



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

**DATE ISSUED:** April 9, 2009 **REPORT NO. PC-09-030**

**ATTENTION:** Planning Commission, Agenda of April 16, 2009

**SUBJECT:** SUMMIT AT MISSION BAY - PROJECT NO. 144836  
PROCESS FIVE

**OWNER:** United Dominion Realty, L. P., a Delaware limited partnership  
(See Attachment 12)

**APPLICANT:** Hunsaker and Associates, Inc.

### SUMMARY

**Issue:** Should the Planning Commission recommend approval to the City Council for the demolition of 323 existing apartments and the construction of 499 residential condominiums on a 15.7-acre site (the area east of Clairemont Drive, south of Calle Neil, west of Cowley Way, and north of Iroquois Avenue) in the Clairemont Mesa Community Planning Area?

### Staff Recommendation:

1. **Recommend** City Council **Certification** of the Mitigated Negative Declaration No. 144836, and **Adoption** of the Mitigation Monitoring and Reporting Program;
2. **Recommend** City Council **Approval** of Site Development Permit No. 507598;
3. **Recommend** City Council **Approval** of Vesting Tentative Map No. 507600; including a Public Right-of-Way Vacation and an Easement Abandonment.

**Community Planning Group Recommendation:** On January 20, 2009 the Clairemont Community Planning Group voted 11-0-0 to recommend approval of the Summit at Mission Bay project with a number of conditions. Please see the Discussion section of the report and Attachment 13 for more detail.

**Environmental Review:** Mitigated Negative Declaration No. 144836 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and

would be implemented which would reduce any potential impacts identified in the environmental review process to a level of insignificance.

**Fiscal Impact Statement:** All costs associated with the processing of this project are recovered from a deposit account maintained by the applicant.

**Code Enforcement Impact:** None with this action.

**Housing Impact Statement:** The proposed project, located on a 15.7-acre site within the Clairemont Mesa Community Planning Area, is designated for Residential Land Use with a density range of 30-45 dwelling units per acre. Based on this land use designation, the project site could accommodate 471 to 707 dwelling units. The proposal to demolish 323 existing residential units and construct 499 new residential units is in conformance with that land use designation and density, and would result in an increase of 176 residential units. The proposed project would comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations by payment of the Inclusionary Housing In-Lieu Fee.

## **BACKGROUND**

The 15.7-acre project site is located approximately one-mile east of Interstate 5 and immediately west of the Tecolote Canyon Natural Park and within the block east of Clairemont Drive, south of Calle Neil, west of Cowley Way, and north of Iroquois Avenue in the RM-3-7 Zone, Clairemont Mesa Height Limit Overlay Zone, and the Community Plan Implementation Overlay Zone Area, Type B, within the Clairemont Mesa Community Plan. The site is designated for Residential land use within the Clairemont Mesa Community Plan, with a recommended density range of 30-45 dwelling units per acre. The Clairemont Community, encompassing approximately 13.3 square miles, lies south of State Route 52, west of Interstate 805, north of the Linda Vista Community, and east of Interstate 5 (See Attachment 2).

The project site has been previously graded and is currently developed with 323 apartment units housed in 40 residential buildings with 10 parking garage structures, constructed in the early 1950s. The 50 existing structures would be demolished to prepare the site for development. The project area is not within or adjacent to the City of San Diego's Multi-Habitat Planning Area.

The properties to the north are designated for residential development and are currently developed with apartments. Properties to the south are designated for residential and commercial development and are currently developed with condominiums and general commercial. Properties to the east and west are designated for residential development, and are developed with condominiums and apartments and duplexes respectively.

The elevation of the project site generally increases from the northwest to the southeast with elevations ranging from approximately 310 feet Above Mean Sea Level (AMSL) at the northwestern portion of the property to 335 feet AMSL at the southeastern portion of the property. The site is not located within or adjacent to the Multi-Habitat Planning Area of the City's Multiple Species Conservation Program. The property is located within an existing urbanized area currently served by police, fire, and emergency medical services.

An ordinance was added to the San Diego Municipal Code (SDMC) in 1971 (O-10655) creating the Clairemont Mesa Height Limit Overlay Zone, which restricts new structures located on the subject property to a maximum structure height of 40 feet and limiting new development to no more than three stories. The applicant is requesting an exception to the Clairemont Mesa Height Limit, which may be requested by applying for a Site Development permit, considered by the City Council in accordance with Process Five. Exceptions may be made only when the City Council makes the appropriate supplemental findings [San Diego Municipal Code Section 126.0504 (j)] for Site Development Approval. Staff believes that the supplemental Site Development Permit findings can be made (See Attachment 10).

## **DISCUSSION**

**Project Description:** The Summit at Mission Bay Project consists of an application for a Site Development Permit, Vesting Tentative Map, Easement Abandonment, and Public Right of Way Vacation to demolish 323 existing apartments and construct 499 residential condominiums on a 15.7-acre site (the area east of Clairemont Drive, south of Calle Neil, west of Cowley Way, and north of Iroquois Avenue) in the RM-3-7 Zone within the Clairemont Mesa Community Plan, Clairemont Mesa Height Limit Overlay Zone, Community Plan Implementation Overlay Zone Area B, within City Council District 6.

The proposed project would be a single three-story residential building consisting of 499 residential apartment units. In the center of the project would be two, five-level parking structures, one of which would be accessed from Calle Neil and one from Iroquois Avenue. The units would be a mix of one, two and three bedrooms. The one bedroom units would have one bath; the two and three bedroom units would have two baths. The project would also include a two-level clubhouse located near the center of the property. The main level would include common rooms, a game room, a clubroom, offices, men and women's restrooms and a media theater. The property would be accessed from three sides, with entrances on Iroquois Avenue, Calle Neil, and Cowley Way. The exterior elevations of the apartment structure indicate the use of cement plaster with a light sand finish, stucco on foam trim, decorative tile around entryways, wrought iron railings and gates, and a concrete tile roof.

The application requires the processing of a Site Development Permit for multiple unit development exceeding 10 units on consolidated lots in the RM-3-7 Zone, for development in the Community Plan Implementation Overlay Zone (CPIOZ) Type B, for development in the Clairemont Mesa Height Limit Overlay Zone which requests an exception to the height limit, and for sustainable development which deviates from the regulations of the underlying zone. The application also requires a Vesting Tentative Map for condominium development and lot consolidation, including a Public Right of Way Vacation and Easement Abandonment. The project would meet the intent of City Council Policy 900-14 criteria for the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program by installing a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the project's projected energy consumption, and by obtaining (at minimum) a Leadership in Energy and Environmental Design (LEED) Silver Certification. Project features include solar powered hot water systems, a high efficiency irrigation system, and a construction waste management plan that would recycle 50% of all construction debris.

A traffic impact analysis was prepared for the project application by Linscott, Law & Greenspan Engineers to analyze the potential impact of the project on the roadway system and on the on-street parking in the area. The proposed 499-unit development is estimated to generate 2,994 average daily trips with 240 morning peak-hour trips and 269 evening peak-hour trips. The existing site is currently developed with 323 apartments generating 1,938 average daily trips with 155 morning peak-hour trips and 174 evening peak-hour trips. Therefore, the net increase is 1,056 average daily trips with 85 morning peak-hour trips and 95 evening peak-hour trips. As mitigation for the increase in average daily trips, the Vesting Tentative Map has been conditioned to require a number of on- and off-site improvements, including the installation of a landscaped, raised median along the property frontage on Clairemont Drive, and a non-landscaped raised median on Clairemont Drive between Burgener Boulevard and Fairfield Street.

The project would meet the parking requirements of the Land Development Code by proposing 905 (882 required) off-street automobile spaces including 18 disabled/accessible spaces. Additionally, a minimum of 52 motorcycle (50 required) and 240 bicycle spaces (228 required) would be provided on site.

Proposed grading of the site would consist of approximately 28,000 cubic yards of cut and 28,000 cubic yards of fill, resulting in no net import or export of soil. The grading would be for footings, basement parking and compaction of the soil. Landscaping for the proposed project would consist of Olive Trees, Queen Palms, Water Gum, Queensland Umbrella, Canary Island Pine, Sweet Shade, Carrot Wood, large and small canopy trees, with numerous varieties of flowering shrubs, groundcover and hardscape areas. Existing mature Jacarandas, Sycamores, and Ash trees are being preserved on Clairemont Drive, Iroquois Avenue, and Cowley Way.

### **General/Community Plan Analysis**

General/Community Plan Conformance - The 15.7-acre project site is located within the Clairemont Mesa Community Planning Area and designated for Residential Land Use with a density range of 30-45 dwelling units per acre. Based on this land use designation, the project site could accommodate 471 to 707 dwelling units. The proposal to demolish 323 existing residential units and construct 499 new residential units is in conformance with that land use designation and density. Further, the Community Plan specifically identifies the site of the proposed project as having the Community Plan Implementation Overlay Zone (CPIOZ) Type B applied to it, and provides several recommendations relating to landscaping and site design. The goal of the CPIOZ recommendations is to establish a site design which: includes a significant parkway streetscape environment that includes the preservation of large mature trees; provides for breaks in building design; and parking garages which are concealed from the public right-of-way. The proposed project is in conformance with the CPIOZ recommendations as it would provide for a project design which promotes a lively streetscape that preserves most of the existing mature trees, provides varying levels of architectural styles with large courtyards to break up the building façade, and includes internal parking structures which screen all resident parking from public view.

The Transportation Element of the Clairemont Mesa Community Plan recommends that landscaped, raised medians be installed along Clairemont Drive. The proposed project is in conformance with this provision as it includes landscaped median improvements along

Clairemont Drive for the entire project frontage. Additionally, a condition is included in the permit which requires that the Permittee or Subsequent owner bear the responsibility for the maintenance of the landscaped median.

The proposed project includes a request for the vacation of an existing 20-foot wide public alley which currently bifurcates the site and provides private vehicular access to on-site garages and parking spaces of the existing development. The Clairemont Mesa Community Plan states that public rights-of-way may be vacated only when the City has determined that the right-of-way is not needed for public access in any form, either physical or visual, and that a vacated public right-of-way should not be used to intensify development on a site, unless a specific finding is made that the intensification will not result in a negative cumulative impact to the surrounding development or environment. As it currently exists, the alley is used primarily by the residents of the existing development. With the redevelopment of the property, the existing parking arrangement would be re-configured and the public alley would no longer be required for site circulation. Therefore, there is no present or prospective public use for the public right-of-way that can be anticipated. Additionally, the alley vacation is not anticipated to result in any negative cumulative impacts but rather, the community would benefit in that the vacation of the alley would allow an improved and more efficient use of the property as it would enable a project design that protects existing mature streetscapes and screens all resident parking from public view.

In addition to the public right-of-way vacation, the proposed project includes four deviation requests. The first request involves the proposed project reserving 275,524 square feet for required parking where 315,929 square feet is required to be reserved per the City's Municipal Code. This is a deviation from a regulatory requirement and it does not adversely impact any Community Plan policies. The second involves a deviation request from the Municipal Code requirement that the top floor of parking structures meet the landscape requirements for vehicular use areas. Due to the proposed solar panel shade structure, the project does not propose landscaping on the upper level of the parking structure. The solar panels are anticipated to generate at least 30 percent of the proposed project's projected energy consumption. The inclusion of sustainable building features such as solar panels is in conformance with the Conservation Element of the City's General Plan. The third deviation request involves an Exception to the Clairemont Mesa Height Limit Overlay Zone. The project proposes a maximum height of 53 feet 6 inches with a five-story parking structure where the maximum structure height is 40 feet and is not to exceed three stories. The proposed project would not block views to Mission Bay and the Pacific Ocean since the project site is located atop a plateau. Therefore, as proposed, the project would not adversely impact the goals of the Community Plan. The fourth deviation request is that the project proposes a minimum street side yard setback of 11 feet where 46 feet 6 inches is required per the City's Municipal Code. This is a deviation from a regulatory requirement and it does not adversely impact any Community Plan policies.

General Plan Conformance - The Strategic Framework Element of the General Plan identifies this particular site as having a High Propensity value on the General Plan's Village Propensity Map because it exhibits characteristics that could support smart growth due to the proximity of high-frequency bus service, retail, parks, schools, and other amenities. One of the primary goals of the General Plan's **Land Use and Community Planning Element** is to achieve balanced

communities and equitable development. The proposed project would provide residential units with varying levels of architectural styles, size and affordability.

The General Plan's **Mobility Element** promotes walkability in order to reduce dependency on the automobile. The proposed project addresses the walkable community goals by an interconnected system of pedestrian paths, sidewalks, public spaces and street design, with an overall design concept that places all residential development within a 10-minute walk from adjacent retail and a community park.

The **Urban Design Element** of the General Plan includes the principle to build a compact, efficient, and environmentally sensitive pattern of development. The proposed project includes courtyards that will activate and attract pedestrian activity amongst residents of the project, with pedestrian pathways leading from the courtyards to the surrounding streets, in order to promote walking to surrounding commercial and recreational land uses.

The General Plan's **Recreation Element** provides that the appropriate quality and quantity of parks, recreation facilities and infrastructure is provided citywide. The project is located within a 10-minute walk of the existing 9.7 acre Clairemont Park and Recreation Center, as well as within a relatively short distance from Mission Bay Park, the largest man-made aquatic park in the country, consisting of 4,235 acres.

The **Conservation Element** of the General Plan contains numerous policies aimed at promoting the City of San Diego as an international model of sustainable development and conservation. The project proposes to include solar panels which are anticipated to generate at least 30 percent of the proposed project's projected energy consumption and will achieve a LEED Silver Certification.

### **Environmental Analysis:**

The City of San Diego conducted an Initial Study, which determined that the proposed project construction could potentially result in significant but mitigable impacts in the areas of Paleontological Resources and Traffic. Mitigated Negative Declaration Number 144836 was prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring, and Reporting Program would be implemented which would reduce, to below a level of significance, the potential environmental impacts identified from the environmental review process for Paleontological Resources and Traffic. Further information on the environmental resources considered during the environmental review can be found in the Discussion Section of Mitigated Negative Declaration Number 144836.

### **Project-Related Issues:**

**Deviations** - As an incentive for providing sustainable development, the San Diego Municipal Code (Section 143.0920 governing Deviation Requirements for Affordable/In-Fill Housing and Sustainable Buildings Development) allows a developer of a sustainable development project to request deviations from the applicable development regulations of the underlying zone pursuant to a Site Development Permit decided in accordance with a Process 4, provided that the required findings can be made. The project proposes to deviate from the San Diego Municipal Code (SDMC) requirements for floor area ratio reserved for required parking, landscape requirements

for vehicular use areas, street side setback, and is requesting an exception to the Clairemont Mesa Height Limit Overlay Zone.

- Floor Area Reserved for required parking – San Diego Municipal Code Section 131.0446(f) requires that a minimum of one-third of the permitted floor area ratio (FAR) be reserved for required parking. The RM-3-7 Zone provides for a maximum of 1.8 FAR or 948,737 square feet on the 15.7-acre (12.1 net) site. Of this total, 66.7%, or 632,808 square feet may be used for non-parking uses and 33.3% or 315,929 square feet may be used for parking floor area. The project reserves 275,524 square feet for required parking where 315,929 square feet is required to be reserved; requesting a reduction in the required parking reservation by 40,405 square feet. San Diego Municipal Code Section 131.0446(f) allows projects providing underground parking to add the gross floor area (GFA) of the underground parking space provided to the maximum GFA permitted for non-parking uses. In addition, the Community Plan Implementation Overlay Zone requires that project parking garages be concealed from public view, which is being met by the project design. Although the applicant is not providing underground parking, the proposed wrap-style project design, which wraps the residential units around an interior parking structure, serves the same result of an underground parking structure, in eliminating the parking from view, therefore meeting the intent of the code section. The applicant is reallocating the 40,405 square feet from required parking to non-parking uses, which also meets the intent of the code section. Therefore, staff can support the requested deviation.
- Landscape for Vehicular Use Areas - SDMC Sections 142.0560(k)(1) and 142.0406 require that the top floor of parking structures that are open to the sky meet the landscape requirements for vehicular use areas. The intent of these code sections is to conserve energy by the provision of shade trees over parking areas and reducing the heat island effect. The project does not propose landscaping on the upper level of the parking structure, but proposes to shade portions of the vehicular use area with solar panels, for the purpose of generating energy on-site, and reducing the project's dependence on outside energy sources. Although the project design does not meet the letter of the landscape regulations, it does meet the intent, as the solar array provides 2.5 to 3 times the amount of shading of the parking areas than the required landscaping. Therefore, staff can support the requested deviation.
- Street side setback – SDMC Section 131.0443(f)(3) requires a street side setback of 10 percent of the lot width. The project proposes a minimum street side yard setback of 11 feet where the SDMC requires a setback of 46 feet 6 inches. The project site covers an entire city block, having street frontage on all four sides. As designed, the project complies with the front yard setback requirements along the street frontages of Iroquois Avenue and Calle Neil, yet does not meet the strict interpretation of the code for the street side setback requirements for Cowley Way and Clairemont Drive.

The average overall street side setback is in excess of 35 feet. The project design incorporates multiple (11) themed courtyards which alternate with the apartment structure to create areas which greatly exceed and deviate from the street side setback requirements, and breaks up the building façade, meeting one of the recommendations of



the Community Plan Implementation Overlay Zone. The themed courtyards include two separate swimming pools & two spas within large deck terraces with plush landscaping; 5,000 square feet of open grass area; two BBQ & community dining courtyards; three courtyards with water fountains; two private & secure tot lots; and meandering walkways throughout complex with existing mature trees and enhanced paving & landscaping. Each of the courtyards adds light, air, and views of the landscaped areas to a greater number of apartment units than would otherwise be allowed. Without the requested deviation to the street side setback requirements, the courtyard configuration would not be possible. In addition, the deviation for the reduced street side setbacks is consistent with the Strategic Framework Element's goal of creating more vibrant urban spaces that enhance the pedestrian experience by stimulating visual interest through direct pedestrian access from the sidewalk to residential buildings, and does not adversely impact any Community Plan policies. Therefore, staff can support the requested deviation.

Exception to the Clairemont Mesa Height Limit Overlay Zone (CMHLOZ) - The project proposes a maximum height of 53 feet 6 inches and five-story parking structure where the height limit is 40 feet and three-stories. The purpose of the CMHLOZ is to provide supplemental height regulations for western Clairemont Mesa. The intent of these regulations is to ensure that the existing low profile development in Clairemont Mesa will be maintained and that public views from western Clairemont Mesa to Mission Bay and the Pacific Ocean are protected. The San Diego Municipal Code allows an applicant to request an exception from the Clairemont Mesa Height Limit by applying for a Site Development Permit in accordance with Process Five, with the City Council as decision maker. Exceptions may be made to the height limit if the City Council can make the supplemental Site Development Permit findings governing the CMHLOZ.

