox: 1619) 291−4165	^{°el} (858) 300-6800 Fek: (859) 300-8800
2. RED	JRED PERMITS/APPROVALS		<u>90%⊡ FC</u> Dy/CDP P280∦ NO 93-0550.
3. 1564	L DESCRIPTION		
	LOT (II, WAP NO, 1316		
4, 455	25509'5 PARCEL NUMBER 207-500-40		
	207 - 599 - 43		····
5. 200	TR'S. NUME		
	 PAGIFIC TORREY CONTACT: JOHN 1455 E Carrino Ro 	RESERVE HOLDINGS LP	
	San Diegu CA 921	30	
	7eF 1658) 350-2 Hax: 1658) 350 3	620 620	
6. DES	OFER'S NAME ARCHITECT		
	BPA ARCHITECT	URE PLANNING INTERIORS	
	OSNITACI - MARI 4436 Eestgate Mal	E DAVS L Suite XX	
	- San Olege, CA, 유민 - Tel - (858) 453~전	00	
	Fax: (858) 453-6		
7. CO	STRUCTION TYPE OFFICE = TYPE 2 1 1 PERKING STRUCTURE	IR. SPRINGLERS & JEN OF ONE HOUR • TYPE I - I HOUR WILLFIRE SPRING	des
B. 000	LPANCY CLASSIFICATION	<u></u>	
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10. 20	INF DESCRIPTION		
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1 2. HU	ABER OF STORIES OFFICE 1 2 STORY		
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17. PB	OPOSED USE/DECUPANEY		
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EXTERIOR ELEVS. BUILDINGS 13, 14 & PARKING



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	Aï	TACHMENT	16
1		Development Summ	ary
	1. PRIECTEM LANDSCAPE ARCHITECT MW PEL12 CONTACT : MMS PELT2 MS SOUTH CEDRUS Sciene Beach Ca 42075 Tol: (R63) 461-0668 Fax: (858) 461-0668	CIVIL ENGINEER RICK ENGINEERING CONTACT : SARY OSTESARC SERD Fors Forc San Dago Co 2210-2598 Tak : 169 281-2387 Fox : 159 281-2387	TRAFFIC ENGINEER INFCOTT, LAW & GREENSAM, ENGINS CONTAC', JOHN KEATAG Sed 27.1677-241 519E1, NGO San Diego, Ce. 8511 Tel: (858) 300-3800 Fax: (553) 300-3840
	2. REQUIRED PERMITS/APPROVA DHE PROJECT.S BL	2 C. Inghoran na an denina a 	CONTACT
	3. LEGAL DESCRIPTION LOT al, MAP NO. 13	167	
,	4. ASSESSOR'S PARCIL HUMBED 207-390-40	• · · · · · · · · · · · · · · · · · · ·	····
r.	5. OWNEY'S HAVE PACIFIC TOFFE CONTACT. JOHN 1465 3 Comp F San Dega CA & Tak (956) 350- Enx (958) 350-	Real, Suite 200 2130	,
nde low port	5. DESIGNEN'S MARE ARCHITECT BPA ARCHITEC CONTACT MIN 4435 Essegate M San Dreps CA 6 Feb (353) 453- Fase (353) 453-	2121 1200	
	7. CONSTRUCTION TYPE CIFFLE = TYPE PARANS BIRUCTURE		243
	B. DECLEANEY CLASSIFICATION VC A-3 / MULTI-T PARONG STREETUR	exant office - cquu" 2'	
	9. BUILDING GODE 2001 CAURORNA B	JILDING CODE	
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	11, PROJECT LD NOMACI		
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	TORREY	reserve - UN	IT TWO - Phase IV
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	Phone 1, <u>858-452-</u> Fer F. <u>855-453-</u> Project Addreez <u>B. Cawho 954-</u> San Dreck, CA 92		Revision 9.

Project Name:)1099627 Reléfive (NN) 2 - Phase V

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SHEET 7 SITE SECTIONS

07/15/0 Raviation (A Revision (L 097473 C2 /8 / 3 Orgensi Data











NOTES: . PLANTER POTS ARE NOT FIXED IN PLACE AND CAN SE RELOCATED IN THE EVENT THAT THE TREE IS UNABLE 10 BE PRINED TO MEET THE IO' CLEARANCE REQUIREMENT FOR BRUGH MANAXEMENT.

2. ONLY TREES LOCATED DETWEEN THE WEST FACE OF THE BUILDING MALL, AND THE ADJACENT OPEN SPACE ARE SUBJECT TO THE CONDITIONS AND REQUIREMENTS FOR DRAIGH MANAGEMENT, IN SUCH INSTANCES, IF SPACE IS LIMITED, PALM TREES ARE AN OPTION TO BROAD-HEADED ORNAVENTAL TREES, SEE "LAN" MATERIAL LEGEND FOR ADDITIONAL INFORMATION.

BRUSH MANAGEMENT TREE SEPARATION DISTANCE SECTION

5 G A L E : 1/4' ± 1-Ø' TYPICAL SECTION





LANDSCAPE CALCULATIONS AND AREA DIAGRAM

SCALE: |" = 20" - 0"

SCALE: 1/8" - "-Ø" LOOKING NORTH

LANDSCAPE SECTION A-A'

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	Development Summ	ary
PROJECT TEAM ANDSCAPE ARCHITECT	CIVIL ENGINEER	TRAFFIC ENGINEER
AW. PELTZ	AICK ENGINEERING	LINSCOTT, LAW & GREENSPAN,
ONTACT : NIKE PELTZ AS SOUTH CEORDS	CONTACT - GARY OSTESARD 5620 Frians Road	CONTACT . KA KEATAD
dena Baeon, Ca. 92075	5620 Frans Road San Diego, Cal 9230-2598	4542 RUFINER STREET. #00 Sen Diego. Ca. 8211
al (858) 481-0888 a.c. (858) 481-6868	Tet (619) 291-4367	Tel (858) 300-8900
	Fax (619) 291-4105	Fex (658) 300-890
THE PROJECT PROPERTY STRUCTURE FOR THE	S SLEMITTED AS AK AVENDMENT IC AP ES THE PARTIAL DEMOLTION OF AN EX- CONSTRUCTION OF 2 BUILDINGS AND A E 2 STORIES AND 20,000 SQUARE (ET	DEFERRANEAN PARKING STRUCTURE.
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LOT PI, MAP NO. 131	57	
ASSESSER'S PARCE, NUMBER 307-390-40		
307-380-43		
EWNER'S NAVE PACIENC TORRET	Y RESERVE HOLDINGS, LP	
CONTACT: JOHN 1455 B Cartino Re	CHAMBERLAN	
1455 B Cartino Re San Diago, CA 192	ad 3.4e 200 130	
ัฟ. <u>1856</u>) 360−2	2000	
Fax: 18581 350-2	2620	
DESIGNER'S NAME		
ARCHITECT		
BPA ARCHITEGT	LIRE PLANNING INTERIORS	
CONTACT : MARK 4435 Ecotgets Me	L Suile ICO	
San Diego, CA, 921	21	
Tei (856) 453—1≦ Fex (858) 453—1€	200 113	
CONSTRUCTION TYPE OFFICE - TYPE I-1 /	HR. Sprinklers in Lien of the Kou <u>r</u>	
PARICING STRUCTURE	- FIFE II - ? HOUR WITH FIFE SPRINKI	FRS
COUPARCY CLASSIFICATION VC / VALTI-TONANT	OFFICE - GROUP '5'	
PARKING STRUCTURE	- '5-3'	
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PLANNING COMMISSION RESOLUTION NO. V2 PLANNED DEVELOPMENT PERMIT NO. 490145 and COASTAL DEVELOPMENT PERMIT NO. 490146 Amending Planned Commercial Development and Coastal Development Permit Nos. 85-0824 and 98-0550 TORREY RESERVE [MMRP] PTS#1450