An exception to the height limit is requested in order to provide energy generating photovoltaic panels over the upper deck of the parking structures, which are located in the center of the project site. An exception to the number of stories, allows for the parking requirements to be met, while meeting a key recommendation of the Community Plan Implementation Overlay Zone including internal parking structures which screen all resident parking from public view.

The exception would permit a solar panel canopy over a portion of the upper level parking area while not increasing the floor area of the project's habitable space. The exception would also permit limited penetrations of the height limit for small elevator shaft and stairwells. In total, approximately 35,800 square feet of surface area penetrates the 40 foot height limit (See Attachment 11). This area constitutes less than seven percent of the site area, and less than eleven percent of the overall proposed building coverage.

The subject property is situated at the summit of the mesa and sits at a higher elevation than the surrounding properties in all directions, and allowing the deviation would not interfere with public views from western Clairemont Mesa to Mission Bay and the Pacific Ocean within the surrounding area. For the reasons described above, staff supports the height exception request and believes that the required supplemental findings can be made.



Community Planning Group Recommendation – On January 20, 2009 the Clairemont Community Planning Group voted 11-0-0 to recommend approval of the Summit at Mission Bay project with the following conditions. Following each condition is staff response in bold text:

1. Landscape the median in front of the project with trees – **A landscaped median, including trees, is a part of the project design.**
2. The city required median on Clairemont Drive between Denver and Fairfield be improved with some form of hardscape improvement – **The applicant has proposed the installation of a pervious hardscape median.**
3. A “stopped traffic” warning light be installed on Clairemont Drive at the top of the hill before the curve – **The permit has been conditioned to require the applicant to work with the Traffic Operations Section of the Engineering and Capital Projects Department to determine the need for a signal ahead warning sign on Clairemont Blvd for westbound traffic approaching the signalized intersection at Denver Street.**
4. The outside lane on Clairemont Drive be the wider lane to provide more room against parked cars for bicycles – **This recommendation has been incorporated into the project design.**

**Conclusion:**

The Summit at Mission Bay Project consists of an application for a Site Development Permit, Vesting Tentative Map, Easement Abandonment, and Public Right of Way Vacation to demolish 323 existing apartments and construct 499 residential condominiums on a 15.7-acre site, and has been reviewed in accordance with all applicable development regulations of the Clairemont Mesa Community Plan, the City’s General Plan, and the California Environmental Quality Act. Staff has determined the project complies with the applicable development regulations and would be consistent with the purpose and intent of the underlying zone. The project is consistent with the Community Plan land use designation and would implement several goals and recommendations contained in the Clairemont Mesa Community Plan and the City’s General Plan.

The project would meet the intent of City Council Policy 900-14 criteria for the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program by installing a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the project’s projected energy consumption, and by obtaining (at minimum) a Leadership in Energy and Environmental Design (LEED) Silver Certification. Project features include solar powered hot water systems, high efficiency irrigation system, and a construction waste management plan that would recycle 50% of all construction debris.

Staff believes the residential project is well designed and would be an asset to the neighborhood. Staff has provided the required findings to affirm the project (Attachments 8 and 10) and recommends that the Planning Commission recommend to the City Council approval of the project as proposed.

## ALTERNATIVES

1. Recommend that the City Council **Certify** Mitigated Negative Declaration No. 144836 and **Adopt** the Mitigation, Monitoring, and Reporting Program; and **Approve** Site Development Permit No. 507598 and Vesting Tentative Map No. 507600, including a Public Right-of-Way Vacation and Easement Abandonment, with modifications.
2. Recommend that the City Council **Not Certify** Mitigated Negative Declaration No. 144836 and **Not Adopt** the Mitigation, Monitoring, and Reporting Program; and **Deny** Site Development Permit No. 507598 and Vesting Tentative Map No. 507600, including a Public Right-of-Way Vacation and Easement Abandonment, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



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Mike Westlake  
Program Manager  
Development Services Department



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Daniel Stricker  
Development Project Manager  
Development Services Department

BROUGHTON/DES

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Architectural Plans
6. Civil Plans
7. Landscape Plans
8. Draft Vesting Tentative Map Conditions and Subdivision Resolution
9. Draft Permit with Conditions
10. Draft Permit Resolution with Findings
11. Height Deviation Graphic
12. Ownership Disclosure Statement
13. Clairemont Community Planning Group Recommendation
14. Project Chronology

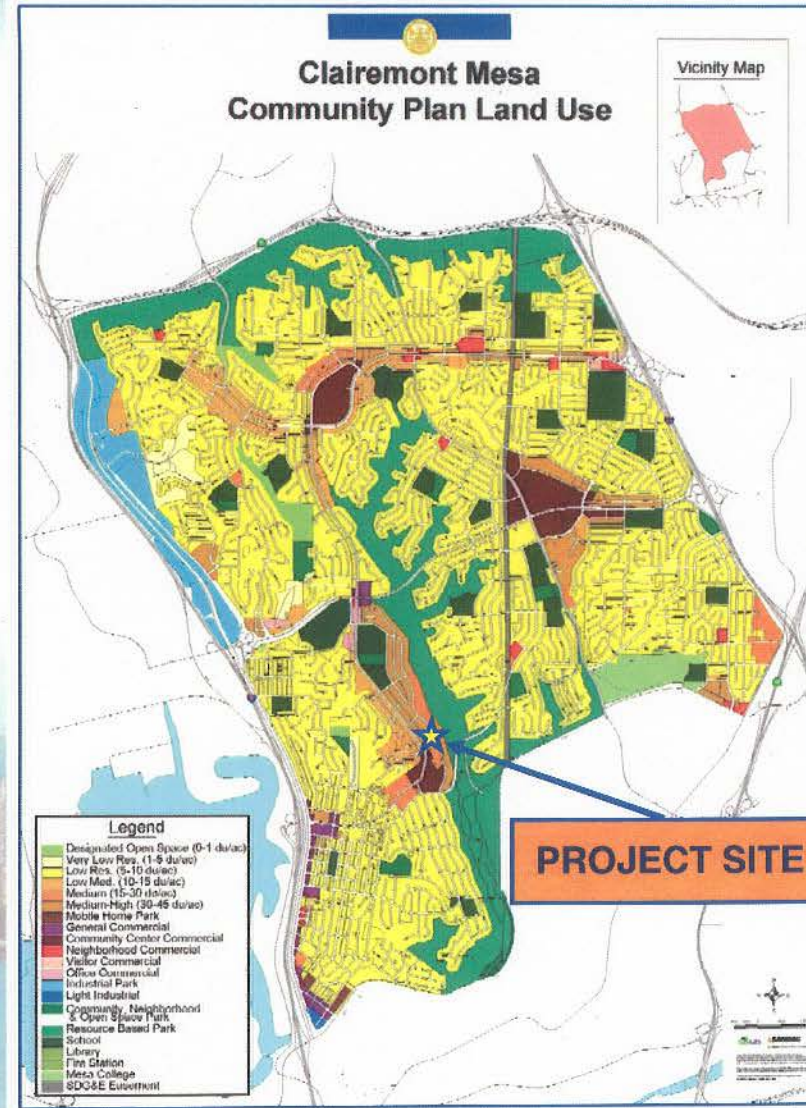
Development Services Department  
Project Management Division

# Aerial Photograph





# Development Services Department Project Management Division

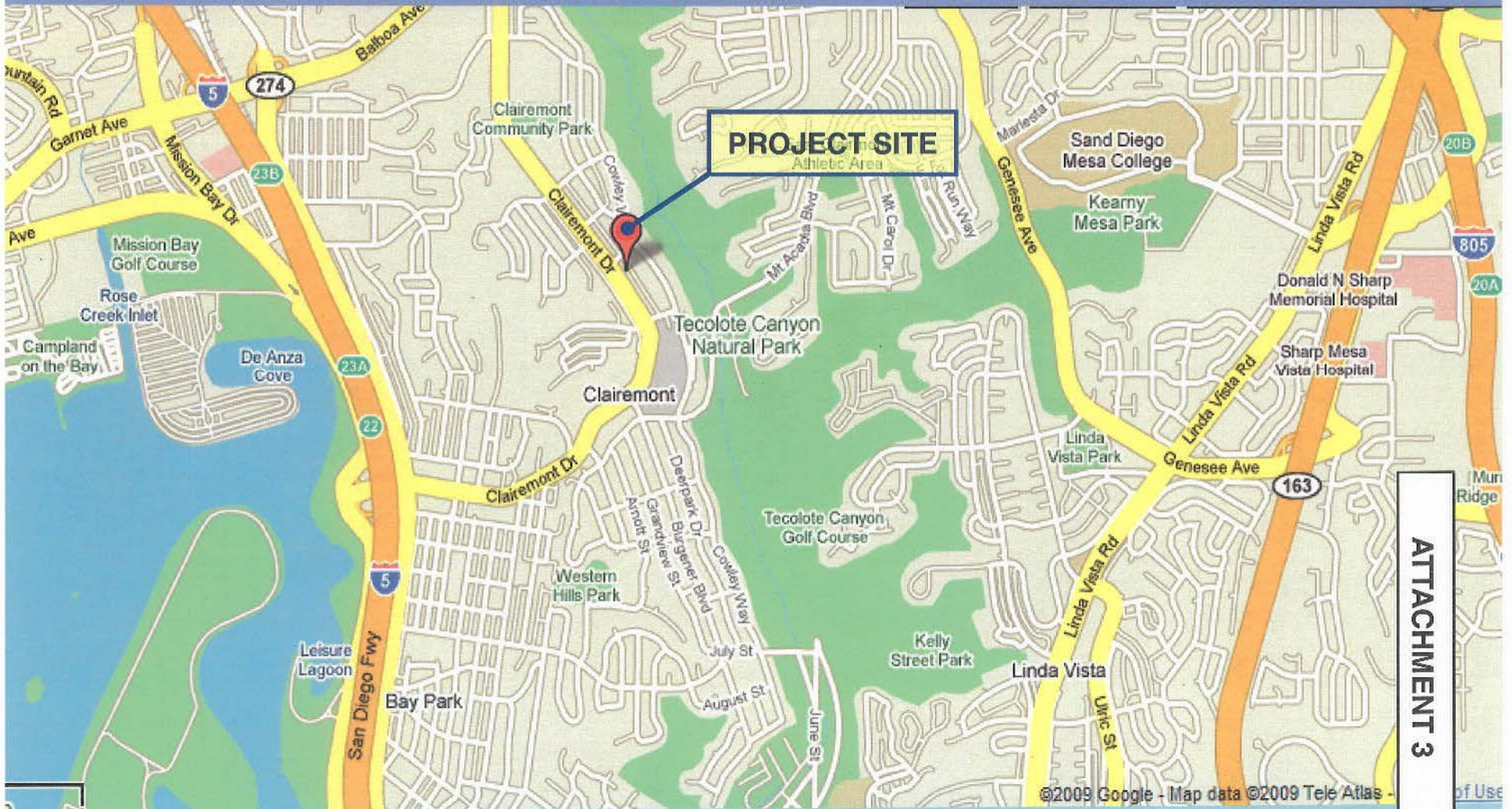


ATTACHMENT 2





# Development Services Department Project Management Division



ATTACHMENT 3

## Project Location Map

<b>PROJECT DATA SHEET</b>		
<b>PROJECT NAME:</b>	Summit at Mission Bay - Project 144836	
<b>PROJECT DESCRIPTION:</b>	Demolition of 323 apartments and construction of a 499 residential unit condominium complex	
<b>COMMUNITY PLAN AREA:</b>	Clairemont Mesa	
<b>DISCRETIONARY ACTIONS:</b>	Site Development Permit, Vesting Tentative Map, Public Right-of-Way Vacation & Easement Abandonment.	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Residential (30 – 45 du/ac)	
<b>ZONING INFORMATION:</b> <b>ZONE: RM-3-7</b> <b>HEIGHT LIMIT: 40 feet</b> <b>LOT SIZE: 7,000 square feet</b> <b>FLOOR AREA RATIO: 1.8</b> <b>FRONT SETBACK: 20 feet standard/10 feet minimum</b> <b>SIDE SETBACK: NA</b> <b>STREETSIDE SETBACK: 51 feet (10% of lot width)</b> <b>REAR SETBACK: NA</b> <b>PARKING: 882 spaces required, 905 spaces provided.</b>		
<b>ADJACENT PROPERTIES:</b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Residential (30-45 du/ac) & RM-3-7	Apartments
<b>SOUTH:</b>	Residential (30-45 du/ac) and Commercial Center & RM-3-7 and CC-1-3.	Condominiums and general commercial
<b>EAST:</b>	Residential (10-15 du/ac) & RM-1-3	Condominiums

<p><b>WEST:</b></p>	<p><b>Residential (10-15 du/ac) &amp; RM-1-1</b></p>	<p><b>Apartments and duplexes</b></p>
<p><b>DEVIATIONS OR VARIANCES REQUESTED:</b></p>	<ol style="list-style-type: none"> <li>1. Deviation from San Diego Municipal Code (SDMC) Section 131.0446(f) to reserve 29 percent of the allowable FAR for parking uses where 33 percent of the allowable FAR is required to be reserved for parking uses.</li> <li>2. Deviation from SDMC Section 131.0443(f)(3) to allow a minimum street side yard setback of 11'0" and where between 46'6" and 51'6" is required.</li> <li>3. Deviation from the requirements of SDMC Section 142.0560(k)(1) to shade the vehicular use area with carports/solar panels where 1 tree is required within 30 feet of each parking space.</li> <li>4. An exception to the 3 story and 40 foot height limit of the Clairemont Mesa Height Limit Overlay Zone to allow structures up to 5 stories and 53'6" in height.</li> </ol>	
<p><b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b></p>	<p>On January 20, 2009 the Clairemont Community Planning Group voted 11-0-0 to recommend approval of the Summit at Mission Bay project with conditions.</p>	





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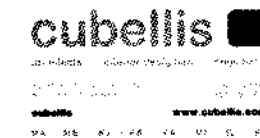
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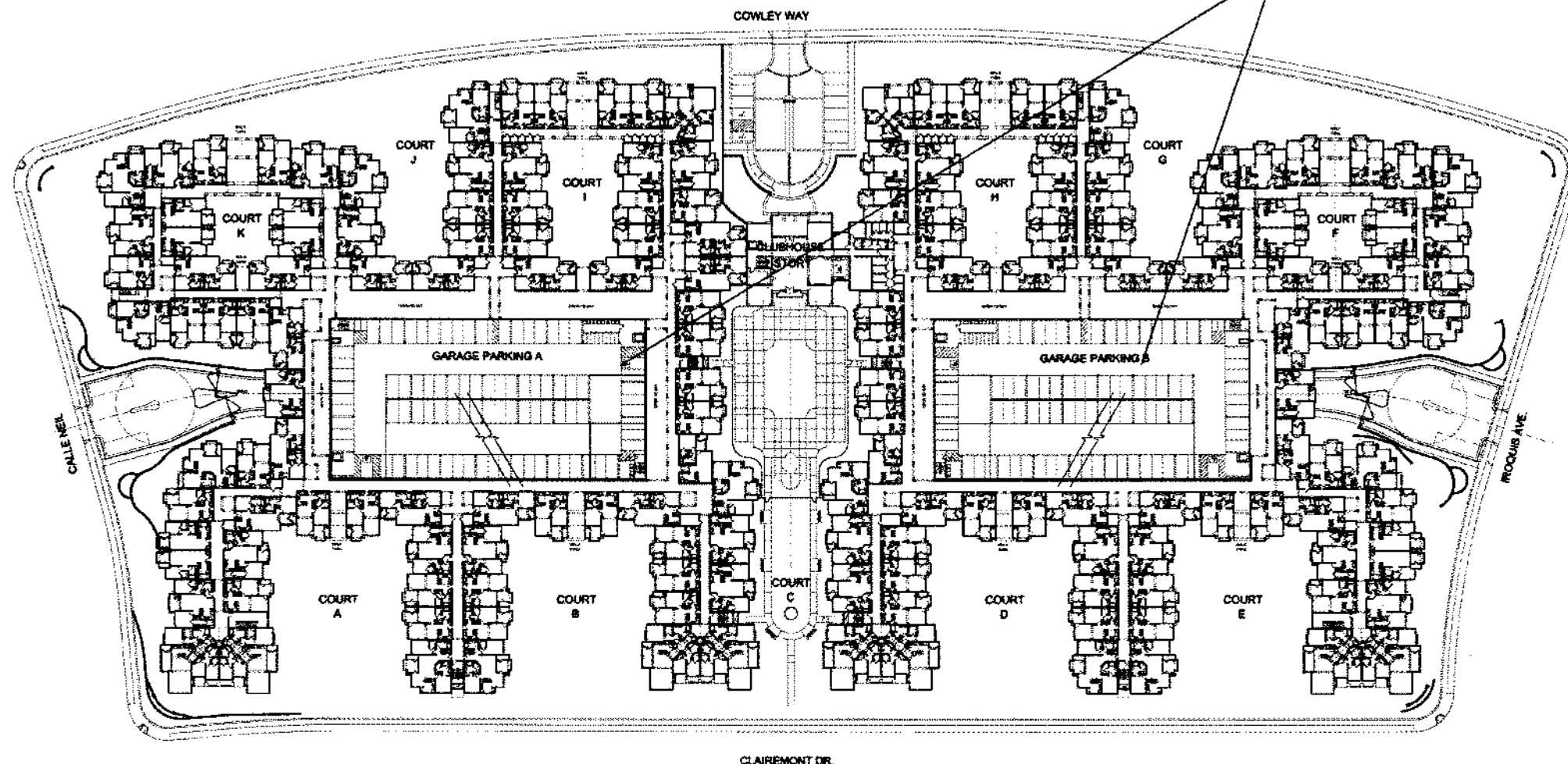
A UDR COMPANY

**SUMMIT AT MISSION BAY**  
SAN DIEGO, CALIFORNIA



NOTES

1. ALL UNITS WILL BE FIRE SPRINKLERED
2. POST INDICATOR VALVES, FIRE DEPARTMENT CONNECTORS, AND ALARM BELL ARE TO BE LOCATED ON THE ADDRESS/ACCESS SIDE OF THE STRUCTURE
3. AN APPROVED VEHICLE STROBE DETECTOR SYSTEM WITH KNOX KEYSWITCH OVERRIDE, SATISFACTORY TO THE FIRE MARSHAL, SHALL BE PROVIDED ON ALL VEHICLE MAIN ENTRY AND EMERGENCY ENTRY POINTS TO THE PROJECT
4. ALL UNITS WILL BE EQUIPPED WITH A FIRE SYSTEM SATISFACTORY TO THE FIRE MARSHAL
5. ALL UNITS CONTAIN MINIMUM STORAGE CLOSETS AT 240 CU. FT., SEE UNIT PLANS ON SHEET A-12, A-13, A-14
6. CENTRAL PHOTOVOLTAIC SYSTEM TO BE MOUNTED ON OVERHEAD TRELLIS ABOVE THE TOP LEVEL OF BOTH PARKING GARAGES



PROJECT DATA

**PROJECT TYPE:** 3-STORY APARTMENT

**GROSS FLOOR AREA:** 672,707 SQFT

**FLOOR AREA RATIO:**  
 GROSS: 0.9 (GROSS FLOOR AREA/GROSS SITE AREA)  
 NET: 1.2 (GROSS FLOOR AREA/NET SITE AREA)

**SITE AREA DATA:**  
 GROSS SITE AREA: 15.7 ACRES (SITE + RIGHT OF WAY)  
 GROSS NET SITE AREA: 12.1 ACRES (SITE + ALLEY RIGHT OF WAY - PUBLIC RIGHT OF WAY)  
 NET SITE AREA: 11.6 ACRES (SITE - PUBLIC RIGHT OF WAY)

**DENSITY ALLOWED:** 30-45 DUs/AC

**DENSITY PROPOSED:**  
 GROSS SITE AREA: 31.8 DUs/AC (499 DUs/15.7 AC)  
 GROSS NET SITE AREA: 41.2 DUs/AC (499 DUs/12.1 AC)  
 NET SITE AREA: 43.0 DUs/AC (499 DUs/11.6 AC)

**OCCUPANCY:** APARTMENT/RETAIL R-1/M  
**CONSTRUCTION:** TYPE V-A, 1-HOUR, SPRINKLERED - CBC 2007

**OCCUPANCY:** CONCRETE GARAGE S  
**CONSTRUCTION:** TYPE 1, SPRINKLERED - CBC 2007

UNIT TABULATIONS

SUMMIT at MISSION BAY - UDR

Unit	Building A	Building B	Building C	Building D	Building E	Building F	Building G	Building H	Building I	Building J	Building K
Total Units	125	123	140								
Total Gross S.F.	214,000										
Total Net S.F.	194,929										

\* TOTAL GROSS S.F. DOES NOT INCLUDE CLUBHOUSE S.F. AND COMMON AREA S.F.