WHEREAS, PACIFIC TORREY RESERVE HOLDINGS, L.P., Owner/Permittee, filed an application with the City of San Diego for a Planned Development Permit and Coastal Development Permit to amend Planned Commercial Development and Coastal Development Permit Nos. 85-0824 and 98-0550 to develop three additional buildings, subterranean parking and landscaping within the existing Torrey Reserve development (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 490145 and 490146), on portions of a 11.24 acre site;

WHEREAS, the project site is located north of Arroyo Sorrento Road and east of El Camino Real in the CO-1-2 Zone of the Torrey Hills Community Plan area;

WHEREAS, the project site is legally described as Parcels 1, 2, 3, 4, 5 and 6 of Parcel Map No. 18561, filed in the Office of the County Recorder of San Diego County on October 13, 2000;

WHEREAS, on V13 - DATE, the Planning Commission of the City of San Diego considered Planned Development Permit No. 490145 and Coastal Development Permit No. 490146, amending Planned Commercial Development and Coastal Development Permit Nos. 85-0824 and 98-0550, pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated V19 - DATE.

FINDINGS:

Planned Development Permit - Section 126.0604

A. Findings for all Planned Development Permits

1. The proposed development will not adversely affect the applicable land use plan. The proposed commercial office development on a 11.24 acre site is designated for Visitor Commercial use by the Torrey Hills Community Plan and allows commercial development at the intensities allowed by the existing CO-1-2 Zone. The proposed project is consistent with this designation. Being determined the project is consistent with the General Plan, the Torrey Hills Community Plan, the regulations of the CO-1-2 Zone and the Sorrento Hills Development Agreement provisions, the proposed development will not adversely affect the applicable land use plan.

The proposed development will not be detrimental to the public health, safety, and 2. welfare. The proposed development includes the contribution of its fair share cost towards construction of public improvements in the Torrey Hills community. The proposed development will construct necessary on-site wastewater and water facilities to serve the occupants of the development; will enter into a Maintenance Agreement for the ongoing permanent Best Management Practices [BMP] maintenance; and will 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. The development will also provide for the health, safety, and welfare of the occupants by locating Zone 1 Brush Management outside the MPHA and Zone 2 Brush Management inside the MHPA and outside of lands owned by the City while providing setbacks for structures adjacent to fuel sources. All structures constructed will be reviewed prior to the issuance of construction permits by professional staff for compliance with all relevant and applicable building, electrical, mechanical and fire codes to assure the structures will meet or exceed the current regulations. As such the proposed development will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the regulations of the Land Development Code. The proposed development complies with the regulations of the CO-1-2 Zone and site specific development regulations for the property. No deviations or variances are required to approve the proposed project. The proposed development complies with all relevant regulations of the Land Development Code. Specific conditions of approval require the continued compliance with all relevant regulations of the City of San Diego effective for this site and have been written as such into Planned Development Permit No. 490145 and Coastal Development Permit No. 490146. Development of the property will meet all requirements of these regulations. Concept plans for the project identify all other development criteria in effect for the site. All relevant regulations will be complied with at all times for the life of the project. In these ways the proposed development will comply with the applicable and relevant regulations of the Land Development Code.

4. The proposed development, when considered as a whole, will be beneficial to the community. The community will benefit from the additional office development through the provision of increased office space in the community available for local residents to locate their businesses in the community. This in turn may result in fewer vehicle trips leaving the community utilizing the local road system rather than the freeway network, reducing commute times, reducing the consumption of limited precious resources, reducing negative impacts to air quality which result from the burning of fossil fuels, and other such efficiencies resulting from nearby residents working in or near the community of their place of residence. These project goals will provide additional commercial office opportunities in the community. The resulting benefits of the project will be positive for the community and City of San Diego.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) 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. The project proposes no deviations from the Land Development Code regulations. The proposed Planned Development Permit is required to amend a previous discretionary permit, Planned Commercial Development and Coastal Development Permit Nos. 85-0824 and 98-0550 and is not required to

allow any deviations as none are proposed. Thus the project will be a desirable development in that it will be consistent with all the requirements of the CO-1-2 Zone as it relates to the development of the site.

Coastal Development Permit - Section 126.0708

A.

1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan. The 11.24 acre site is located approximately three miles east from the Pacific Ocean. No physical accessway legally used by the public or proposed public accessway will be compromised or encroached upon with the approval of the project as none exist crossing the property leading to and along the ocean and other scenic coastal areas. No existing or proposed physical accessway exists or is designated on or across the site. From the site no public views to or along the ocean or other scenic coastal areas presently exist and none will be impacted from the approval of the project.

2. The proposed coastal development will not adversely affect environmentally sensitive lands. The site is designated by the Torrey Hills Community Plan for Visitor Commercial use and allows commercial development at the intensities allowed by the existing CO-1-2 Zone. The proposed project is consistent with this designation. Being determined the project is consistent with the Progress Guide and General Plan, the Torrey Hills Community Plan, the regulations of the CO-1-2 Zone and the Sorrento Hills Development Agreement provisions, the proposed development will not adversely affect the applicable land use plan. There are no impacts to sensitive lands as none exist on the site.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program. The certified Local Coastal Program, the Torrey Hills Community Plan, designates this site for Visitor Commercial use. The proposed development will comply with the certified Local Coastal Program and the regulations of the Implementation Program. No variances or deviations are required to approve the project as proposed.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The site, approximately three miles east of the Pacific Ocean, is not between the nearest public road and the sea or shoreline of any body of water within the Coastal Overlay Zone. The site is located in Torrey Hills Community Plan east of Interstate 5. The development of a commercial office development will have no affect upon the public's access to coastal resources or recreation policies of Chapter 3 of the Coastal Act. The site does not contain any existing or planned access routes to the sea or shoreline of any body of water within the Coastal Overlay Zone and will have no affect upon the recreation policies of Chapter 3 of the Coastal Act in that all necessary parking is provided on the site for employees and visitors. Being determined that the proposed project will have no affect upon the access or recreational policies of the Coastal Act, the proposed project is therefore in conformance with the policies of such act.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Planned Development Permit No. 490145 and Coastal Development Permit No. 490146 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 490145 and 490146, a copy of which is attached hereto and made a part hereof.

John S. Fisher Development Project Manager Development Services

Adopted on: V27 - DATE OF APPROVAL

Job Order No. 410001

PLANNING COMMISSION RESOLUTION NO. V2 PLANNED DEVELOPMENT PERMIT NO. 427638 and COASTAL DEVELOPMENT PERMIT NO. 427637 Amending Planned Commercial Development and Coastal Development Permit Nos. 85-0824 and 98-0550 TORREY RESERVE PHASE IV

WHEREAS, PACIFIC TORREY RESERVE HOLDINGS, LP, Owner/Permittee, filed an application with the City of San Diego for a Planned Development Permit and a Coastal Development Permit to amend Planned Commercial Development Permit No. 85-0824 to allow the addition of two buildings on an existing developed site. The new buildings are described as Building 13; a two-story 20,000 square foot office building and Building 14; a two-story 20,000 square foot office building on an existing 11.65 acre site zoned CO-1-2 and within the boundaries of the Torrey Hills Community Plan. Other improvements would include landscaping, site improvements and improvements in the public right-of-way (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 427638 and 427637), on portions of a 11.65 acre site;

WHEREAS, the project site is located at 11502 El Camino Real in the CO-1-2 Zone of the Torrey Hills Community Plan area;

WHEREAS, the project site is legally described as Lot 1 of Map No. 13167;

WHEREAS, on V13 - DATE, the Planning Commission of the City of San Diego considered Planned Development Permit No. 427638 and Coastal Development Permit No. 427637 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated V19 - DATE.

FINDINGS:

Planned Development Permit - Section 126.0604

A. Findings for all Planned Development Permits

1. The proposed development will not adversely affect the applicable land use plan. The proposed commercial office development on a 11.65 acre site is designated for Visitor Commercial use by the Torrey Hills Community Plan and allows commercial development at the intensities allowed by the existing CO-1-2 Zone. The proposed project is consistent with this designation. Being determined the project is consistent with the Progress Guide and General Plan, the Torrey Hills Community Plan, the regulations of the CO-1-2 Zone and the Sorrento Hills Development Agreement provisions, the proposed development will not adversely affect the applicable land use plan. 2. The proposed development will not be detrimental to the public health, safety, and welfare. The proposed development includes the contribution of its fair share cost towards construction of public improvements in the Torrey Hills community. The proposed development will construct necessary sewer and water facilities to serve the occupants of the development; will enter into a Maintenance Agreement for the ongoing permanent Best Management Practices [BMP] maintenance; and will 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. The development will also provide for the health, safety, and welfare of the occupants by locating Zone 1 Brush Management outside the MPHA and Zone 2 Brush Management inside the MHPA and outside of lands owned by the City while providing setbacks for structures adjacent to fuel sources. All structures constructed will be reviewed by professional staff for compliance with all relevant and applicable building, electrical, mechanical and fire codes to assure the structures will meet or exceed the current regulations. As such the proposed development will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the regulations of the Land Development Code. The proposed development complies with the regulations of the CO-1-2 Zone and site specific development regulations for the property. No deviations or variances are required to approve the proposed project. The proposed development complies with all relevant regulations of the Land Development Code. Specific conditions of approval require the continued compliance with all relevant regulations of the City of San Diego in effect for this site and have been written as such into Planned Development Permit No. 427638 and Coastal Development Permit No. 427637. Development of the property will meet all requirements of these regulations. Concept plans for the project identify all other development criteria in effect for the site. All relevant regulations will be complied with at all times for the life of the project. In these ways the proposed development will comply with the applicable and relevant regulations of the Land Development Code.

4. The proposed development, when considered as a whole, will be beneficial to the community. The existing site will benefit from the additional office development through the provision of increased office space in the community available for local residents to locate their businesses in the community. The project being located in the community will in turn result in fewer vehicle trips leaving the community utilizing the local road system rather than the freeway network, reducing commute times and the consumption of limited resources, reducing negative impacts to air quality which result from the burning of fossil fuels, and other such efficiencies resulting from nearby residents working in or near the community of their place of residence. These project goals will provide additional commercial office opportunities in the community. The resulting benefits of the project will be positive for the community and City of San Diego.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) 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. The project proposes no deviations from the Land Development Code regulations. The proposed Planned Development Permit is required to amend a previous discretionary permit, Planned Commercial Development and Coastal Development Permit Nos. 85-0824 and 98-0550 and is not required to allow any deviations as none are proposed. Thus the project will be a desirable development in

that it will be consistent with all the requirements of the CO-1-2 Zone as it relates to the development of the site.

Coastal Development Permit - Section 126.0708

A.

1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public access way identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan. The 11.65 acre site is located approximately three miles east from the Pacific Ocean. No physical accessway legally used by the public or proposed public accessway will be compromised or encroached upon with the approval of the project as none exist crossing the property leading to and along the ocean and other scenic coastal areas. No existing or proposed physical accessway exists or is designated on or across the site. From the site no public views to or along the ocean or other scenic coastal areas presently exist and none will be impacted from the approval of the project.

2. The proposed coastal development will not adversely affect environmentally sensitive lands. The site is designated by the Torrey Hills Community Plan for Visitor Commercial use and allows commercial development at the intensities allowed by the existing CO-1-2 Zone. The proposed project is consistent with this designation. Being determined the project is consistent with the Progress Guide and General Plan, the Torrey Hills Community Plan, the regulations of the CO-1-2 Zone and the Sorrento Hills Development Agreement provisions, the proposed development will not adversely affect the applicable land use plan. There are no impacts to sensitive lands as none exist on the site.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program. The certified Local Coastal Program, the Torrey Hills Community Plan, designates this site for Visitor Commercial use. The proposed development will comply with the certified Local Coastal Program and the regulations of the Implementation Program. No variances or deviations are required to approve the project as proposed.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The site, approximately three miles east of the Pacific Ocean, is not between the nearest public road and the sea or shoreline of any body of water within the Coastal Overlay Zone. The site is located in Torrey Hills Community Plan east of Interstate 5. The development of a commercial office development will have no affect upon the public's access to coastal resources or recreation policies of Chapter 3 of the Coastal Act. The site does not contain any existing or planned access routes to the sea or shoreline of any body of water within the Coastal Overlay Zone and will have no affect upon the recreation policies of Chapter 3 of the Coastal Act in that all necessary parking is provided on the site for employees and visitors. Being determined that the proposed project will have no affect upon the access or recreational policies of the Coastal Act, the proposed project is therefore in conformance with the policies of such act.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Planned Development Permit No. 427638 and Coastal Development Permit No. 427637 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 427638 and 427637, a copy of which is attached hereto and made a part hereof.