PARKING TABULATIONS

Type	REQUIRED PARKING				PROVIDED PARKING			
	Building A	Building B	Common	Total	Building A	Building B	Common	Total
Car	10	12	15	37	10	12	15	37
Motorcycle	2	3	4	9	2	3	4	9
Handicapped	1	1	1	3	1	1	1	3
Guest	1	1	1	3	1	1	1	3
<b>Total</b>	<b>14</b>	<b>17</b>	<b>21</b>	<b>52</b>	<b>14</b>	<b>17</b>	<b>21</b>	<b>52</b>

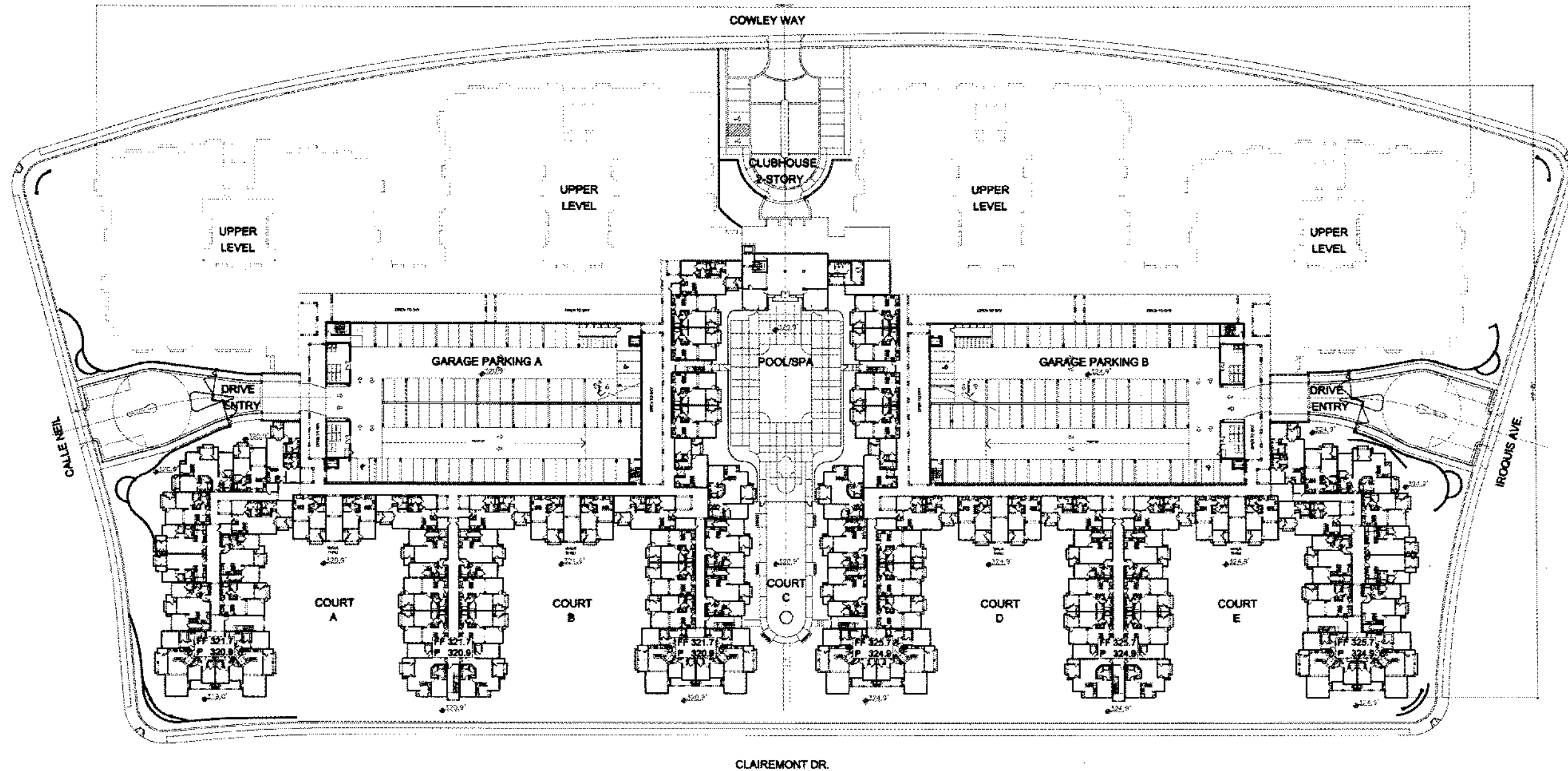


SCALE: 1" = 40'-0"

SUMMIT AT MISSION BAY  
 SITE PLAN & PROJECT DATA  
 SAN DIEGO, CALIFORNIA



A-1



BUILDING FLOOR PLAN  
LEVEL 1



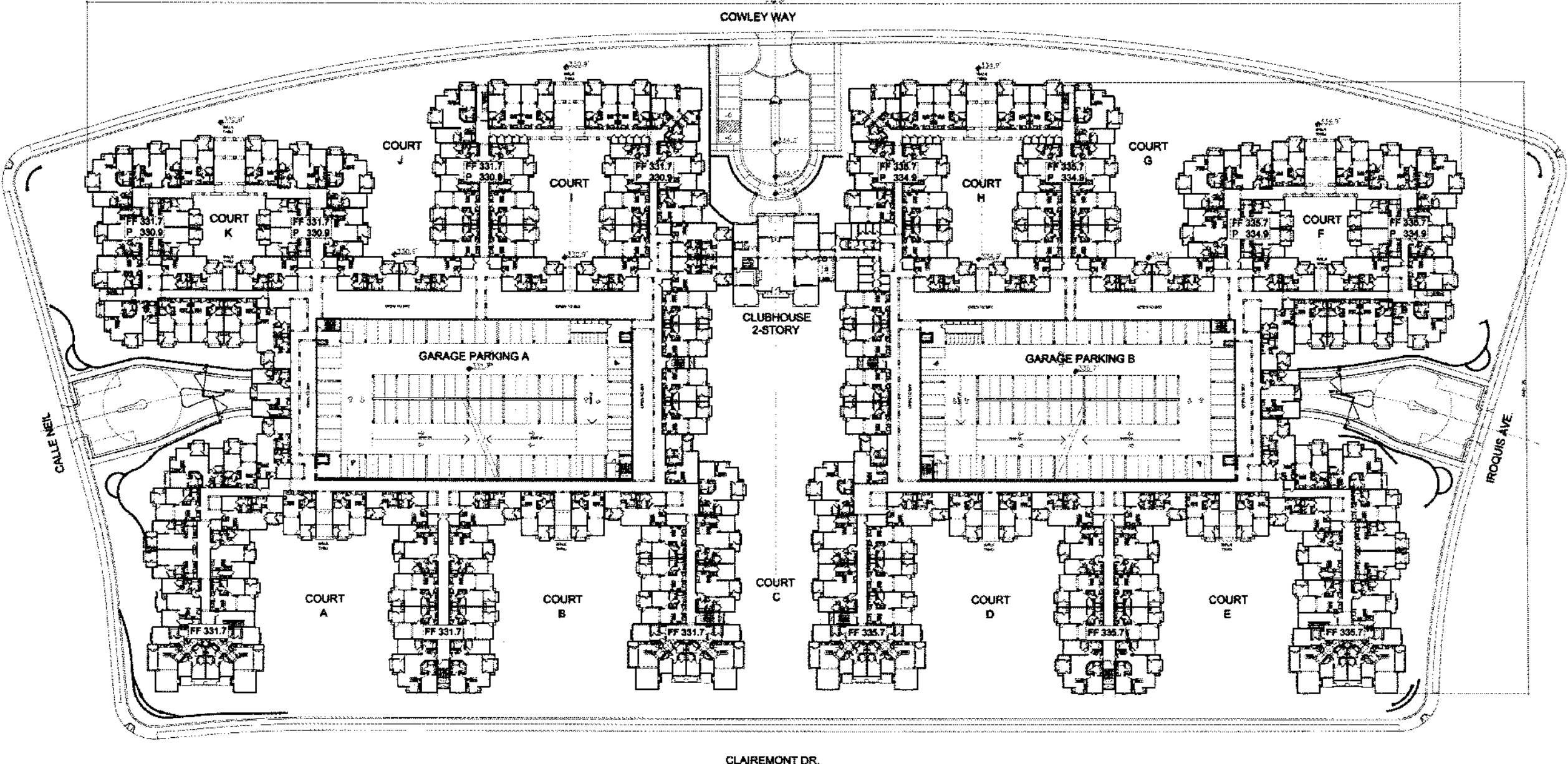
SCALE: 1/32" = 1'-0"

A UDR COMPANY

**SUMMIT AT MISSION BAY**  
 BUILDING FLOOR PLAN - LEVEL 1  
 SAN DIEGO, CALIFORNIA



A-2



BUILDING FLOOR PLAN  
LEVEL 2

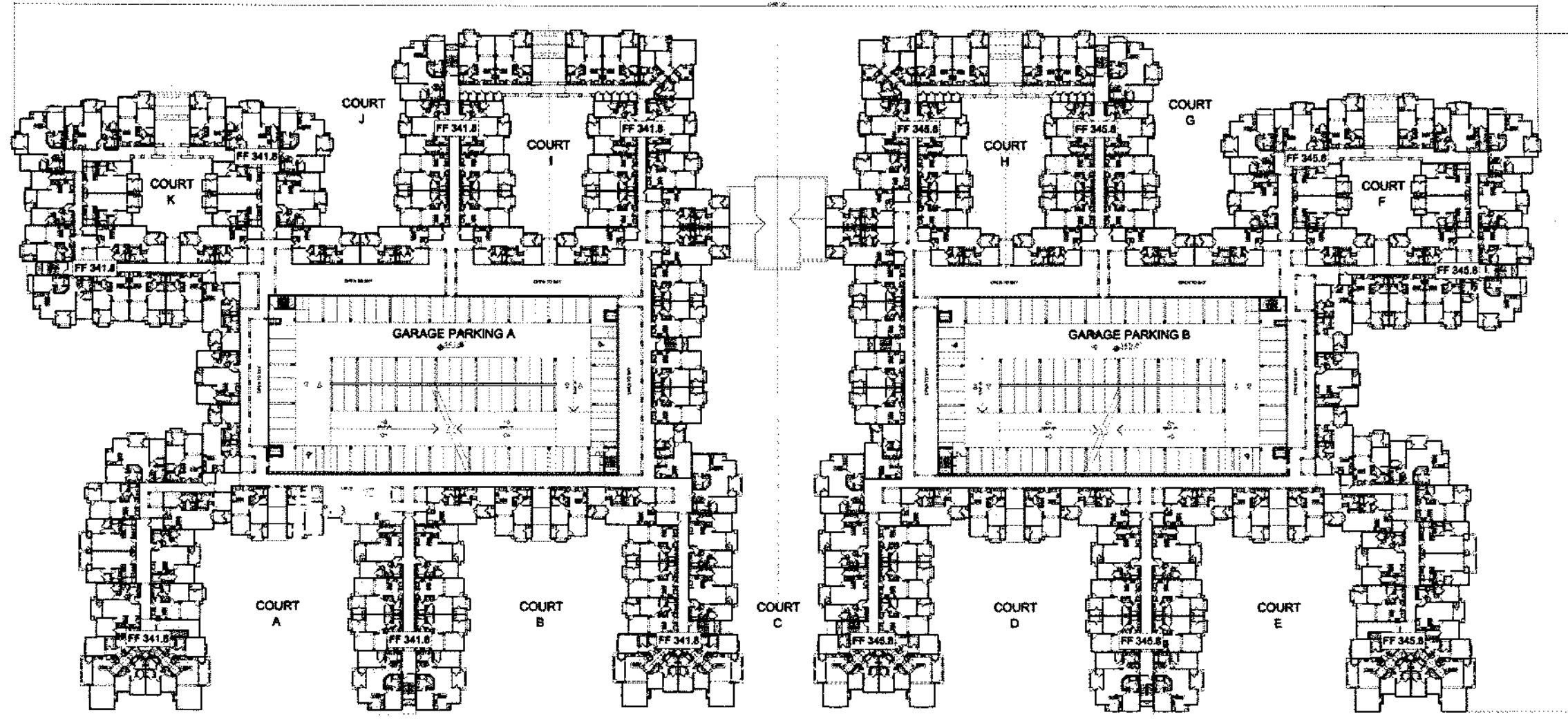


SCALE: 1/32" = 1'-0"

**SUMMIT AT MISSION BAY**  
 BUILDING FLOOR PLAN - LEVEL 2  
 SAN DIEGO, CALIFORNIA



A-3



BUILDING FLOOR PLAN  
LEVEL 3



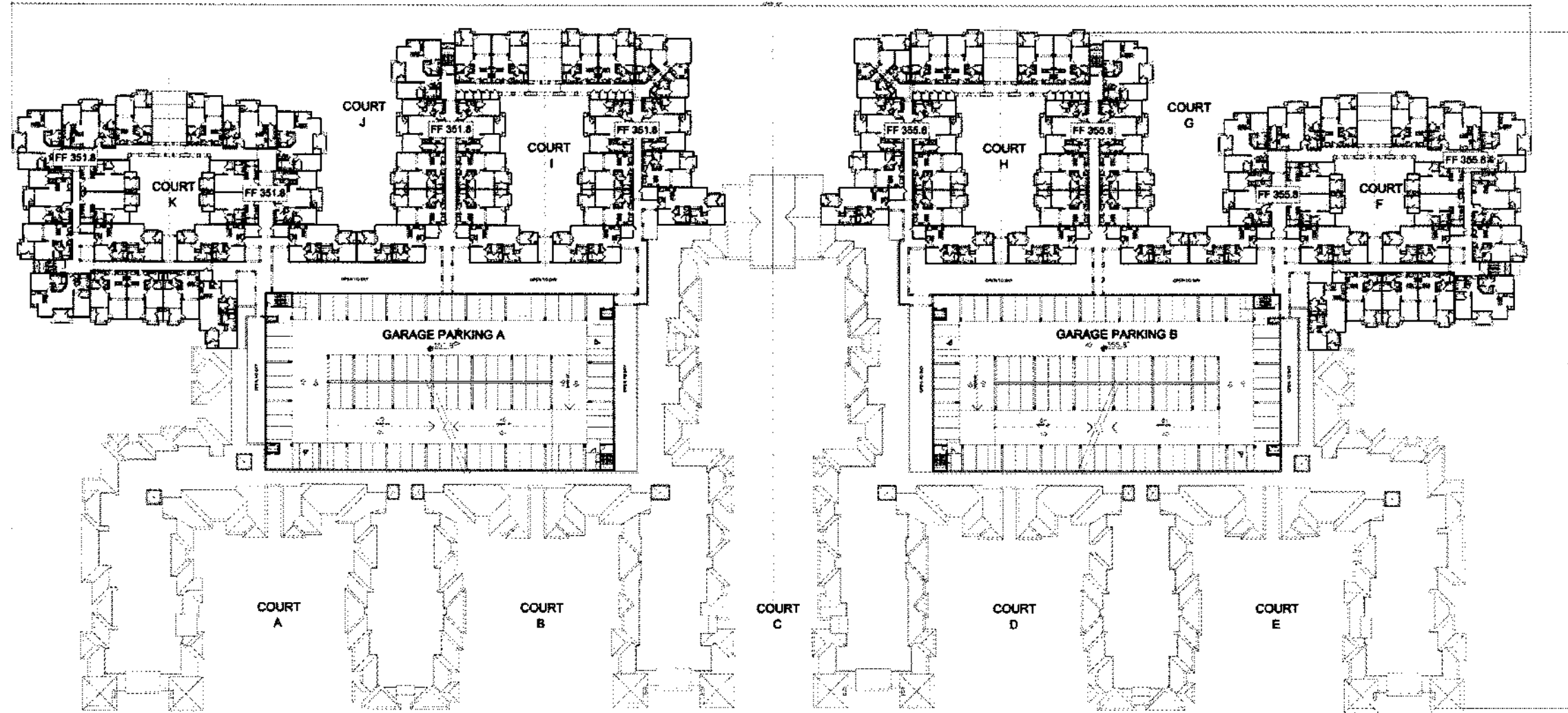
SCALE: 1/32" = 1'-0"