John S. Fisher Development Project Manager Development Services

Adopted on: V27 - DATE OF APPROVAL

Job Order No. 427513

cc: Legislative Recorder, Planning Department

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

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

JOB ORDER NUMBER: 410001

SPACE ABOVE THIS LINE FOR RECORDER'S USE

PLANNED DEVELOPMENT PERMIT NO. 490145 and COASTAL DEVELOPMENT PERMIT NO. 490146 Amending Planned Commercial Development and Coastal Development Permit No. 85-0824 **TORREY RESERVE [MMRP] PTS#1450** PLANNING COMMISSION

This Planned Development Permit No. 490145 and Coastal Development Permit No. 490146, amending Planned Commercial Development and Coastal Development Permit No. 85-0824, is granted by the Planning Commission of the City of San Diego to PACIFIC TORREY RESERVE HOLDINGS, L.P., Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0600 and 126.0700. The 11.24 acre site is located north of Arroyo Sorrento Road and east of El Camino Real in the CO-1-2 Zone of the Torrey Hills Community Plan area. The project site is legally described as Parcels 1, 2, 3, 4, 5 and 6 of Parcel Map No. 18561, filed in the Office of the County Recorder of San Diego County on October 13, 2000.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to develop three additional buildings, subterranean parking and landscaping within the existing Torrey Reserve development, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated [INSERT Approval Date], on file in the Development Services Department.

The project shall include:

- a. Addition of three buildings on the existing, developed site. The new buildings are described as Building 4; a two-story 13,000 square foot office building over subterranean parking structure, Building 5; a one story 4,600 square foot office building and Building 6; a two-story 20,800 square foot office building over subterranean parking;
- b. Landscaping (planting, irrigation and landscape related improvements), brush management, site improvements and improvements in the public right-of-way;
- c. Off-street parking; and

d. Accessory improvements determined by the Development Services Department 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. This project is subject to the provisions of the 1989 Sorrento Hills Development Agreement, Doc. No. 00-17300, filed May 15, 1989 in the Office of the City Clerk.

STANDARD REQUIREMENTS:

1. This permit amends Planned Commercial Development and Coastal Development Permit No. 85-0824 as necessary to allow the development described within this permit and as shown on Exhibit "A." Further, condition number 21 of Planned Commercial Development and Coastal Development Permit No. 85-0824 is deleted as a requirement of this project. Where there is a conflict between this permit and Planned Commercial Development and Coastal Development Permit No. 85-0824 as it may relate to allowing the development described within this permit and as shown on Exhibit "A" this permit shall prevail. Planned Commercial Development and Coastal Development Permit No. 85-0824 shall otherwise remain in full force and effect except as provided by this permit and described herein.

2. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.

3. This Planned Development Permit/Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.

4. 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 Owner/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.

5. Prior to issuance of any building permit, an enhancement fee shall be deposited with the Development Services Department for the Los Peñasquitos Watershed Restoration and Enhancement Program. The enhancement fee shall be computed on the basis of site grading at a rate of \$0.005 per square foot for all areas graded, with an additional rate of \$0.03 per square foot

for all impervious surfaces created by the development. The enhancement fee shall be computed by the Owner/Permittee and verified and collected by the Development Services Department.

6. 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 Development Services Department.

7. This Permit is a covenant running with the subject property and shall be binding upon the Owner/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.

8. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

9. 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. § 1531 et seq.).

10. 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.

11. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

12. 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" conditions(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.

13. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents. officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify. and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

14. This Permit may be developed in phases.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

15. 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

16. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in Mitigated Negative Declaration No. 1450, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

17. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Mitigated Negative Declaration No. 1450, satisfactory to the Development Services Department and the City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be complied with, to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Paleontology MHPA Land Use Adjacency

18. Prior to issuance of any construction permit, the Owner/Permittee shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

ENGINEERING REQUIREMENTS:

19. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit from the City Engineer, referred to as an "engineering 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.

20. Prior to the issuance of any permits, the Owner/Permittee shall provide and maintain a shared access and parking agreement for this development.

21. This project proposes to export 28,000 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).

22. Prior to building occupancy, the Owner/Permittee shall conform to the Municipal Code, "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the Owner/Permittee shall obtain the required permits for work in the public right-of-way, satisfactory to the permit issuing authority.

23. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 and the Municipal Storm Water Permit, Order No. 2001-01 (NPDES General Permit No. CAS000002 and CA S0108758), 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 SWRCB.

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 Section C.7 of SWRCB Order No. 99-08-DWQ.

24. Prior to the issuance of any construction permit the Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings.

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

26. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

27. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction it shall be the responsibility of the Permittee/Owner to assure such damage or removed item shall be repaired and/or replaced in kind and equivalent size per the approved plans with in fifteen days.

28. In the event that the Landscape Plan and the Site Plan conflict, the Landscape Plan shall prevail.

29. Prior to issuance of any construction permits for structures, including permits for shell structures, complete landscape and irrigation construction documents consistent with the Landscape Standards, including planting and irrigation plans, details and specifications, shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A."

30. Prior to issuance of any construction permit for parking structures, the Owner/Permittee shall submit on the planting and irrigation plans a signed statement by a Registered Structural Engineer indicating that supporting structures are designed to accommodate the necessary structural loads and associated planting and irrigation.

31. 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 Development Services Department for approval. Improvement plans shall provide a forty square foot 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.

32. Prior to final inspection, it shall be the responsibility of the Owner/Permittee to install all required landscape. A No Fee Street Tree Permit, if applicable, shall be obtained for the installation, establishment and on-going maintenance of all street trees.

33. Prior to issuance of any construction permits for grading, the Owner/Permittee shall submit landscape construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the Land Development Manual Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit and Exhibit "A."

34. The Owner/Permittee shall ensure that all proposed landscaping, especially landscaping adjacent to native habitat, shall not include exotic plant species that may be invasive to native habitats. Plant species found within the California Invasive Plant Council's (Cal-IPC) Invasive Plant Inventory and the City of San Diego's Land Development Manual; Landscape Standards are prohibited.

BRUSH MANAGEMENT PROGRAM REQUIREMENTS:

35. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit "A."

36. Prior to issuance of any construction permits, a complete set of Brush Management Construction Documents shall be submitted for approval to the Development Services Department and the Fire Marshall. The construction documents shall be in substantial conformance with Exhibit "A" and shall comply with the Uniform Fire Code, M.C. 55.0101; the Land Development Manual, Landscape Standards; and the Land Development Code, Landscape Regulations Section 142.0412 (Ordinance 19413).

37. The Brush Management Program shall consist of Zone One consistent with Exhibit "A" and a standard Zone Two of 90 feet. Zone Two shall be maintained on the entirety of Open Space Easement Lot 1 shown on Tentative Map No. 850824.

38. Within Zone One, combustible accessory structures, including, but not limited to decks, trellises, gazebos, et cetera, shall not be permitted while non-combustible accessory structures may be approved within the designated Zone One area subject to Fire Marshall and Development Services Department approval.

39. 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 onsite with the contractor and the Development Services Department to discuss and outline the implementation of the Brush Management Program."

40. In Zone One, 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 Analysis Section and the Environmental Analysis Section.

41. Prior to final inspection and issuance of any Certificate of Occupancy, the approved Brush Management Program shall be implemented.

42. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Land Development Manual, Landscape Standards.

PLANNING/DESIGN REQUIREMENTS:

43. No fewer than 693 off-street parking spaces, including 14 accessible and 54 carpool spaces, 14 motorcycle, 13 bicycle spaces, and 3 loading spaces off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." Shower and locker facilities shall be maintained and available on the property for bicyclists storing bicycles in the 13 bicycle spaces. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.

44. 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 Owner/Permittee.

45. All signs associated with this development shall be consistent with sign criteria established by the City-wide sign regulations. Signage will conform to the current standard on the existing site. All illumination shall be reverse channel backlit design and no internally illuminated boxes shall be allowed.

46. 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.

47. The Owner/Permittee shall develop and offer for rent or lease no less than twenty percent of the ground floor area of the building with commercial visitor uses as defined in the CV (Commercial--Visitor) Zones. Commercial Visitor uses within twenty percent of the total ground floor building area may include yet not be limited to: retail, restaurant and bank use. Building locations for visitor uses are specifically identified on the Exhibit "A." The remaining eighty percent of the ground floor area may be developed with commercial uses such as financial, specialized commercial, office and corporate headquarters or any other use allowed by the CO-1-2 and CV Zones

48. Prior to the issuance of any building permits, complete outdoor lighting information shall be submitted to the Development Services Department, Land Development Review Division, for review and approval. Complete lighting information shall include a plan view photometric analysis indicating an isofoot candle plot and a point by point plot to include all areas within the private property and to extend a minimum of 50 feet beyond the property line, construction details as necessary to direct installation of the outdoor lighting system, manufacturers name, visors, prisms, lenses and reflectors and a lighting plan locating each fixture in plan view and a legend. The outdoor lighting system shall be designed, manufactured and installed to allow shading, adjusting, and shielding of the light source so all outdoor lighting is directed to fall only onto the same premises as light sources are located. Parking lot light standards shall be no higher than eighteen feet.

49. Prior to the issuance of any occupancy permit, a night inspection shall be required to verify compliance of the outdoor lighting system. No light shall be directed to fall outside the property line. Light levels along the perimeter of the property shall be measured no higher than three footcandles. Light levels throughout the development shall be the least practical level necessary to effectively illuminate the operation. Sky glow or light halo shall be reduced to the greatest extent practical and in no case shall initial light levels be measured exceeding eight footcandles anywhere within the site. The Owner/Permittee, or an authorized representative, shall provide a luminance meter to measure light levels as required establishing conformance with the conditions of this Permit during the night inspection. Night inspections may be required additional fees as determined by the Development Services Department.

50. 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.

51. 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.

52. 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".

TRANSPORTATION REQUIREMENTS

53. Prior to the issuance of the first occupancy permit, the Owner/Permittee shall close the two existing driveways on Arroyo Sorrento Road and on El Camino Real and replace the two driveways with standard curb, gutter and sidewalk, satisfactory to the City Engineer.

54. The Owner/Permittee shall set aside sufficient property to provide for at least 720 parking spaces, to the satisfaction of the City Engineer.

55. The Owner/Permittee shall implement a Transportation Demand Management Plan to reduce peak period automobile use with such techniques as carpooling, vanpooling, transit, at least 75% subsidy of transit passes, bicycling, walking, telecommuting, compressed work weeks or flextime shall be provided to the patrons/employees to the satisfaction of the City Engineer.

56. The Owner/Permittee shall monitor the Transportation Demand Management (TDM) Plan annually for a period of five years to verify the TDM Plan adequately mitigates the proposed reductions in minimum parking requirements, including a Parking Occupancy Study, to be submitted to the City to the satisfaction of the City Engineer.

57. In the event the TDM Plan does not adequately mitigate for the reductions in the minimum parking requirements, the Owner/Permittee shall provide a shuttle service to connect to the Sorrento Valley Station or closest transit station, with an annual report for a period of two years, to the satisfaction of the City Engineer.

58. In the event the TDM Plan and the private shuttle is unable to adequately mitigate the reductions in minimum parking requirements, the Owner/Permittee shall construct additional

parking spaces to meet the 720 minimum parking spaces required onsite, to the satisfaction of the City Engineer.

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 §66020.
- This development may be subject to impact fees at the time of construction permit issuance

APPROVED by the Planning Commission of the City of San Diego on [date and resolution number].

Attachment 19

Permit Type/PTS Approval No.: PDP No. 490145 and CDP No. 490146 Date of Approval:

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

John S. Fisher Development Project Manager

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

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

PACIFIC TORREY RESERVE HOLDINGS, L.P. Owner/Permittee

By_

John Chamberlain Chief Executive Officer

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 PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 427513

PLANNED DEVELOPMENT PERMIT NO. 427638 and COASTAL DEVELOPMENT PERMIT NO. 427637 Amending Planned Commercial Development and Coastal Development Permit No. 85-0824 **TORREY RESERVE PHASE IV [MMRP] PTS#124765** PLANNING COMMISSION

This Planned Development Permit No. 427638 and Coastal Development Permit No. 427637, amending Planned Commercial Development No. 85-0824, is granted by the Planning Commission of the City of San Diego to PACIFIC TORREY RESERVE HOLDINGS, LP, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0600 and 126.0700. The 11.65 acre site is located at 11502 El Camino Real in the CO-1-2 Zone of the Torrey Hills Community Plan area. The project site is legally described as Lot 1 of Map No. 13167.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to allow the addition of two buildings on an existing developed site. The new buildings are described as Building 13; a two-story 20,000 square foot office building and Building 14; a two-story 20,000 square foot office building, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated [INSERT Approval Date], on file in the Development Services Department.