A UDR COMPANY

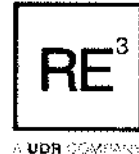
**SUMMIT AT MISSION BAY**  
 BUILDING FLOOR PLAN - LEVEL 3  
 SAN DIEGO, CALIFORNIA



A-4



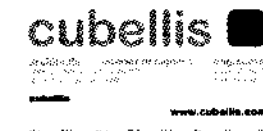
**BUILDING FLOOR PLAN**  
LEVEL 4



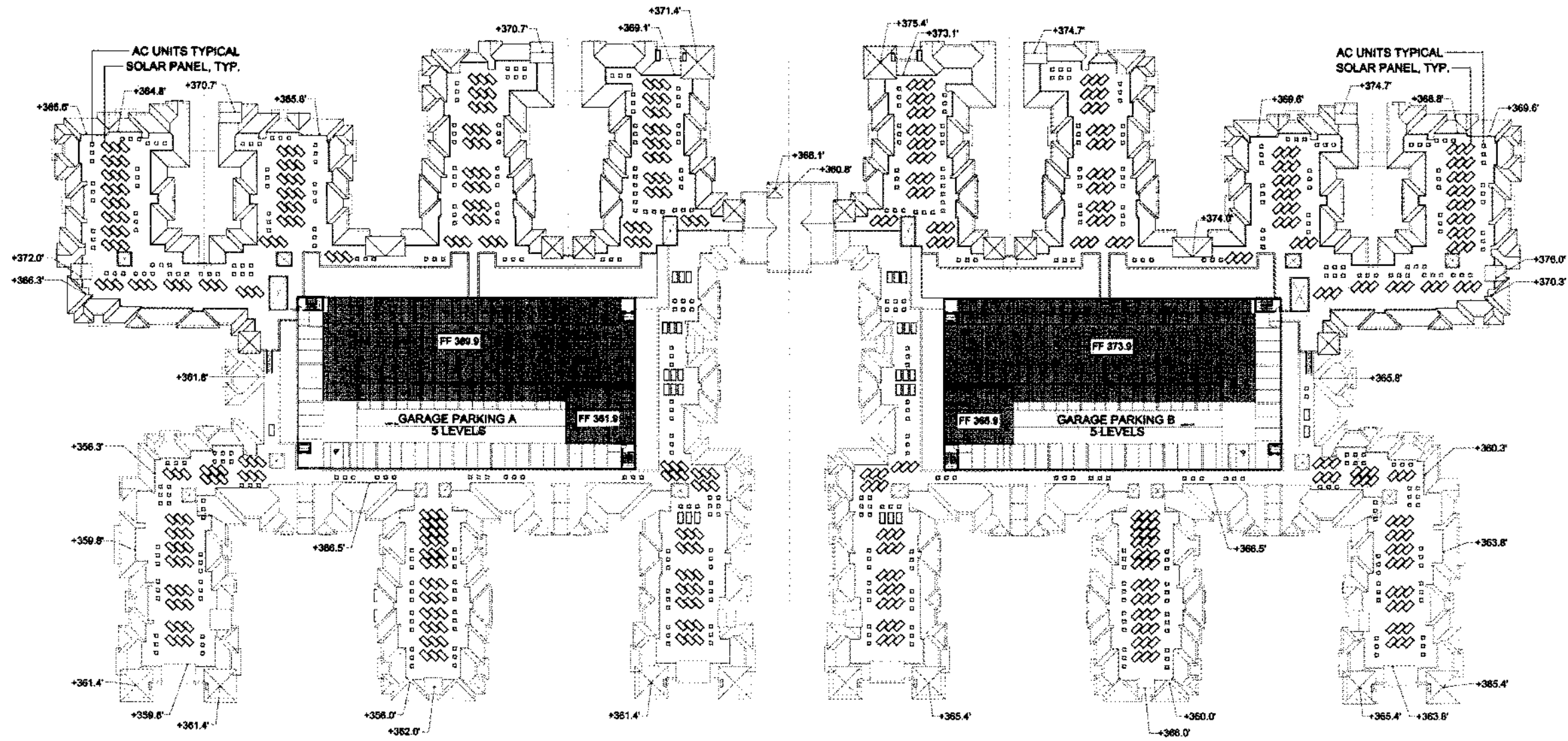
SCALE: 1/32" = 1'-0"

A UDR COMPANY

**SUMMIT AT MISSION BAY**  
 BUILDING FLOOR PLAN - LEVEL 4  
 SAN DIEGO, CALIFORNIA



**A-5**



ROOF PLAN



SCALE: 1/32" = 1'-0"

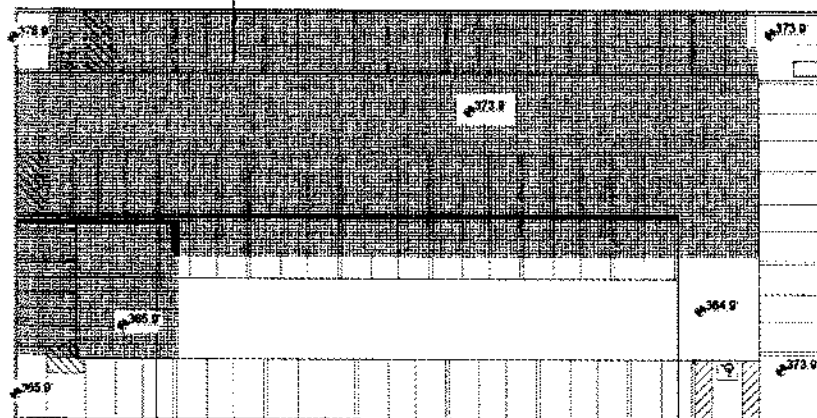
**SUMMIT AT MISSION BAY**  
 ROOF PLAN  
 SAN DIEGO, CALIFORNIA



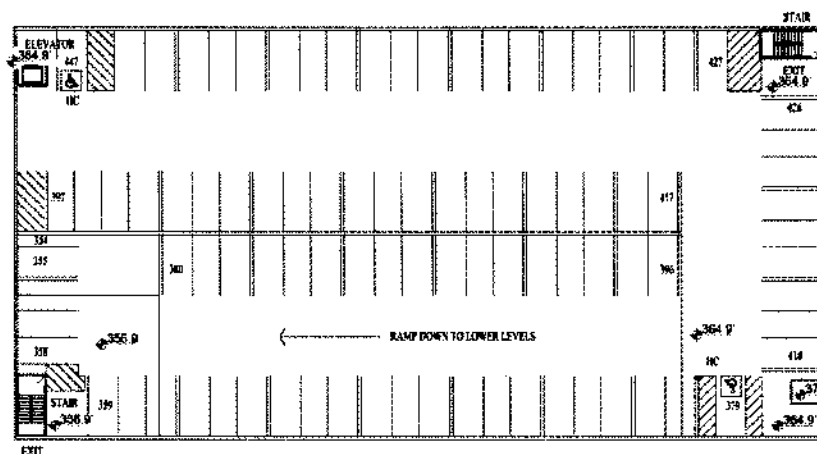
A-6



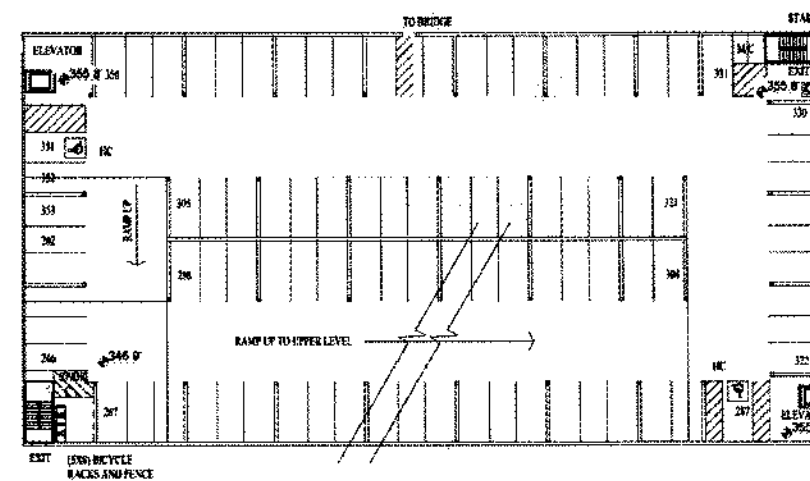
SOLAR PANELS:  
3'X5' PHOTOVOLTAIC PANEL SUPPORTED ON STEEL TUBE  
TRELLIS ABOVE ROOF PARKING LEVEL. 1,110 PV PANEL  
AREA= 16,650 SF.



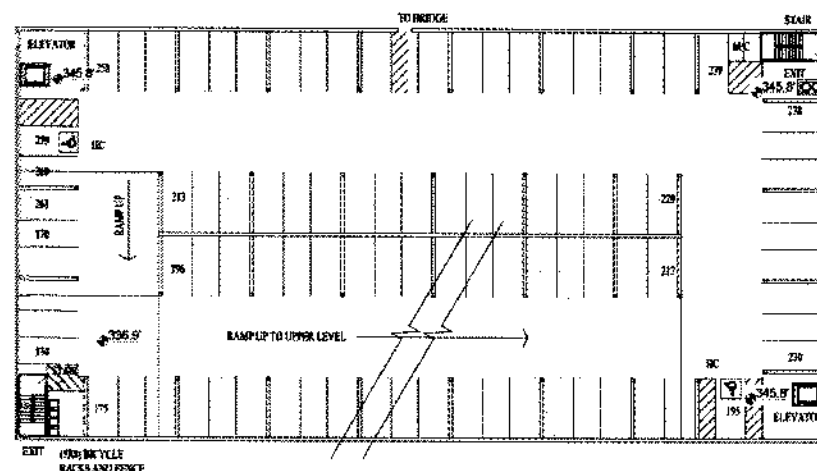
**ROOF LEVEL WITH SOLAR PANELS**  
94 CAR STALLS, 2 ARE H/C  
OPPOSITE HAND FOR GARAGE A



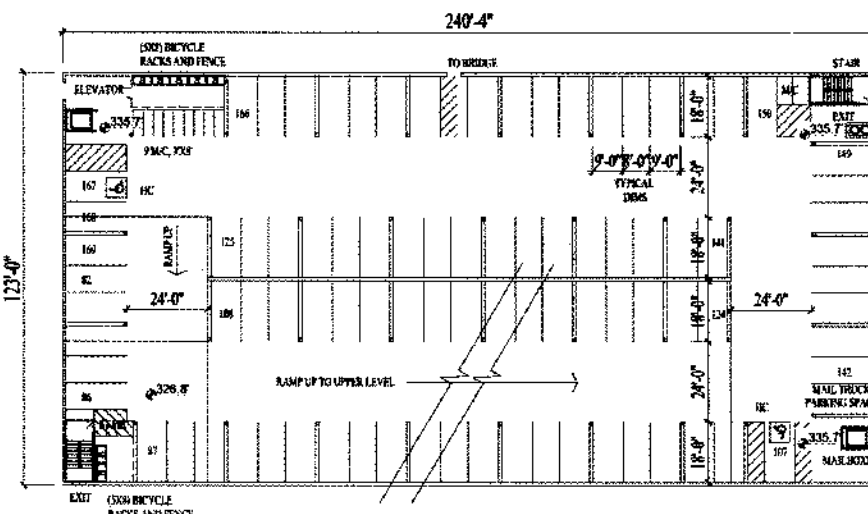
**ROOF LEVEL**  
94 CAR STALLS, 2 ARE H/C  
OPPOSITE HAND FOR GARAGE A



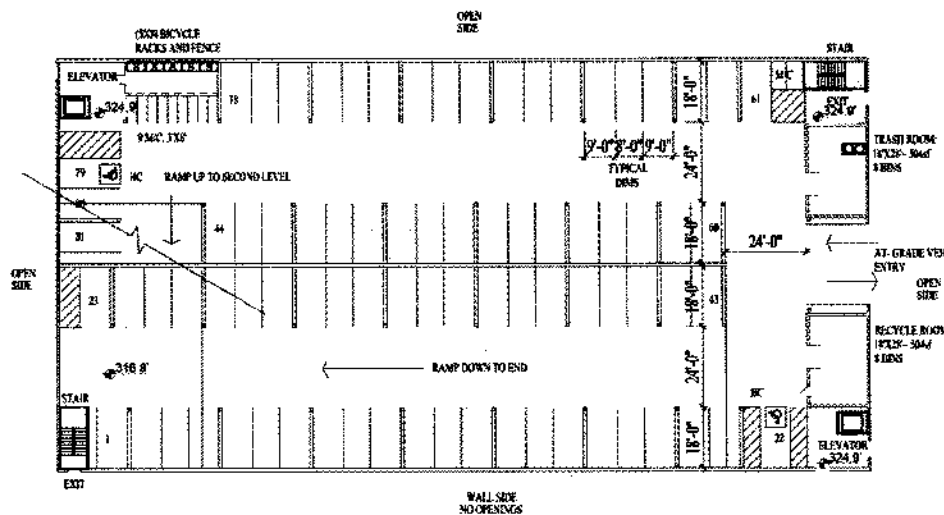
**FOURTH LEVEL**  
92 CAR STALLS, 2 ARE H/C  
2 MOTORCYCLES  
16 BICYCLE RACKS  
OPPOSITE HAND FOR GARAGE A



**THIRD LEVEL**  
92 CAR STALLS, 2 ARE H/C  
2 MOTORCYCLES  
16 BICYCLE RACKS  
OPPOSITE HAND FOR GARAGE A



**SECOND LEVEL**  
88 CAR STALLS, 2 ARE H/C  
11 MOTORCYCLES  
56 BICYCLE RACKS  
OPPOSITE HAND FOR GARAGE A



**FIRST LEVEL**  
81 CAR STALLS, 2 ARE H/C  
11 MOTORCYCLES  
40 BICYCLE RACKS  
OPPOSITE HAND FOR GARAGE A

**NOTE:**

1. TYPICAL GARAGE x 2 LOCATIONS (BUILDING A AND BUILDING B)
2. TOTAL CAR STALLS: 447 x 2 LOCATIONS = 894 PROVIDED
3. MOTORCYCLE SPACES - 26 PER GARAGE = 52 TOTAL (BLDG A AND BLDG B)
4. BICYCLE SPACES - 120 PER GARAGE x 2 LOCATIONS = 240 TOTAL (BLDG A AND BLDG B)
5. THE GARAGE FLOOR AREA IS EXEMPT FROM THE FLOOR AREA CALCULATION PER LCD SECTION 113.0234(6).

**GARAGE FLOOR PLANS**



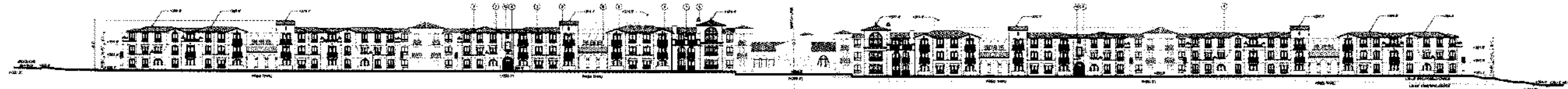
SCALE: 1/20" = 1'-0"

**SUMMIT AT MISSION BAY**  
GARAGE FLOOR PLANS  
SAN DIEGO, CALIFORNIA



**A-7**

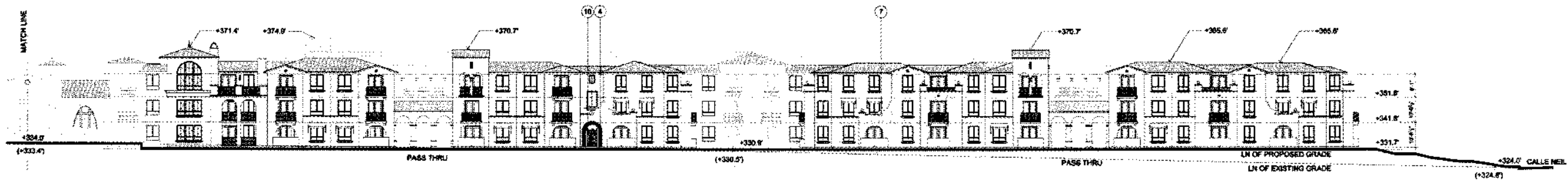




ELEVATION - NORTH  
 COWLEY WAY  
 SCALE: 1/32" = 1'-0"



ELEVATION - NORTH  
 COWLEY WAY  
 SCALE: 1/16" = 1'-0"



ELEVATION - NORTH  
 COWLEY WAY  
 SCALE: 1/16" = 1'-0"

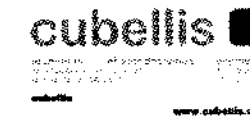
KEY NOTES

- ① 5" Type Concrete Tile Roof
- ② 7/8" Cement Plaster with Light Sand Finish
- ③ Stucco on Foam Trim
- ④ Decorative Tile Surround
- ⑤ Chimney Cap
- ⑥ Decorative Column
- ⑦ Decorative Stucco Swirl
- ⑧ 6" Wood fascia
- ⑨ Wrought Iron Railing
- ⑩ Wrought Iron Gate
- ⑪ Decorative Spire
- ⑫ Perforated Metal Screen on Gar. Perimeter Wall