The project shall include:

- a. Two new buildings: Building 13; a two-story 20,000 square foot office building and Building 14; a two-story 20,000 square foot office building;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking; and
- d. Accessory improvements determined by the Development Services Department 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. This project is subject to the provisions of the 1989 Sorrento Hills Development Agreement, Doc. No. 00-17300, filed May 15, 1989 in the Office of the City Clerk.

STANDARD REQUIREMENTS:

1. This permit amends Planned Commercial Development and Coastal Development Permit Nos. 85-0824 as necessary to allow the development described within this permit and as shown on Exhibit "A." Further, condition number 21 of Planned Commercial Development and Coastal Development Permit No. 85-0824 is deleted as a requirement of this project. Where there is a conflict between this permit and Planned Commercial Development and Coastal Development Permit No. 85-0824 as it may relate to allowing the development described within this permit and as shown on Exhibit "A" this permit shall prevail. Planned Commercial Development and Coastal Development Permit No. 85-0824 shall otherwise remain in full force and effect except as provided by this permit and described herein.

2. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.

3. 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 Owner/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.

4. Prior to issuance of any building permit, an enhancement fee shall be deposited with the Development Services Department for the Los Peñasquitos Watershed Restoration and Enhancement Program. The enhancement fee shall be computed on the basis of site grading at a rate of \$0.005 per square foot for all areas graded, with an additional rate of \$0.03 per square foot for all impervious surfaces created by the development. The enhancement fee shall be computed by the Owner/Permittee and verified and collected by the Development Services Department.

5. 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 Development Services Department.

6. This Permit is a covenant running with the subject property and shall be binding upon the Owner/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.

7. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

8. 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. § 1531 et seq.).

9. 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.

10. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

11. 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" conditions(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.

12. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any

claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

13. This Permit may be developed in phases.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

14. 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

15. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in Mitigated Negative Declaration No. 124765, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

16. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Mitigated Negative Declaration No. 124765, satisfactory to the Development Services Department and the 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:

Land Use/MHPA Land Use Adjacency Guidelines Paleontological Resources

17. Prior to issuance of any construction permit, the Owner/Permittee shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

ENGINEERING REQUIREMENTS:

18. Prior to the building occupancy, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.

19. Prior to the issuance of any construction permits, the Owner/Permittee 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.

20. Prior to the issuance of any construction permits, the Owner/Permittee 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.

21. Prior to building occupancy, the Owner/Permittee shall construct a thirty foot wide driveway on El Camino Real, satisfactory to the City Engineer.

22. The drainage system proposed for this development is private and subject to approval by the City Engineer.

23. This project proposes to export 8,600 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).

24. 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 SWRCB.

25. 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.

26. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement, for landscaping in El Camino Real, satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

27. Prior to issuance of any construction permit for parking structures, the Owner/Permittee shall submit on the planting and irrigation plans a signed statement by a Registered Structural Engineer indicating that supporting structures are designed to accommodate the necessary structural loads and associated planting and irrigation.

28. Prior to issuance of any construction permits for grading, the Owner/Permittee shall submit landscape construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the Land Development Manual Landscape Standards and to the satisfaction of

the Development Services Department. All plans shall be in substantial conformance to this permit and Exhibit "A."

29. Prior to issuance of any construction permits for public right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall provide a forty square foot 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.

30. In the event that a foundation only permit is requested by the Owner/Permittee, a site plan or staking layout plan shall be submitted identifying all landscape areas consistent with Exhibit "A." These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as landscaping area.

31. Prior to issuance of any construction permits for buildings, including shell, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Land Development Manual Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A".

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

33. The Owner/Permittee shall maintain all landscape in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

34. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual 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.

35. If any required landscape, including existing or new plantings, hardscape, landscape features, et cetera, indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee is responsible to repair and/or replace any landscape in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to a Certificate of Occupancy.

36. The Owner/Permittee shall ensure that all proposed landscaping, especially landscaping adjacent to native habitat, shall not include exotic plant species that may be invasive to native habitats. Plant species found within the California Invasive Plant Council's (Cal-IPC) Invasive

Plant Inventory and the City of San Diego's Land Development Manual; Landscape Standards are prohibited.

37. Trees proposed within all Brush Management Zones shall be planted and maintained such that a ten foot clear area is maintained between the tree canopy and building wall.

BRUSH MANAGEMENT PROGRAM REQUIREMENTS:

38. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit "A".

39. Prior to issuance of any construction permits for grading, Landscape Construction Documents required for the construction permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit "A."

40. Prior to issuance of any construction permits, a complete set of Brush Management Construction Documents shall be submitted for approval to the Development Services Department and the Fire Marshall. The construction documents shall be in substantial conformance with Exhibit "A" and shall comply with the Uniform Fire Code, M.C. 55.0101; the Land Development Manual, Landscape Standards; and the Land Development Code, Landscape Regulations Section 142.0412 (Ordinance 19413).

41. The Brush Management Program shall implement two zones consistent with the Brush Management Regulations of the Land Development Code Section 142.0412 as follows: Brush Management Zone 1 extends from the face of Buildings to the edge of the parking structure. Brush Management Zone 2 extends from the edge of the parking structure down slope to the property line.

42. Within Zone One, combustible accessory structures, including, but not limited to decks, trellises, gazebos, et cetera, shall not be permitted while non-combustible accessory structures may be approved within the designated Zone One area subject to Fire Marshall and Development Services Department approval.

43. The following note shall be provided on the Brush Management Construction Documents: "It shall be the responsibility of the 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."

44. In Zone One, 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 Analysis and Environmental Analysis Sections.

45. All new Zone Two planting shall be temporarily irrigated with an above-ground irrigation system until established. Zone Two shall be maintained on a regular basis by pruning and thinning plants, removing weeds, and maintaining the temporary irrigation system. Only native vegetation shall be planted or hydroseeded. If Zone Two is being revegetated, fifty percent
(50%) of the planting area shall be seeded with material that does not grow taller than twenty-four inches.

46. Prior to final inspection and issuance of any Certificate of Occupancy, the approved Brush Management Program shall be implemented. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Land Development Manual, Landscape Standards.

PLANNING/DESIGN REQUIREMENTS:

47. No fewer than 990 parking spaces shall be permanently maintained on site within the approximate location shown on the project's Exhibit "A." Include 20 disabled accessible spaces, a minimum of 86 carpool, 20 motorcycle and 21 bicycle spaces (8 lockers/1 shower) and five loading spaces shall be provided on site. Further, all on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the City Manager.

48. 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 Owner/Permittee.

49. All signs associated with this development shall be consistent with sign criteria established by the City-wide sign regulations. Signage will conform to the current standard on the existing site. All illumination shall be reverse channel backlit design and no internally illuminated boxes shall be allowed.