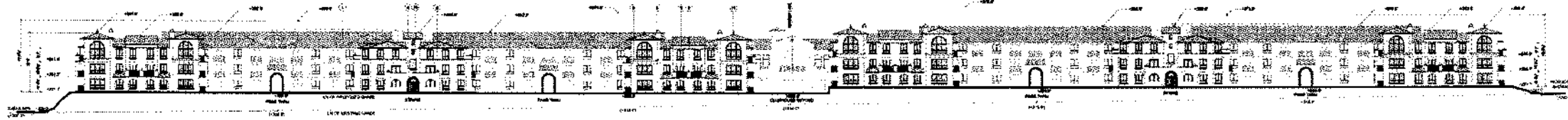


SCALE: AS NOTED

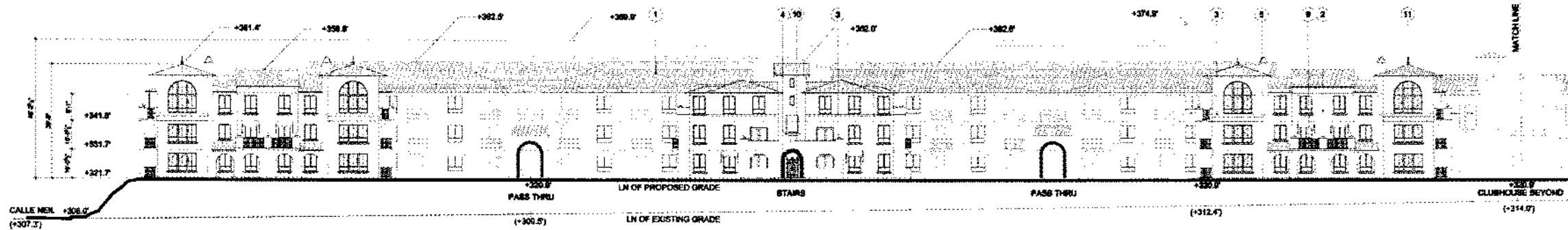
SUMMIT AT MISSION BAY  
 ELEVATIONS - NORTH  
 SAN DIEGO, CALIFORNIA



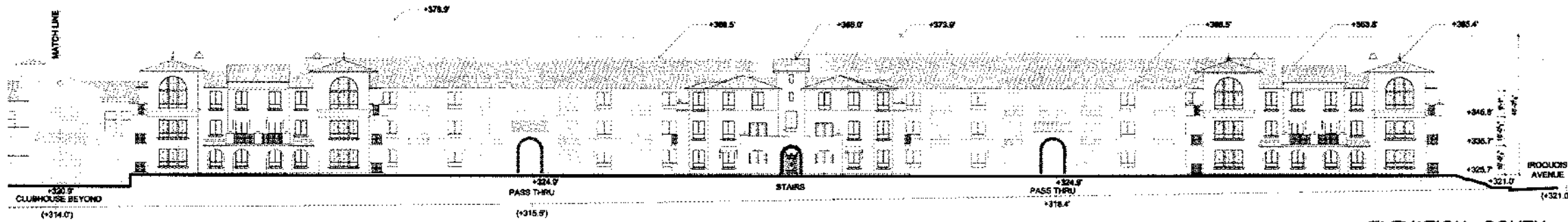
A-8



ELEVATION - SOUTH  
CLAIREMONT DRIVE  
SCALE: 1/32" = 1'-0"



ELEVATION - SOUTH  
CLAIREMONT DRIVE  
SCALE: 1/16" = 1'-0"



ELEVATION - SOUTH  
CLAIREMONT DRIVE  
SCALE: 1/16" = 1'-0"

KEY NOTES

- ① "S" Type Concrete Tile Roof
- ② 7/8" Cement Plaster with Light Sand Finish
- ③ Stucco on Foam Trim
- ④ Decorative Tile Surround
- ⑤ Chimney Cap
- ⑥ Decorative Column
- ⑦ Decorative Stucco Swirl
- ⑧ 6" Wood fascia
- ⑨ Wrought Iron Railing
- ⑩ Wrought Iron Gate
- ⑪ Decorative Spire
- ⑫ Perforated Metal Screen on Gar. Perimeter Wall

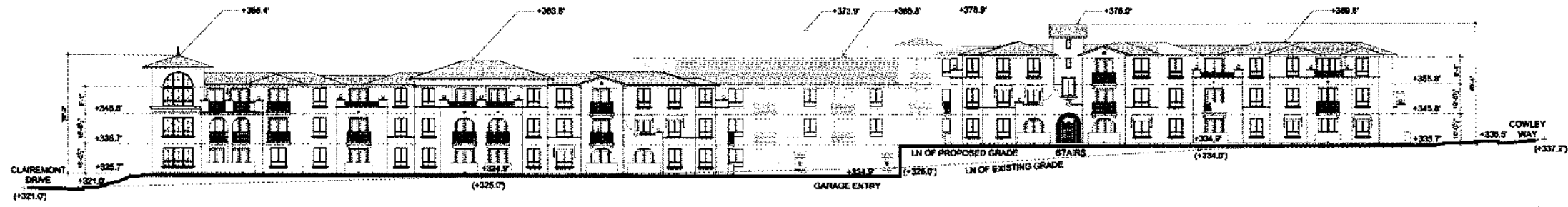


SCALE: AS NOTED

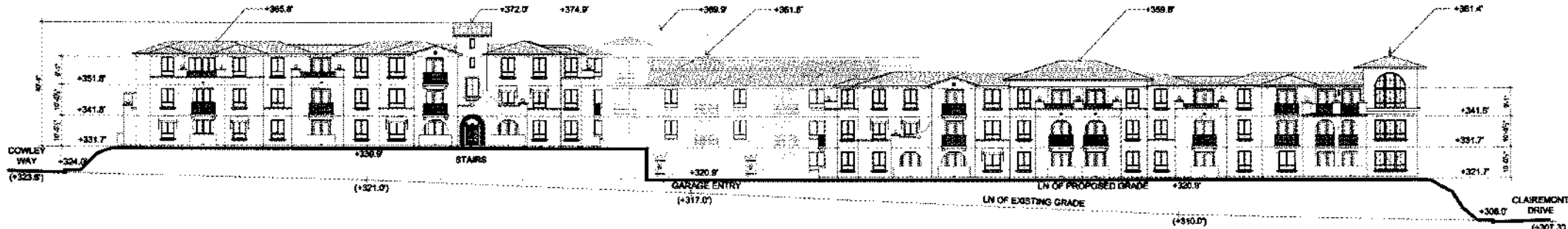
SUMMIT AT MISSION BAY  
ELEVATIONS - SOUTH  
SAN DIEGO, CALIFORNIA



A-9



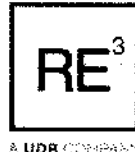
**ELEVATION - EAST**  
**IROQUOIS AVENUE**  
**SCALE: 1/16" = 1'-0"**



**ELEVATION - WEST**  
**CALLE NEIL**  
**SCALE: 1/16" = 1'-0"**

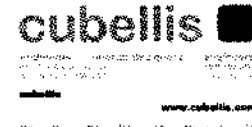
**KEY NOTES**

- ① "S" Type Concrete Tile Roof
- ② 7/8" Cement Plaster with Light Sand Finish
- ③ Stucco on Foam Trim
- ④ Decorative Tile Surround
- ⑤ Chimney Cap
- ⑥ Decorative Column
- ⑦ Decorative Stucco Swirl
- ⑧ 6" Wood fascia
- ⑨ Wrought Iron Railing
- ⑩ Wrought Iron Gate
- ⑪ Decorative Spire
- ⑫ Perforated Metal Screen on Gar. Perimeter Wall

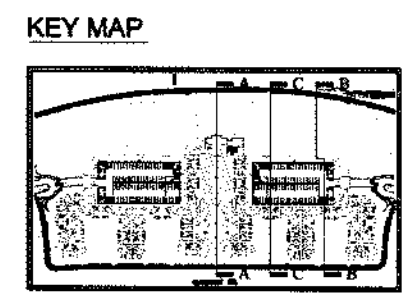
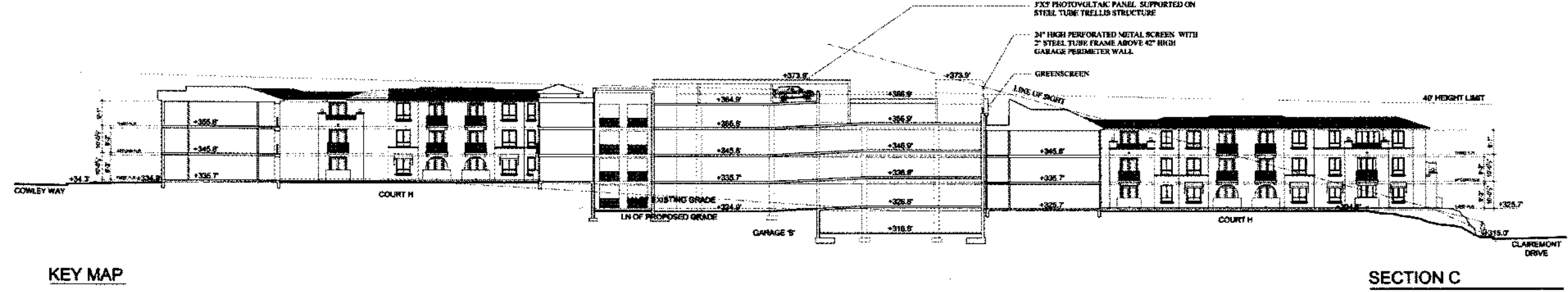
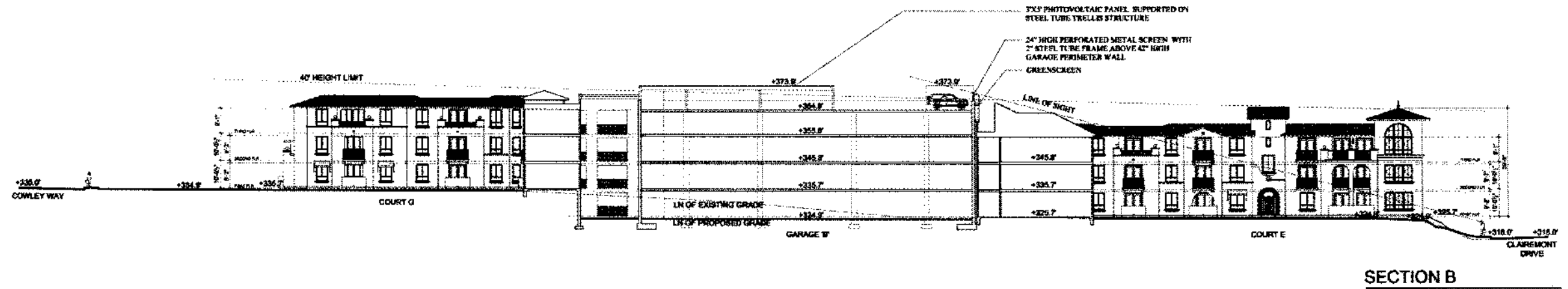
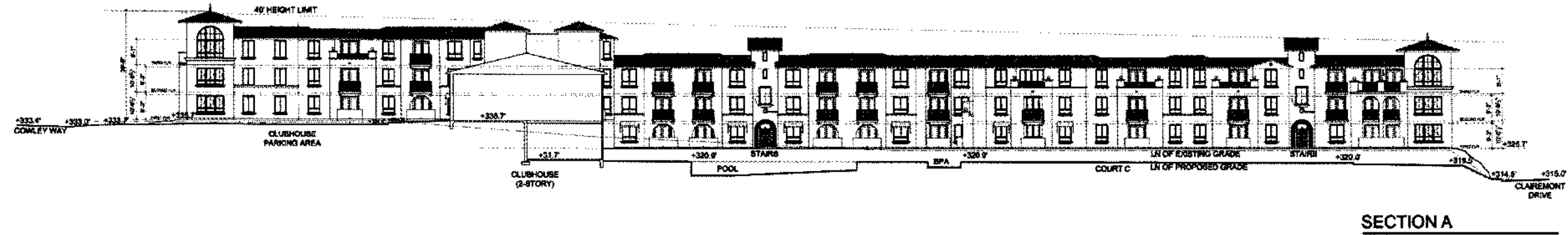


1/16" = 1'-0"

**SUMMIT AT MISSION BAY**  
**ELEVATIONS - EAST AND WEST**  
 SAN DIEGO, CALIFORNIA



**A-10**

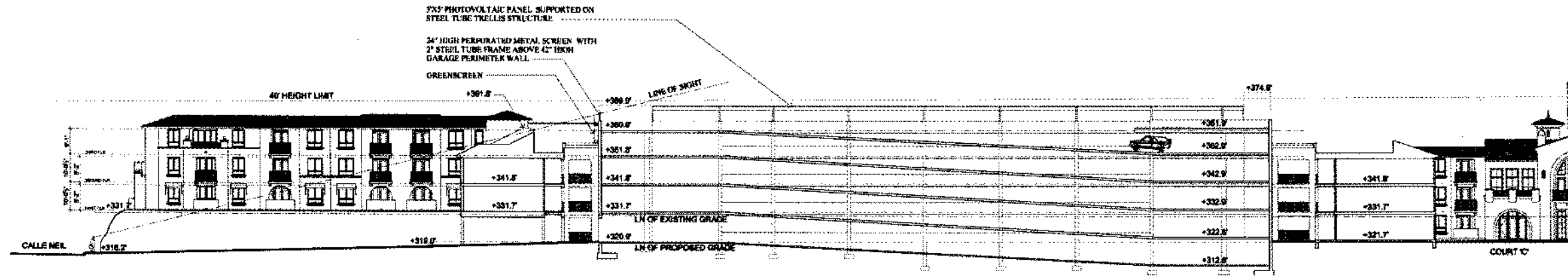


\* NOTE: THE GARAGE FLOOR AREA IS EXEMPT FROM THE FLOOR AREA CALCULATION PER LCD SECTION 113.0234(6).

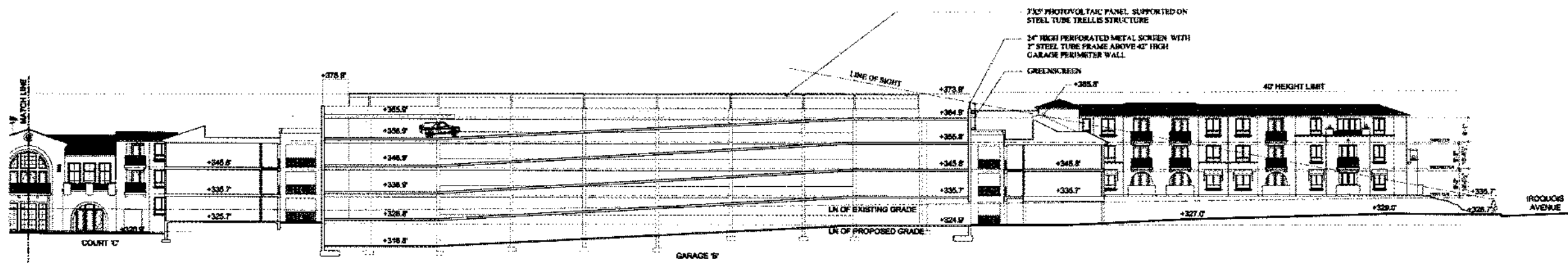
**RE<sup>3</sup>**  
A UDR COMPANY  
SCALE: 1/16" = 1'-0"

**SUMMIT AT MISSION BAY**  
SITE SECTIONS  
SAN DIEGO, CALIFORNIA

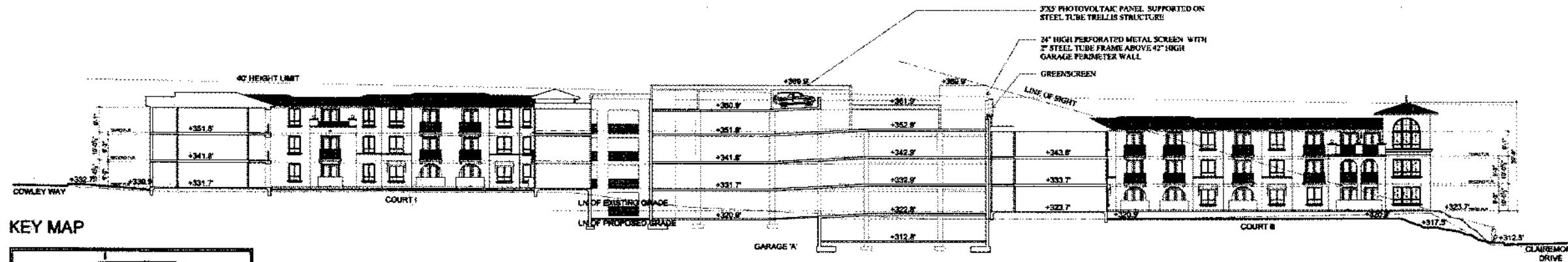
**cubellis**  
ARCHITECTS  
www.cubellis.com  
**A-11**



SECTION D  
GARAGE A

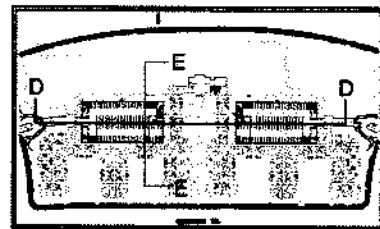


SECTION D  
GARAGE B



SECTION E

KEY MAP



\* NOTE: THE GARAGE FLOOR AREA IS EXEMPT FROM THE FLOOR AREA CALCULATION PER LCD SECTION 113.0234(6).

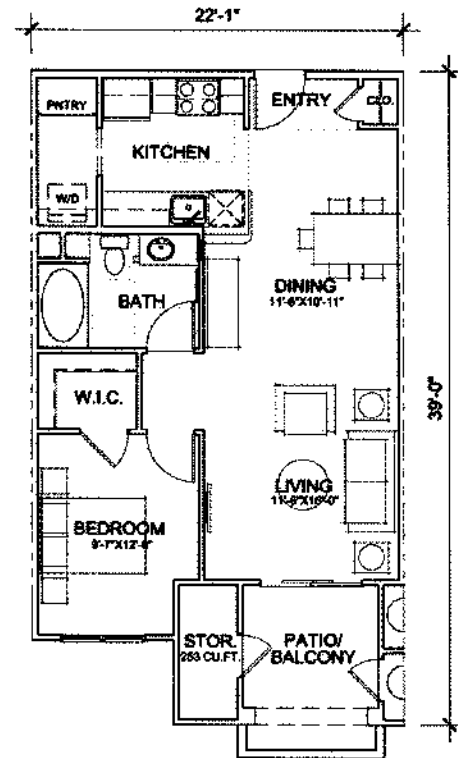


SCALE: 1/16" = 1'-0"

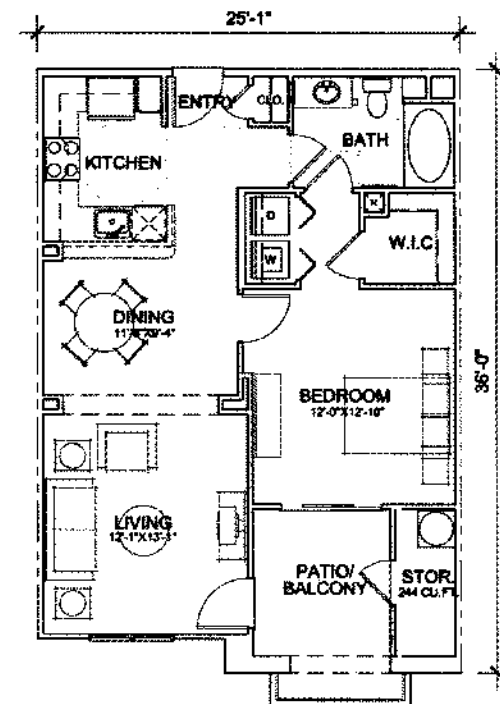
SUMMIT AT MISSION BAY  
SITE SECTIONS  
SAN DIEGO, CALIFORNIA



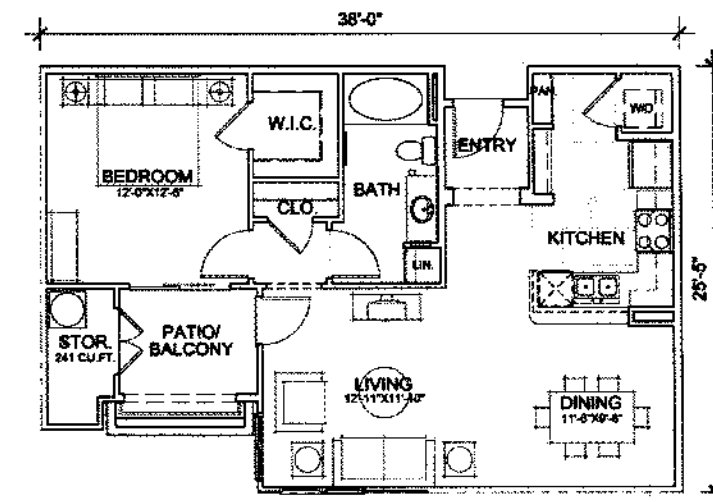
A-11b



**UNIT FLOOR PLAN - A1**  
708 SQFT. - 1 BED, 1 BATH



**UNIT FLOOR PLAN - A2**  
754 SQFT. - 1 BED, 1 BATH

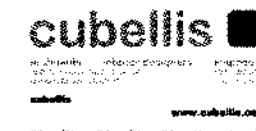


**UNIT FLOOR PLAN - A3**  
800 SQFT. - 1 BED, 1 BATH

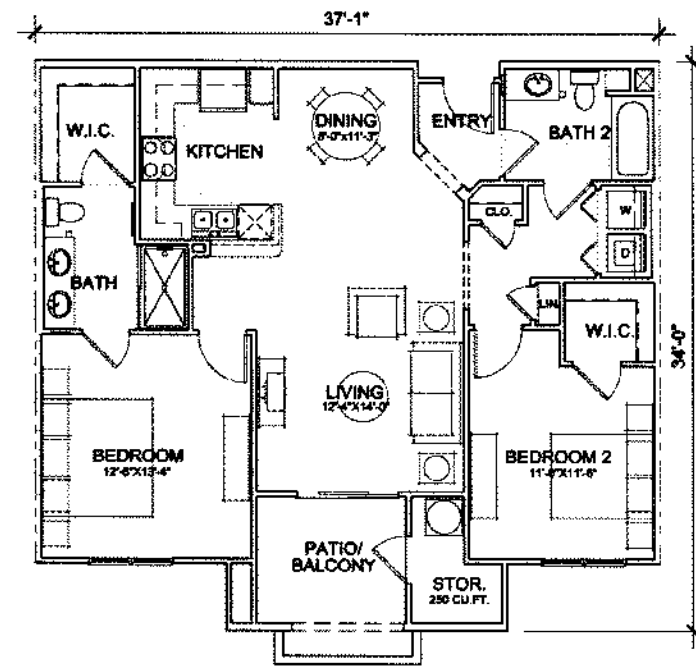


SCALE: 1/4" = 1'-0"

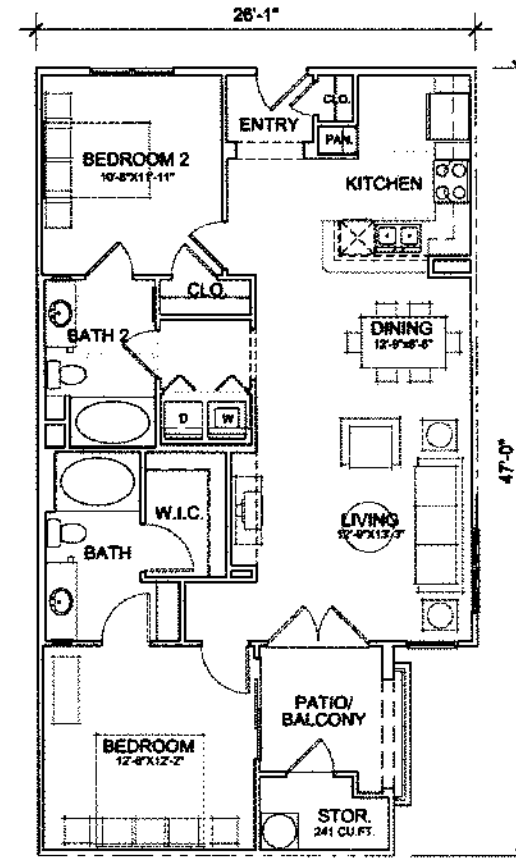
**SUMMIT AT MISSION BAY**  
UNIT PLANS - A1, A2, A3  
SAN DIEGO, CALIFORNIA



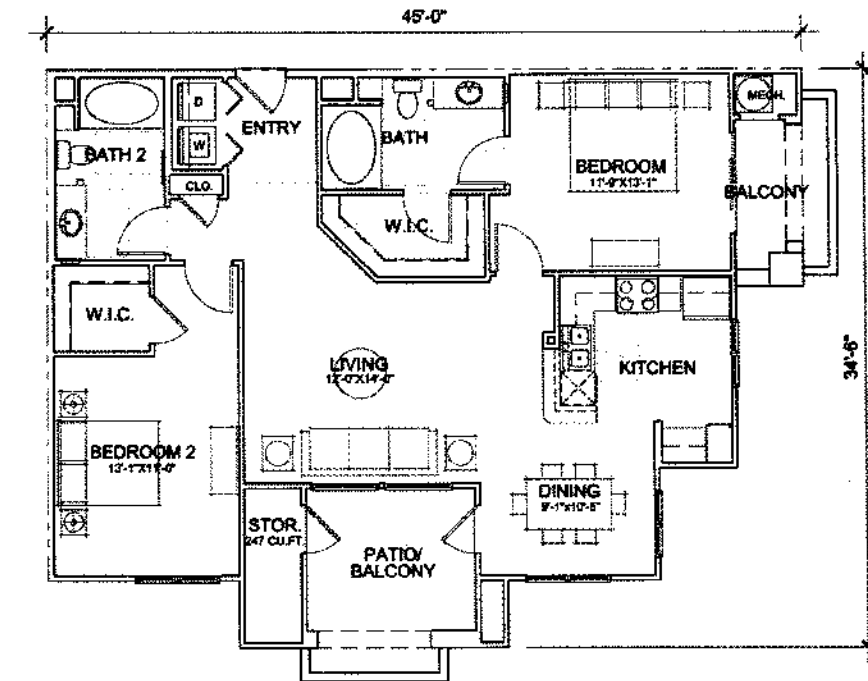




**UNIT FLOOR PLAN - B1**  
1,056 SQFT. - 2 BED, 2 BATH



**UNIT FLOOR PLAN - B2**  
1,062 SQFT. - 2 BED, 2 BATH



**UNIT FLOOR PLAN - B3**  
1,144 SQFT. - 2 BED, 2 BATH



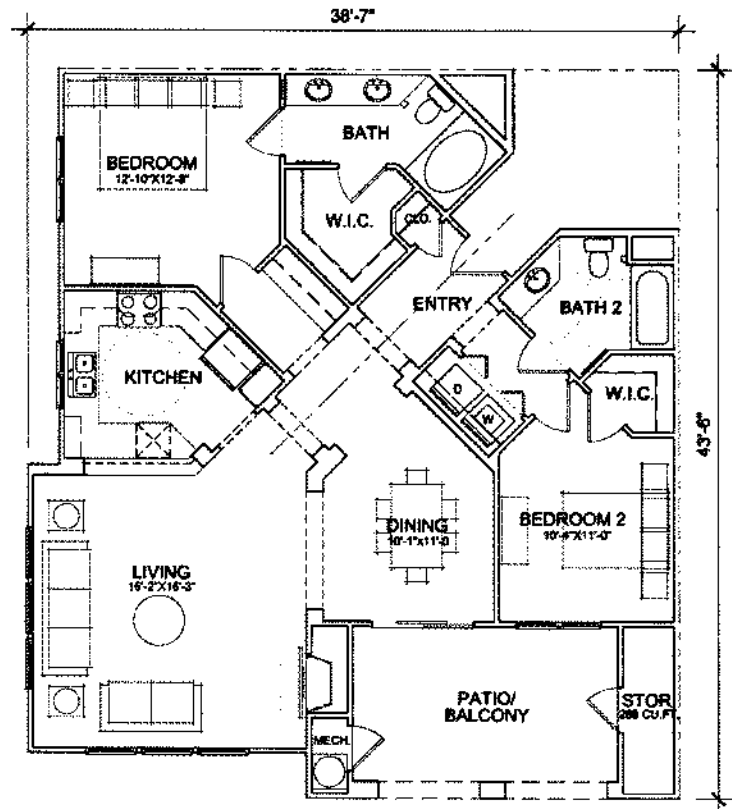
SCALE: 1/4" = 1'-0"

A UDR COMPANY

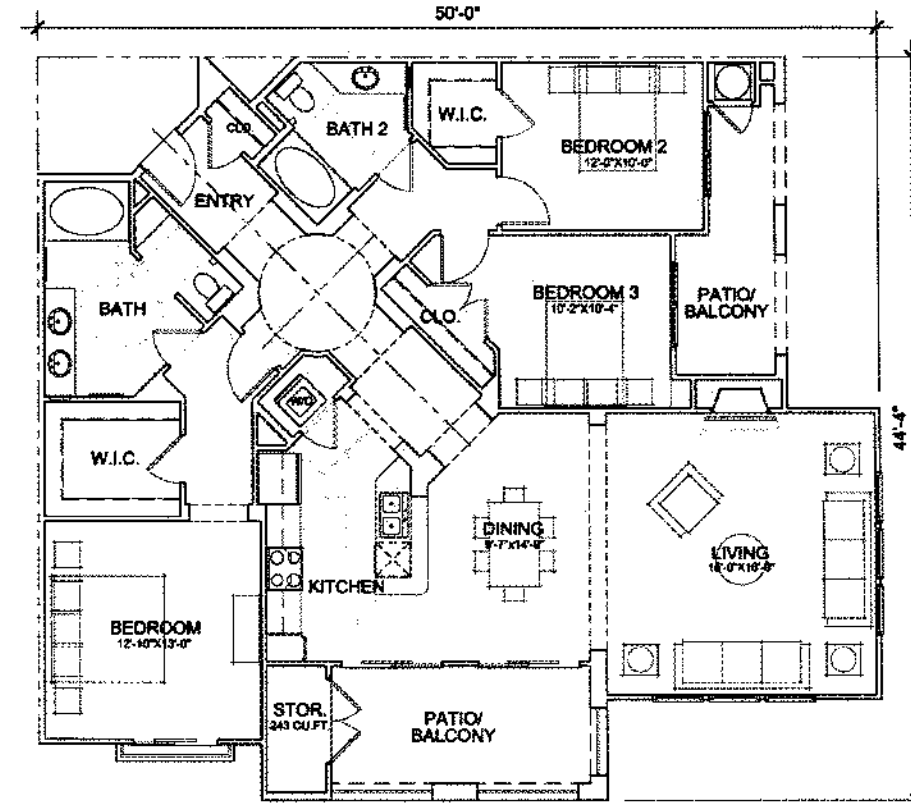
**SUMMIT AT MISSION BAY**  
UNIT PLANS - B1, B2, B3  
SAN DIEGO, CALIFORNIA



**A-13**



**UNIT FLOOR PLAN - B4**  
1,249 SQFT. - 2 BED, 2 BATH



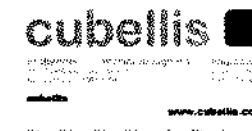
**UNIT FLOOR PLAN - C1**  
1,640 SQFT. - 3 BED, 2 BATH

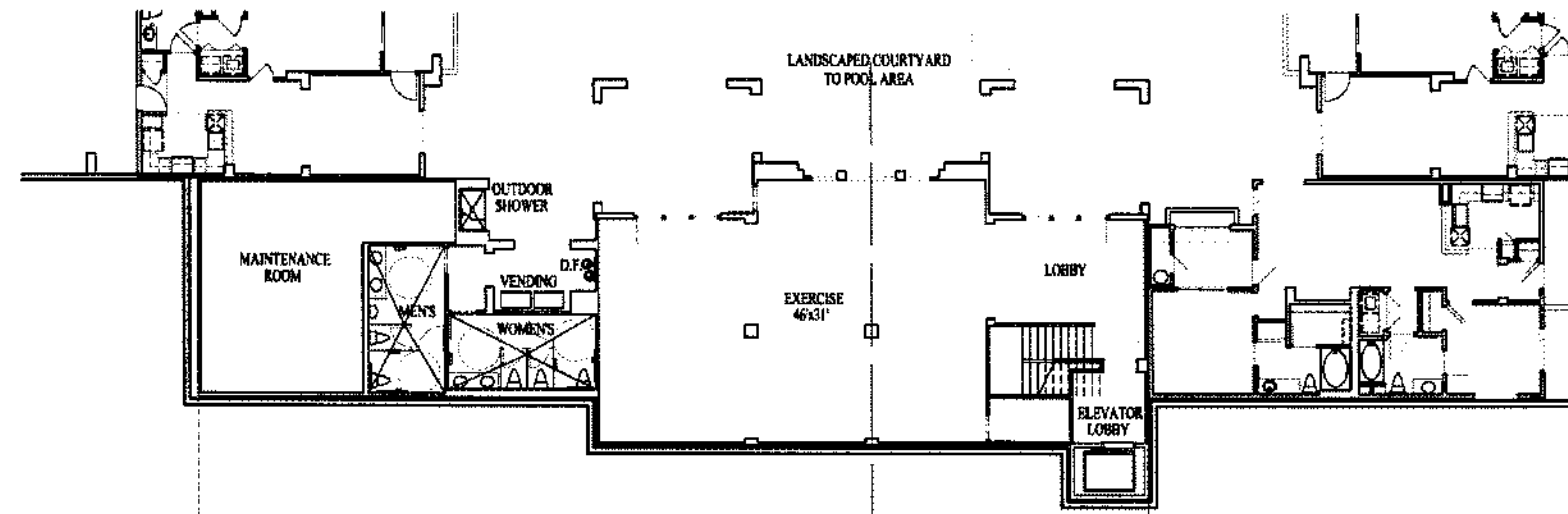


SCALE: 1/4" = 1'-0"