50. 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.

51. The Owner/Permittee shall develop and offer for rent or lease no less than twenty percent of the ground floor area of the building with commercial visitor uses as defined in the CV (Commercial Visitor) Zone. Commercial Visitor uses within twenty percent of the total ground floor building area may include yet not be limited to: retail, restaurant and bank use. Building locations for visitor uses are specifically identified on the Exhibit "A." The remaining eighty percent of the ground floor area may be developed with commercial uses such as financial, specialized commercial, office and corporate headquarters or any other use allowed by the CO-1-2 and CV Zones.

52. Prior to the issuance of any building permits, complete outdoor lighting information shall be submitted to the Development Services Department, Land Development Review Division, for review and approval. Complete lighting information shall include a plan view photometric analysis indicating an isofoot candle plot and a point by point plot to include all areas within the private property and to extend a minimum of 50 feet beyond the property line, construction details as necessary to direct installation of the outdoor lighting system, manufacturers name, visors, prisms, lenses and reflectors and a lighting plan locating each fixture in plan view and a legend. The outdoor lighting system shall be designed, manufactured and installed to allow shading, adjusting, and shielding of the light source so all outdoor lighting is directed to fall only onto the same premises as light sources are located. Parking lot light standards shall be no higher than eighteen feet.

53. Prior to the issuance of any occupancy permit, a night inspection shall be required to verify compliance of the outdoor lighting system. No light shall be directed to fall outside the property line. Light levels along the perimeter of the property shall be measured no higher than three footcandles. Light levels throughout the development shall be the least practical level necessary to effectively illuminate the operation. Sky glow or light halo shall be reduced to the greatest extent practical and in no case shall initial light levels be measured exceeding eight footcandles anywhere within the site. The Owner/Permittee, or an authorized representative, shall provide a luminance meter to measure light levels as required establishing conformance with the conditions of this Permit during the night inspection. Night inspections may be required additional fees as determined by the Development Services Department.

54. 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.

55. 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.

56. 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".

TRANSPORTATION REQUIREMENTS

57. Implement the TDM Plan with a design to reduce peak period automobile use using techniques as carpooling, vanpooling, transit, bicycling, walking, telecommuting, compressed work weeks or flextime. Specifically, transit subsidies at 75% or higher must be provided to the patrons/employees to encourage the use of transit, to the satisfaction of the City Engineer.

58. Monitor the TDM Plan annually for five years to verify if the TDM Plan adequately mitigates the proposed reductions in the 1058 parking spaces required, including a Parking Occupancy Study, submitted to the City, to the satisfaction of the City Engineer.

59. Provide private shuttle service to the patrons/employees in the event that the TDM Plan does not adequately mitigate the reductions in the minimum parking space requirement. The shuttle service shall connect the project site to the Coaster Transit Center in Sorrento Valley. This service shall be monitored annually for a period of two years after implementation, with a report to the City, to the satisfaction of the City Engineer.

60. In the event that the TDM Plan and private shuttle service is not able to adequately mitigate the proposed reductions in minimum parking requirements, the City Manager may require the Owner/Permittee to construct additional parking spaces to a total of 1058 parking spaces.

61. The Owner/Permittee shall set aside land for a parking facility to allow for future construction or expansion of a parking facility to provide for a total of 1058 parking spaces, to the satisfaction of the City Engineer.

GEOLOGY REQUIREMENTS:

62. Prior to the issuance of any construction permits, the Owner/Permittee shall provide additional geotechnical information for the review and approval of the City Geologist, satisfactory to the City Geologist and Development Services Department.

PARK & RECREATION REQUIREMENTS:

63. There shall be no brush management impacts on the adjacent City fee-owned open space.

WASTEWATER REQUIREMENTS:

64. All proposed public sewer facilities shall be designed and constructed in accordance with established criteria in the most current City of San Diego sewer design guide. Proposed facilities that do not meet the current standards shall be private or re-designed.

65. All proposed private sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

66. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities.

67. All on-site wastewater systems shall private.

WATER REQUIREMENTS:

68. 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) as needed, and the removal of any existing unused services, utilizing the existing 16-inch diameter water main within the El Camino Real right-of-way adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

69. 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 within the development, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

70. Prior to the issuance of any certificates of occupancy, the public water facilities, necessary to serve this development, shall be complete and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.

71. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current editions of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public water facilities and associated easements, as shown on approved Exhibit "A," shall be modified at final engineering in accordance with accepted studies and 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 §66020.
- This development may be subject to impact fees at the time of construction permit issuance

APPROVED by the Planning Commission of the City of San Diego on [date and resolution number].

Attachment 20

Permit Type/PTS Approval No.: PDP No. 427638 and CDP No. 427637 Date of Approval:

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

John S. Fisher Development Project Manager

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

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

PACIFIC TORREY RESERVE HOLDINGS, L.P.

Owner/Permittee

By

John Chamberlain Chief Executive Officer

NOTE: Notary acknowledgments must be attached per Civil Code section 1180 et seq. April 28, 2009

Mr. John Fisher, RLA Development Project Manager Development Services Department 1222 First Avenue, MS 501 San Diego, CA 92101-4155

SUBJECT: TORREY RESERVE AND TORREY RESERVE PHASE IV DEVELOPMENTS

Dear Mr. Fisher:

The Torrey Hills Community Planning Board reviewed and approved the referenced project on April 21, 2009 by a 11-0-1 vote.

Motion: Approval of the Torrey Reserve and Torrey Reserve Phase IV projects with the following conditions:

- Signage will conform to the current standard that is in use by the existing development - reverse channel backlit design. No internally illuminated box signs.
- 2. Parking lot lighting will not exceed 18 ft high and will be shielded so that all light is directed onto the development.
- The landscaping will be modified as presented to include evergreen variety trees at the Arroyo Sorrento entrance and along Arroyo Sorrento Rd. These trees will be of a variety that when mature will not block the ocean views of the nearby residential community. The palm trees associated with building 5 will be selected and maintained so that their height never exceeds the height of building 5. Consider incorporating a berm along Arroyo Sorrento Rd to help shield parking areas. Evergreen shrubs will be utilized to further shield parking areas along Arroyo Sorrento Rd. The replacement of existing Sycamore trees is encouraged.
- $\frac{4}{2}$. Modified building 5 height and architecture will be incorporated as presented and will use real stone on the exterior walls. If there is outside seating it will not be allowed in the set-back which is intended to provide a landscaped buffer zone between building 5 and the Arroyo Sorrento entry.
- 5. o If a drive-through is incorporated for building 5, it must be inside the parking lot and on the north side of building 5. It must not be in the landscaped buffer zone between building 5 and Arroyo Sorrento Rd/El Camino Real.