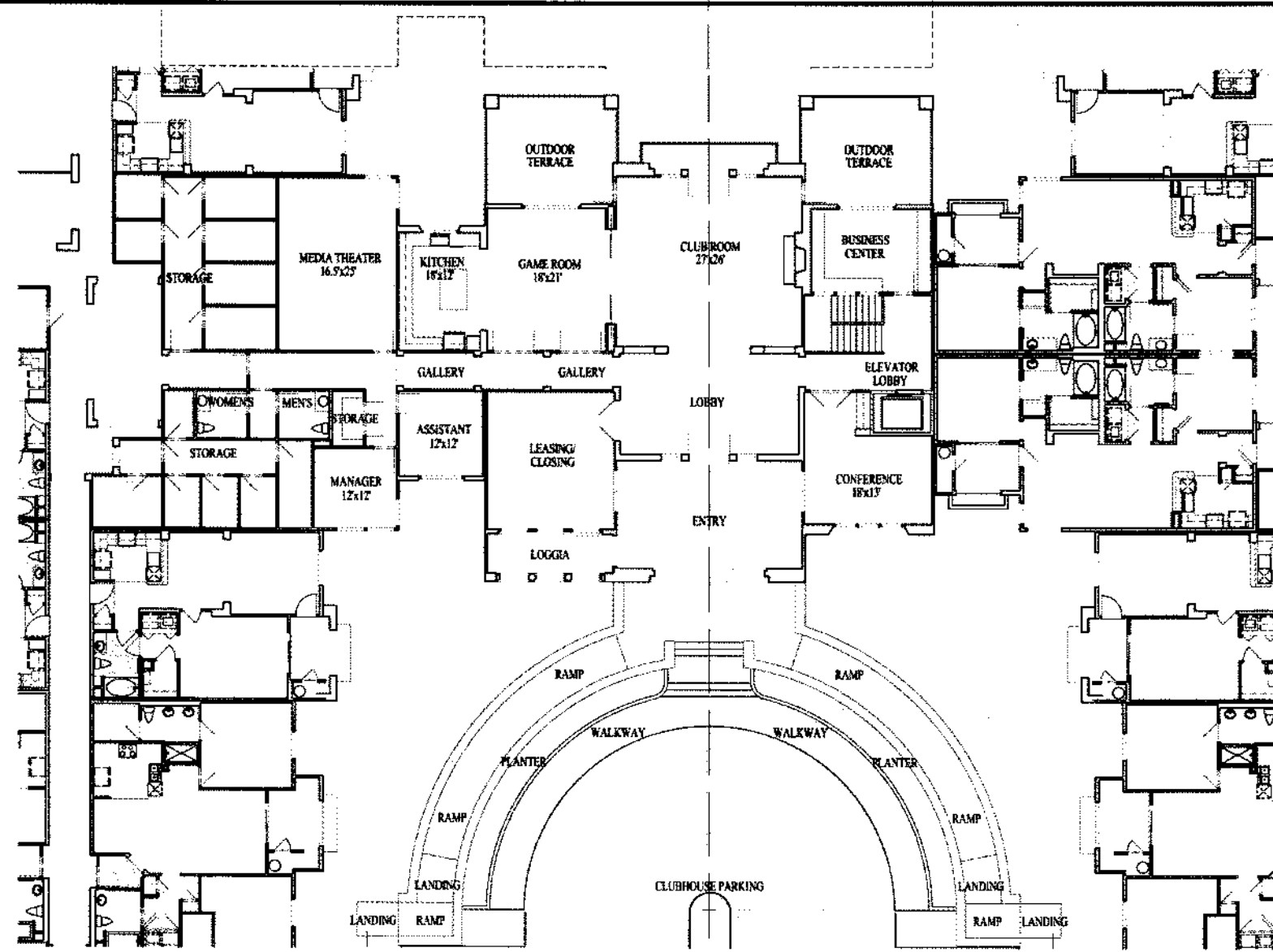
A UDR COMPANY

**SUMMIT AT MISSION BAY**  
UNIT PLANS - B4, C1  
SAN DIEGO, CALIFORNIA





LOWER LEVEL FLOOR PLAN

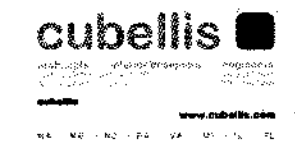


UPPER LEVEL FLOOR PLAN



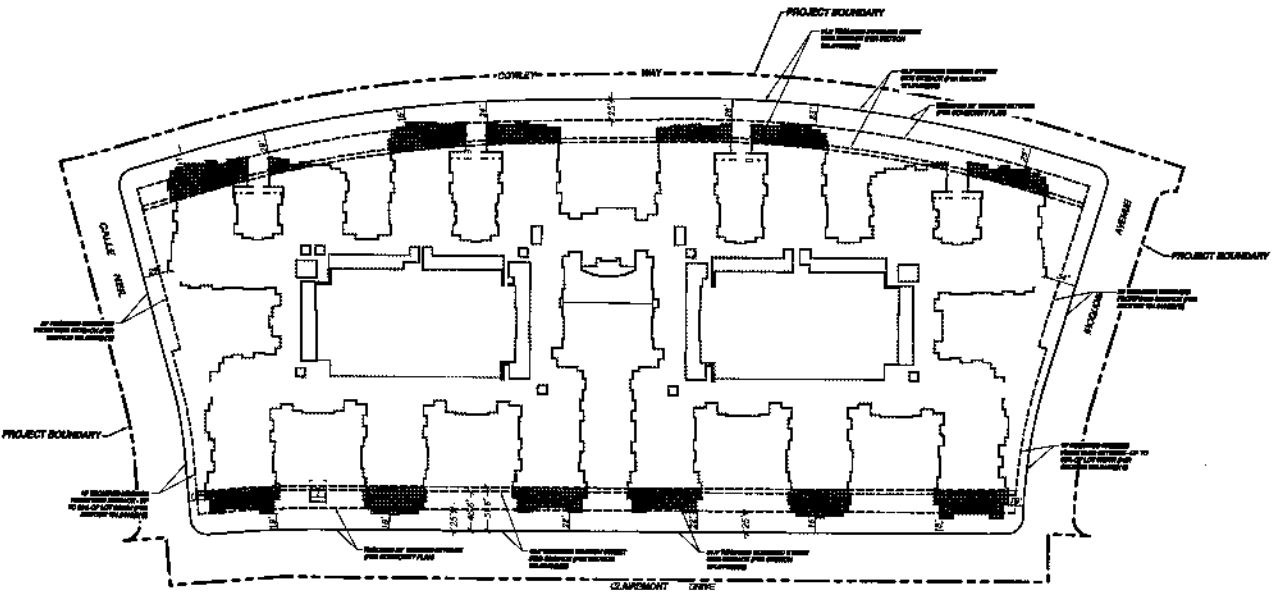
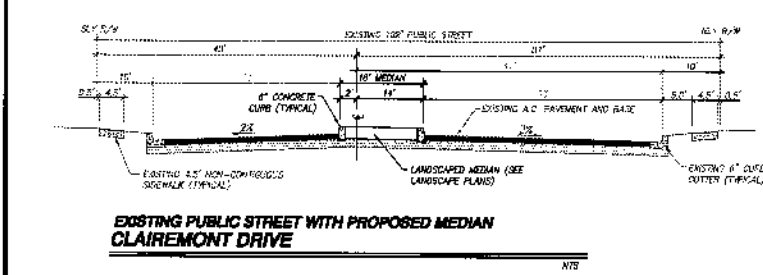
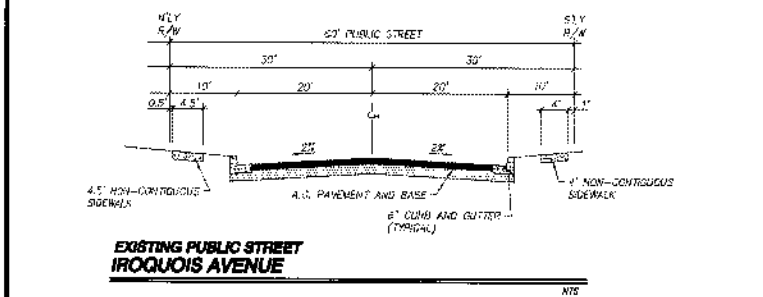
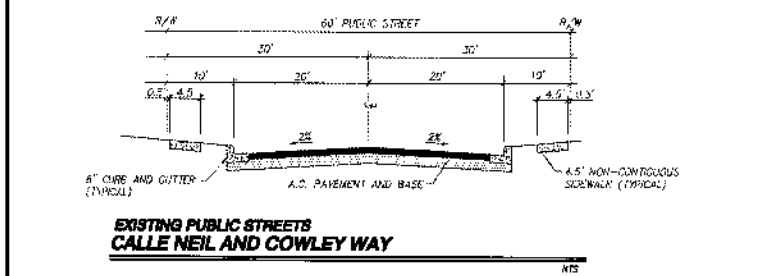
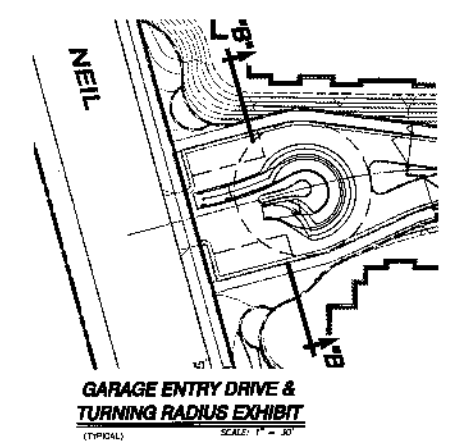
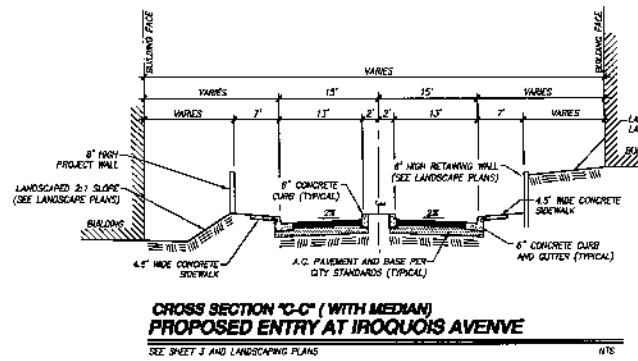
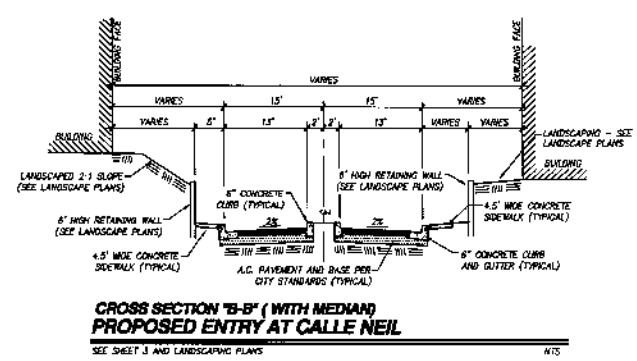
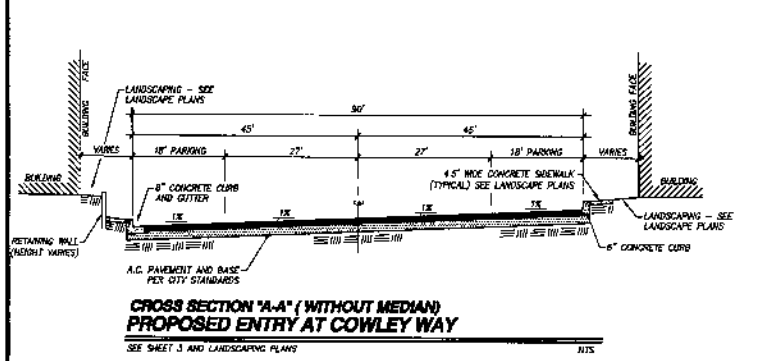
SCALE: 1/8" = 1'-0"

**SUMMIT AT MISSION BAY**  
CLUBHOUSE PLAN  
SAN DIEGO, CALIFORNIA



A-15





**UNIT SUMMARY**

PLAN TYPE	BLDG A	BLDG B	TOTAL	GROSS AREA (SF)	TOTAL SQ. FT. **
A-1	16	12	30	816	24,870
A-2	10	105	205	581	183,358
A-3	4	3	7	281	8,227
<b>TOTAL 1</b>	<b>30</b>	<b>120</b>	<b>245</b>	<b>1,478</b>	<b>456,455</b>
B-1	44	47	91	1,174	358,854
B-2	45	41	86	1,163	358,015
B-3	23	24	47	1,330	407,702
B-4	3	3	6	1,480	4,580
<b>TOTAL 2</b>	<b>115</b>	<b>115</b>	<b>230</b>	<b>4,447</b>	<b>13,903,601</b>
C-1	12	12	24	1,581	48,524
<b>TOTAL 3</b>	<b>12</b>	<b>12</b>	<b>24</b>	<b>1,581</b>	<b>48,524</b>
<b>TOTAL</b>	<b>262</b>	<b>247</b>	<b>509</b>	<b>7,506</b>	<b>230,283</b>

\* SEE ARCHITECTURAL SHEET 1441 FOR NET AREA CALCULATIONS.  
\*\* TOTAL GROSS SQ. FT. DOES NOT INCLUDE CURB-CURSE SF AND COMMON AREA SF.

**FLOOR AREA SUMMARY**

	RESIDENTIAL UNITS	COMMON AREA	GARAGES	TOTAL
LEVEL 1	84,208	12,868	58,125	155,201
LEVEL 2	181,250	42,262	50,122	373,634
LEVEL 3	178,202	31,812	50,122	359,136
LEVEL 4	98,512	18,114	50,122	166,748
LEVEL 5	-	-	50,122	50,122
<b>SUBTOTAL GROSS FLOOR AREA</b>	<b>542,172</b>	<b>105,056</b>	<b>258,611</b>	<b>905,839</b>
<b>TOTAL GROSS FLOOR AREA - EXEMPT FLOOR AREA</b>	<b>548,291</b>	<b>123,786</b>	<b>2,648</b>	<b>674,725</b>

\* EXEMPT FLOOR AREA AS DEFINED BY LDC SECTION 113.0234(h)(8)

**PARKING SUMMARY**

REQUIRED PARKING	SPACES REQUIRED	TOTAL REQ'D
A-1	18	45
A-2	125	212
A-3	4	11
<b>TOTAL</b>	<b>127</b>	<b>268</b>
B-1	44	183
B-2	45	172
B-3	23	94
B-4	3	12
<b>TOTAL</b>	<b>115</b>	<b>461</b>
C-1	12	54
<b>TOTAL</b>	<b>12</b>	<b>64</b>

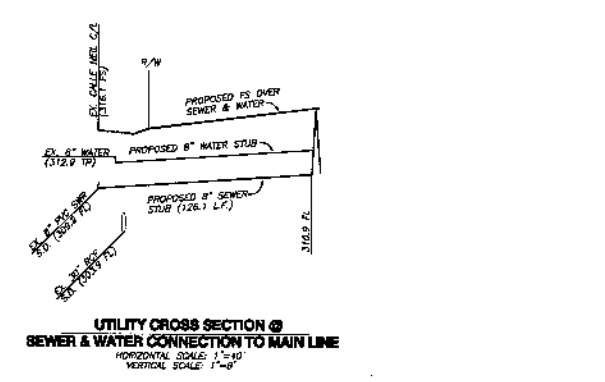
  

PROVIDED PARKING	SPACES PROVIDED	TOTAL PROVIDED
A-1	18	45
A-2	100	312
A-3	4	11
<b>TOTAL</b>	<b>122</b>	<b>368</b>
B-1	44	180
B-2	45	172
B-3	23	94
B-4	3	12
<b>TOTAL</b>	<b>115</b>	<b>461</b>
C-1	12	54
<b>TOTAL</b>	<b>12</b>	<b>64</b>

TOTAL PARKING REQUIRED	TOTAL PROVIDED
INCLUDES GUEST SPACES (5% OF RESIDENTIAL)	132
INCLUDES RESIDENTIAL HC SPACES (2% OF PROJECT UNITS)	10
INCLUDES GUEST HC SPACES (5% OF TOTAL GUEST SPACES)	7
INCLUDES TOTAL OF HC SPACES REQUIRED	17
MINIMUM CYCLE SPACES REQUIRED	50
MINIMUM BICYCLE SPACES REQUIRED	228

- SUMMIT AT MISSION BAY - WASTE MANAGEMENT PROCEDURES**
- TRASH COLLECTION**
- TENANTS BRING TRASH FROM INDIVIDUAL UNITS AND DEPOSIT THE WASTE INTO ONE OF EIGHT CENTRALLY LOCATED TRASH CHUTES (ACCESSIBLE AT ALL LEVELS)
  - THE TRASH DROPS WITHIN CHUTE AND LANDS IN A COLLECTOR/CONTAINER/COMPACTOR ON THE BOTTOM FLOOR
  - COMPACTED TRASH IS TRANSPORTED DAILY BY PRIVATE PROPERTY MANAGED TRASH ATTENDANT TO TRASH BINS IN THE CENTRAL TRASH COLLECTION AREA LOCATED IN EACH PARKING GARAGE (TWO LOCATIONS)
  - TRASH CONTAINERS ARE WHEELED OUT TO PUBLICLY ACCESSIBLE DRIVEWAY (ONE AT CALLE NEIL & ONE AT IROQUOIS AVENUE) BY PRIVATE PROPERTY MANAGED TRASH ATTENDANT
  - THE LOCAL WASTE MANAGEMENT COMPANY COLLECTS THE TRASH AT A RATE DETERMINED BY THE CURB VOLUME (THIS MAY BE MULTIPLE TIMES EACH WEEK)
  - THE TRASH IS TRANSPORTED BY THE LOCAL WASTE MANAGEMENT COMPANY TO THE MIRAMAR LANDFILL
- RECYCLABLE MATERIAL COLLECTION**
- TENANTS BRING RECYCLABLE MATERIAL FROM INDIVIDUAL UNITS AND DEPOSIT THE MATERIAL INTO ONE OF EIGHT CENTRALLY LOCATED RECYCLE MATERIAL CHUTES (ACCESSIBLE AT ALL LEVELS)
  - THE RECYCLABLE MATERIAL DROPS WITHIN CHUTE AND LANDS IN A COLLECTOR/CONTAINER/COMPACTOR ON THE BOTTOM FLOOR
  - COMPACTED RECYCLABLE MATERIAL IS TRANSPORTED DAILY BY PRIVATE PROPERTY MANAGED TRASH ATTENDANT TO RECYCLE BINS IN THE CENTRAL RECYCLE MATERIAL COLLECTION AREA LOCATED IN EACH PARKING GARAGE (TWO LOCATIONS)
  - RECYCLABLE MATERIAL CONTAINERS ARE WHEELED OUT TO PUBLICLY ACCESSIBLE DRIVEWAY (ONE AT CALLE NEIL & ONE AT IROQUOIS AVENUE) BY PRIVATE PROPERTY MANAGED TRASH ATTENDANT
  - THE LOCAL WASTE MANAGEMENT COMPANY COLLECTS THE RECYCLABLE MATERIAL AT A RATE DETERMINED BY THE CURB VOLUME (THIS MAY BE MULTIPLE TIMES EACH WEEK)
  - THE RECYCLABLE MATERIAL IS TRANSPORTED BY THE LOCAL WASTE MANAGEMENT COMPANY TO THE MIRAMAR LANDFILL

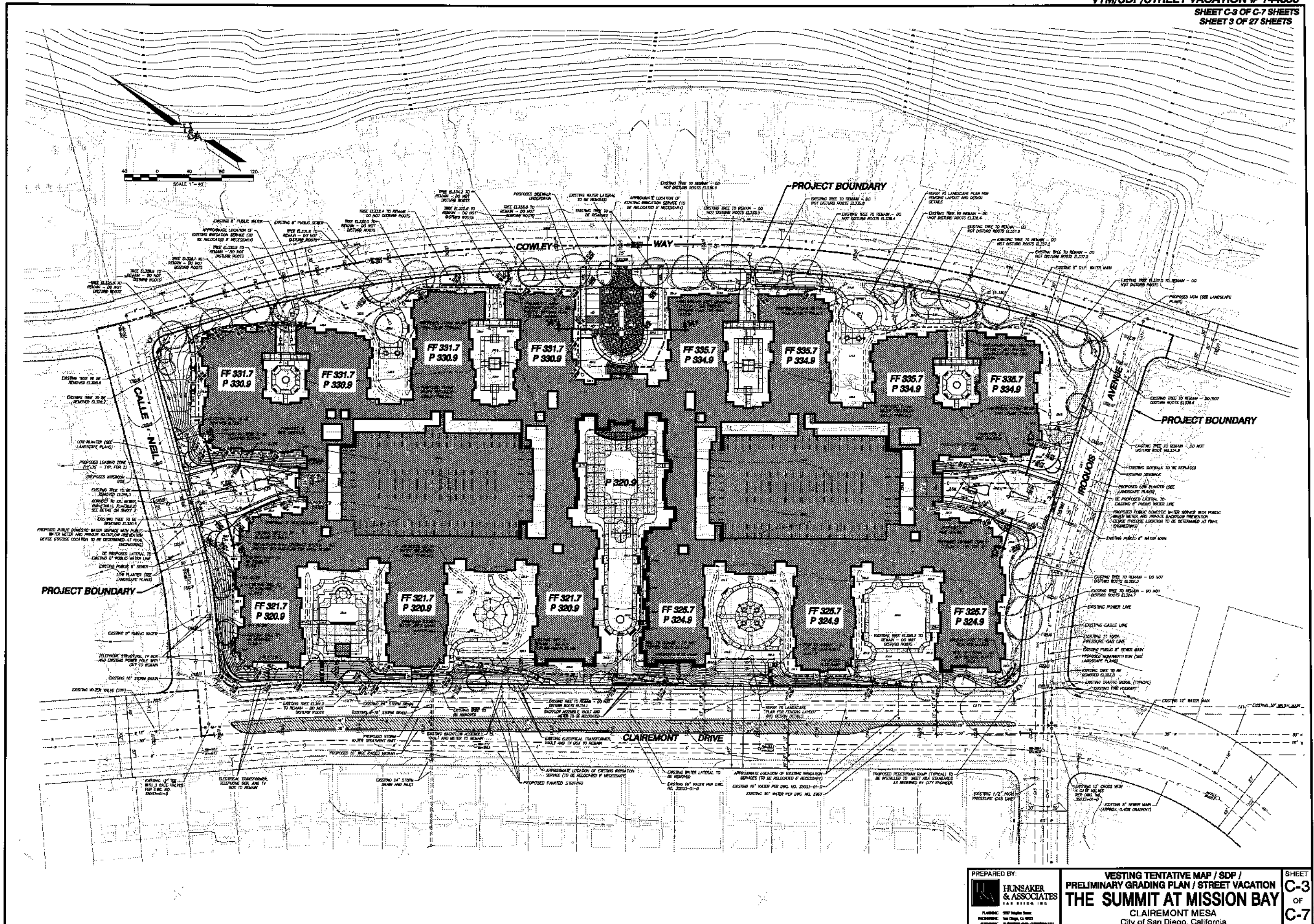


PREPARED BY:  
**HUNSAKER & ASSOCIATES**  
SAN DIEGO, CA

VTM/SDP/STREET VACATION # 144836  
SHEET C-2 OF C-7 SHEETS

**VESTING TENTATIVE MAP / SDP /  
PRELIMINARY GRADING PLAN / STREET VACATION  
THE SUMMIT AT MISSION BAY**  
CLAIREMONT MESA  
City of San Diego, California