- If restaurants are constructed there will be a good faith effort to incorporate air scrubber devices (odor abatement equipment) on the commercial vent hoods. These devices should not negatively impact the visual architecture. The intent of this request is to reduce or eliminate the impact of undesirable odors related to cooking emissions on the adjacent residential community which is directly in the path of the prevailing winds.
- 7. To the extent it is possible, try to redesign internal vehicle circulation for Torrey Reserve Phase IV for easy access to the existing traffic light in order to exit left onto northbound El Camino Real rather than leaving via the right-only exit to southbound El Camino Real and then traversing three high-speed lanes in order to make a U-turn to go northbound.

Attachments 1 and 2 detail some of the modifications that were presented and approved.

Sincerely,

Guy Ravad, MD Chair, Torrey Hills Community Planning Board.

Cc: File Lesley Henegar





Pacific Torrey Reserve Holdings, LP, Ownership Disclosure

Pacific Torrey Reserve Holdings, LP, Owner/Applicant

Pacific Torrey Reserve Holdings, LP is composed of two limited partnerships:

Pacific Torrey Reserve Assets and Pacific American Assets Holdings

Pacific Torrey Reserve Assets:

John Chamberlain, President Robert F. Barton, Secretary Earnest S. Rady, Owner 100%

Pacific American Assets Holdings:

Carol Mcarton Daniel Blankstein Debra Olenick-Hirsch Gail Wagner Leonard Blankstein Linda Blankstein Max Blankstein Roberta Olenick

Donald Rady Trust, c/o Donald Rady, Trustee

Harry Rady Trust, c/o Harry Rady, Trustee

Margo Rady Trust, c/o Margo Rady, Trustee, and

Ernest S. Rady Trust, c/o: John Chamberlain, Trustee Robert F. Barton, Trustee Bernard Feldman, Trustee Earnest S. Rady, Trustee

PROJECT DATA SHEET				
PROJECT NAME:	Torrey Reserve – Project 1450			
PROJECT DESCRIPTION:	Addition of three buildings on an existing developed site			
COMMUNITY PLAN AREA:	Torrey Hills			
DISCRETIONARY ACTIONS:	Planned Development Permit and Coastal Development Permit.			
COMMUNITY PLAN LAND USE DESIGNATION:	Commercial			
ZONING INFORMATION: ZONE: CO HEIGHT LIMIT: 60 LOT SIZE: 5,0 FLOOR AREA RATIO: 1.5 FRONT SETBACK: 10 SIDE SETBACK: 10 STREETSIDE SETBACK: 10 REAR SETBACK: 10 PARKING: 69	feet 00 square feet, minium feet minimum feet minimum. feet minimum feet			
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE		
NORTH:	Open Space	Open Space		
SOUTH:	Open Space & Residential	Open Space & Residential		
EAST:	Open Space & Residential	Open Space & Residential		
WEST:	Commercial & Open Space	Commercial & Open Space		
DEVIATIONS OR VARIANCES REQUESTED:	None requested or required.			
COMMUNITY PLANNING GROUP RECOMMENDATION:	On September 18, 2007 the Torrey Hills Community Planning Board voted 7:0:0 to recommend denial of the proposed actions.			

PROJECT DATA SHEET					
PROJECT NAME:	Torrey Reserve Phase IV – Project 124765				
PROJECT DESCRIPTION:	Addition of two buildings on an existing developed site				
COMMUNITY PLAN AREA:	Torrey Hills				
DISCRETIONARY ACTIONS:	Planned Development Permit and Coastal Development Permit.				
COMMUNITY PLAN LAND USE DESIGNATION:	Commercial Office				
HEIGHT LIMIT: 60 MINIMUM LOT SIZE: 50 FLOOR AREA RATIO: 1.5 FRONT SETBACK: 10 SIDE SETBACK: 10 STREETSIDE SETBACK: 10 REAR SETBACK: 10 PARKING: 99	00 square feet 5 feet minimum feet feet	1			
PARKING: 99	LAND USE DESIGNATION &	EXISTING LAND USE			
ADJACENT PROPERTIES: NORTH:	ZONE (Outside Plan boundary)	State Route 56			
SOUTH:	Open Space	Open Space			
EAST:	Commercial & Open Space	Commercial & Open Space			
WEST:	(Outside Plan boundary)	Interstate 5			
DEVIATIONS OR VARIANCES REQUESTED;	None requested or required.				
COMMUNITY PLANNING GROUP RECOMMENDATION:	On September 18, 2007 the Torrey Hills Community Planning Group voted 7:0:0 to recommend denial of the proposed actions.				

DEVELOPMENT SERVICES **Project Chronology Torrey Reserve - PTS# 1450**

Date	Action	Description	City Review Time	Applicant Response	
03/26/02	First Submittal	Project Deemed Complete			
04/24/02	First Assessment Letter		21 days		
01/07/03	Second Submittal	· · · · · · · · · · · · · · · · · · ·		184 days	
02/06/03	Second Review Complete		22 days		
07/24/03	Third Submittal			120 days	
08/25/03	Third Review Complete		22 days		
11/12/03	Fourth Submittal			57 days	
12/18/03	Fourth Review Complete		26 days		
11/15/06	Fifth Submittal			1071 days	
12/14/06	Fifth Review Complete		21 days		
08/31/07	Sixth Submittal			181 days	
10/10/07	Sixth Review Complete		50 days		
01/02/08	Seventh Submittal			42 days	
01/28/08	Seventh Review Complete		14 days		
03/05/08	Eighth Submittal			27 days	
03/27/08	Eighth Review Complete		16 days		
05/08/08	Ninth Submittal			30 days	
06/10/08	Ninth Review Complete		23 days		
06/10/08	Issues Complete		0 days		
05/14/09	Public Hearing		351 days		
TOTAL ST	AFF TIME		566 days		
TOTAL AP	PLICANT TIME			1,712 days	
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Planning 72 mc Commission		nths and 8 days	

DEVELOPMENT SERVICES Project Chronology Torrey Reserve Phase IV - PTS# 124765

Date	Action	Description	City Review Time	Applicant Response
03/09/07	First Submittal	Project Deemed Complete		
05/04/07	First Assessment Letter		40 days	
09/19/07	Second Submittal			98 days
10/24/07	Second Review Complete		25 days	
08/04/08	Third Submittal			203 days
09/29/08	Third Review Complete		40 days	
10/31/08	Fourth Submittal			24 days
11/24/08	Fourth Review Complete		16 days	
11/24/08	Issues Complete		0 days	
05/14/09	Public Hearing		123 days	
TOTAL STAFF TIME			244 days	
TOTAL APPLICANT TIME			325 days	
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Planning Commission	18 months and 29 days	