SHEET C-2 OF C-7



PREPARED BY:  
**HUNSAKER & ASSOCIATES**  
 1448 BIRCH AVE  
 SAN DIEGO, CA 92108  
 TEL: 619-594-1100  
 FAX: 619-594-1101

VESTING TENTATIVE MAP / SDP /  
 PRELIMINARY GRADING PLAN / STREET VACATION  
**THE SUMMIT AT MESA BAY**  
 CLAIREMONT MESA  
 City of San Diego, California

SHEET  
**C-3**  
 OF  
**C-7**



# BOUNDARY, ENCUMBRANCE AND VACATION PLAT THE SUMMIT AT MISSION BAY, SAN DIEGO, CA

**BASIS OF BEARINGS:**

THE BASIS OF BEARINGS FOR THIS RECORD BOUNDARY AND ENCUMBRANCE IS THE NAD 83 CALIFORNIA COORDINATE SYSTEM ZONE 10, EPOCH 1982.0 AND IS DETERMINED BY STATIC GPS MEASUREMENTS TAKEN IN JULY 2004 AT POINTS "A" AND "B" AS SHOWN HEREON. THE POINTS WERE ADJUSTED TO S.P.S. STATION 5005 13.1 AND STATION 5005 1800 PER RECORD OF SURVEY MAP NO. 14482  
 L.C. 1442738 W

**LEGAL DESCRIPTION:**

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:  
**PARCEL A:**  
 LOTS 1 AND 2, BLOCK 1 OF CLAREMONT GARDENS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 2947, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 14, 1993.  
 EXCEPTING THEREFROM ALL OF VILLAMAR UNIT NO. 1, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 12851, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 27, 1984 AS FILE NO. 84-28559 OF OFFICIAL RECORDS.  
**PARCEL B:**  
 LOTS 1 AND 2 OF REVERBIONARY MAP OF VILLAMAR UNIT NO. 1, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 12851, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 5, 1991.  
**PARCEL C:**  
 NON-EXCLUSIVE EASEMENTS FOR IMPRESS, EGRESS, ACCESS AND USE, IN, ON OVER, ACROSS AND THROUGH THOSE CERTAIN WALKWAYS, PATHWAYS, OPEN SPACES AND OTHER EXTERIOR COMMON AREAS, EXCLUDING PARKING AREAS, OF THE "RECREATIONAL FACILITIES PARCEL," TOGETHER WITH IMPRESS, EGRESS AND ACCESS TO THE RECREATIONAL FACILITIES, AS GRANTED AND CONVEYED IN THAT CERTAIN AGREEMENT AND RESTATED DECLARATION AND EASEMENTS AND COVENANTS CONCERNING RECREATIONAL FACILITIES, SUBJECT TO THE TERMS, COVENANTS AND PROVISIONS CONTAINED THEREIN, RECORDED JUNE 8, 1993 AS FILE NO. 1283-0361954 OF OFFICIAL RECORDS.  
 (THE ABOVE DESCRIBED PARCEL CONTAINING 882199.87 SQ. FT. = 1.881 ACRES.  
 (APNS: 425-683-17, 425-683-18, 425-684-08, 425-684-07)

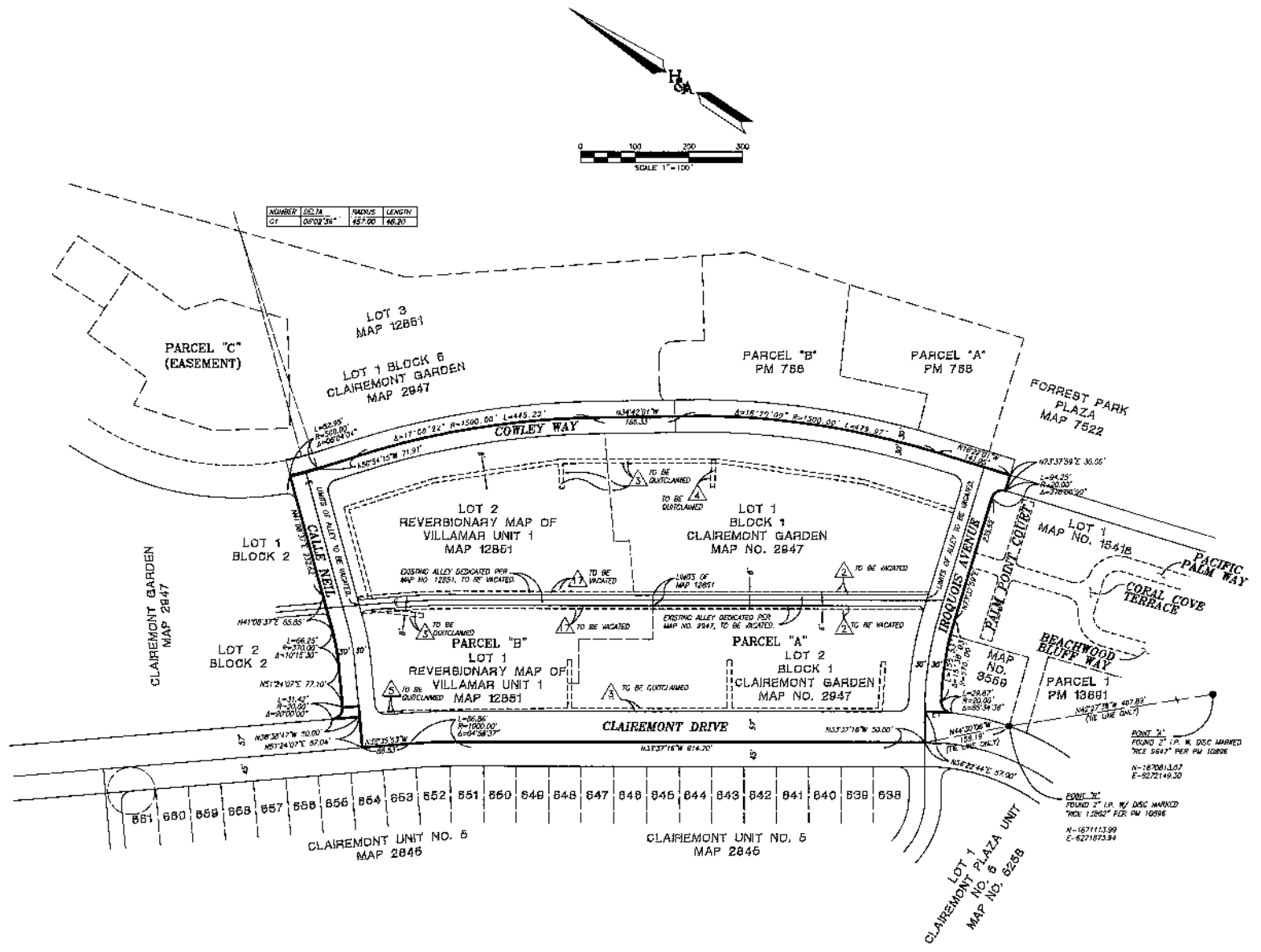
**ENCUMBRANCES:**

THE FOLLOWING EASEMENT EXCEPTIONS ARE FROM TITLE REPORT ISSUED BY COMMERCIAL LAND TITLE COMPANY ORDER NO. 02000485-020-011 W DATED AUGUST 8, 2007:

ITEM NO.	DESCRIPTION	ITEM NO.	DESCRIPTION
15	AN EASEMENT FOR THE PURPOSES SHOWN BELOW AND RIGHTS INCIDENTAL THEREOF AS SET FORTH IN A DOCUMENT DATED TO SAN DIEGO GAS & ELECTRIC COMPANY, PURPOSE: PUBLIC UTILITIES, IMPRESS AND EGRESS, RECORDED: JANUARY 14, 1993 AS FILE NO. 84-28559 OF OFFICIAL RECORDS. AFFECTS: AS SHOWN ON SAID MAP, TO BE VACATED.	15	AN EASEMENT FOR THE PURPOSES SHOWN BELOW AND RIGHTS INCIDENTAL THEREOF AS SET FORTH IN A DOCUMENT DATED TO SAN DIEGO GAS & ELECTRIC COMPANY, PURPOSE: PUBLIC UTILITIES, IMPRESS AND EGRESS, RECORDED: SEPTEMBER 17, 1992 AS FILE NO. 1992-057465 OF OFFICIAL RECORDS. AFFECTS: SAID LAND MORE PARTICULARLY DESCRIBED THEREIN, SAID WATER AFFECTS LOT 2 OF PARCEL A. THE EXACT LOCATION AND/OR EXTENT OF SAID EASEMENT IS NOT DISCLOSED IN THE PUBLIC RECORDS, NOT PLOTTED.
16	AN EASEMENT FOR THE PURPOSES SHOWN BELOW AND RIGHTS INCIDENTAL THEREOF AS SET FORTH IN A DOCUMENT DATED TO SAN DIEGO GAS & ELECTRIC COMPANY, PURPOSE: PUBLIC UTILITIES, IMPRESS AND EGRESS, RECORDED: JULY 30, 1994 IN BOOK 5318, PAGE 1 OF OFFICIAL RECORDS. AFFECTS: SAID LAND MORE PARTICULARLY DESCRIBED THEREIN, TO BE VACATED.	16	AN UNRECORDED AGREEMENT REGARDING AMENDING AND RESTATING THE EASEMENT RECORDED AUGUST 5, 1991 AS FILE NO. 84-28559 OF OFFICIAL RECORDS DATED SEPTEMBER 17, 1992, UPON THE TERMS, COVENANTS AND CONDITIONS CONTAINED THEREIN AS DISCLOSED BY MEMORANDUM, EXECUTED BY AND BETWEEN WELLS FARGO BANK, N.A. A NATIONAL BANKING ASSOCIATION, THE INVESTORS, A CALIFORNIA LIMITED PARTNERSHIP, SAN DIEGO INVESTORS, A CALIFORNIA LIMITED PARTNERSHIP AND VILLAMAR 100 ASSOCIATES, A CALIFORNIA LIMITED PARTNERSHIP. RECORDED: AUGUST 5, 1991 AS FILE NO. 84-28559 OF OFFICIAL RECORDS.
17	AN EASEMENT FOR THE PURPOSES SHOWN BELOW AND RIGHTS INCIDENTAL THEREOF AS SET FORTH IN A DOCUMENT DATED TO SAN DIEGO GAS & ELECTRIC COMPANY, A CORPORATION, PURPOSE: PUBLIC UTILITIES, IMPRESS AND EGRESS, RECORDED: JUNE 7, 1988 AS FILE NO. 88-271048 OF OFFICIAL RECORDS. AFFECTS: SAID LAND MORE PARTICULARLY DESCRIBED THEREIN, SAID WATER AFFECTS LOT 1 OF PARCEL A. THE EXACT LOCATION AND/OR EXTENT OF SAID EASEMENT IS NOT DISCLOSED IN THE PUBLIC RECORDS, NOT PLOTTED.	17	AN EASEMENT FOR THE PURPOSES SHOWN BELOW AND RIGHTS INCIDENTAL THEREOF AS SET FORTH IN A DOCUMENT DATED TO SAN DIEGO GAS & ELECTRIC COMPANY, A CORPORATION, PURPOSE: PUBLIC UTILITIES, IMPRESS AND EGRESS, RECORDED: SEPTEMBER 10, 1992 AS FILE NO. 1992-057454 OF OFFICIAL RECORDS. AFFECTS: SAID LAND MORE PARTICULARLY DESCRIBED THEREIN, SAID WATER AFFECTS PARCELS B AND C. THE EXACT LOCATION AND/OR EXTENT OF SAID EASEMENT IS NOT DISCLOSED IN THE PUBLIC RECORDS, NOT PLOTTED.
18	AN EASEMENT FOR THE PURPOSES SHOWN BELOW AND RIGHTS INCIDENTAL THEREOF AS SET FORTH IN A DOCUMENT DATED TO SAN DIEGO GAS & ELECTRIC COMPANY, A CORPORATION, PURPOSE: PUBLIC UTILITIES, IMPRESS AND EGRESS, RECORDED: JULY 30, 1994 IN BOOK 5318, PAGE 1 OF OFFICIAL RECORDS. AFFECTS: SAID LAND MORE PARTICULARLY DESCRIBED THEREIN, TO BE VACATED.	18	AN EASEMENT FOR THE PURPOSES SHOWN BELOW AND RIGHTS INCIDENTAL THEREOF AS SET FORTH IN A DOCUMENT DATED TO SAN DIEGO GAS & ELECTRIC COMPANY, A CORPORATION, PURPOSE: PUBLIC UTILITIES, IMPRESS AND EGRESS, RECORDED: JANUARY 27, 1988 AS FILE NO. 88-046444 OF OFFICIAL RECORDS. AFFECTS: THE EXACT LOCATION AND/OR EXTENT OF SAID EASEMENT IS NOT DISCLOSED IN THE PUBLIC RECORDS.
19	AN EASEMENT FOR THE PURPOSES SHOWN BELOW AND RIGHTS INCIDENTAL THEREOF AS SET FORTH IN A DOCUMENT DATED TO SAN DIEGO GAS & ELECTRIC COMPANY, A CORPORATION, PURPOSE: PUBLIC UTILITIES, IMPRESS AND EGRESS, RECORDED: SEPTEMBER 10, 1992 AS FILE NO. 1992-057454 OF OFFICIAL RECORDS. AFFECTS: SAID LAND MORE PARTICULARLY DESCRIBED THEREIN, SAID WATER AFFECTS PARCELS B AND C. THE EXACT LOCATION AND/OR EXTENT OF SAID EASEMENT IS NOT DISCLOSED IN THE PUBLIC RECORDS, NOT PLOTTED.	19	AN EASEMENT GRANT DEED FROM SOUTHWESTERN CABLE TV, DIVISION OF THE WARNER CABLE, A DIVISION OF THE WARNER ENTERTAINMENT COMPANY, L.P., TO THE WARNER ENTERTAINMENT-ADVANCED MEMPHOSE PARTNERSHIP, RECORDED MAY 14, 1998 AS FILE NO. 1998-0244234 OF OFFICIAL RECORDS, NOT PLOTTED.

**NOTE:**

THIS IS BASED ON A FIELD SURVEY BY HUNSAKER AND ASSOCIATES SAN DIEGO, INC.

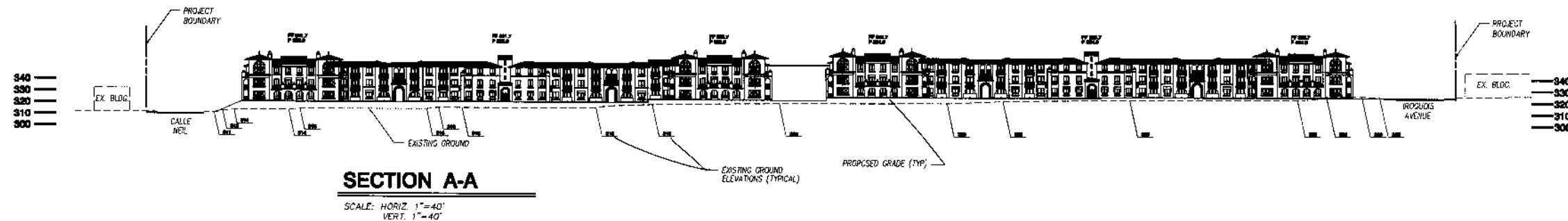


PREPARED BY:  
**HUNSAKER & ASSOCIATES**  
 SAN DIEGO, CA

VESTING TENTATIVE MAP / SDP / PRELIMINARY GRADING PLAN / STREET VACATION  
**THE SUMMIT AT MISSION BAY**  
 CLAIREMONT MESA  
 City of San Diego, California

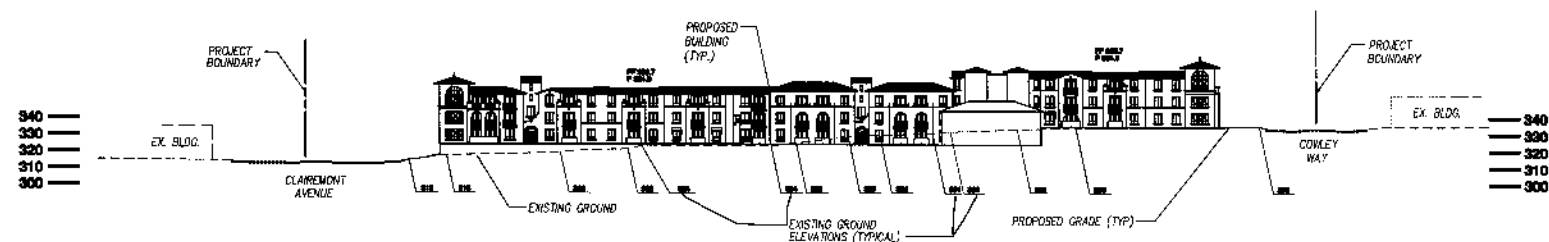
SHEET C-4 OF C-7





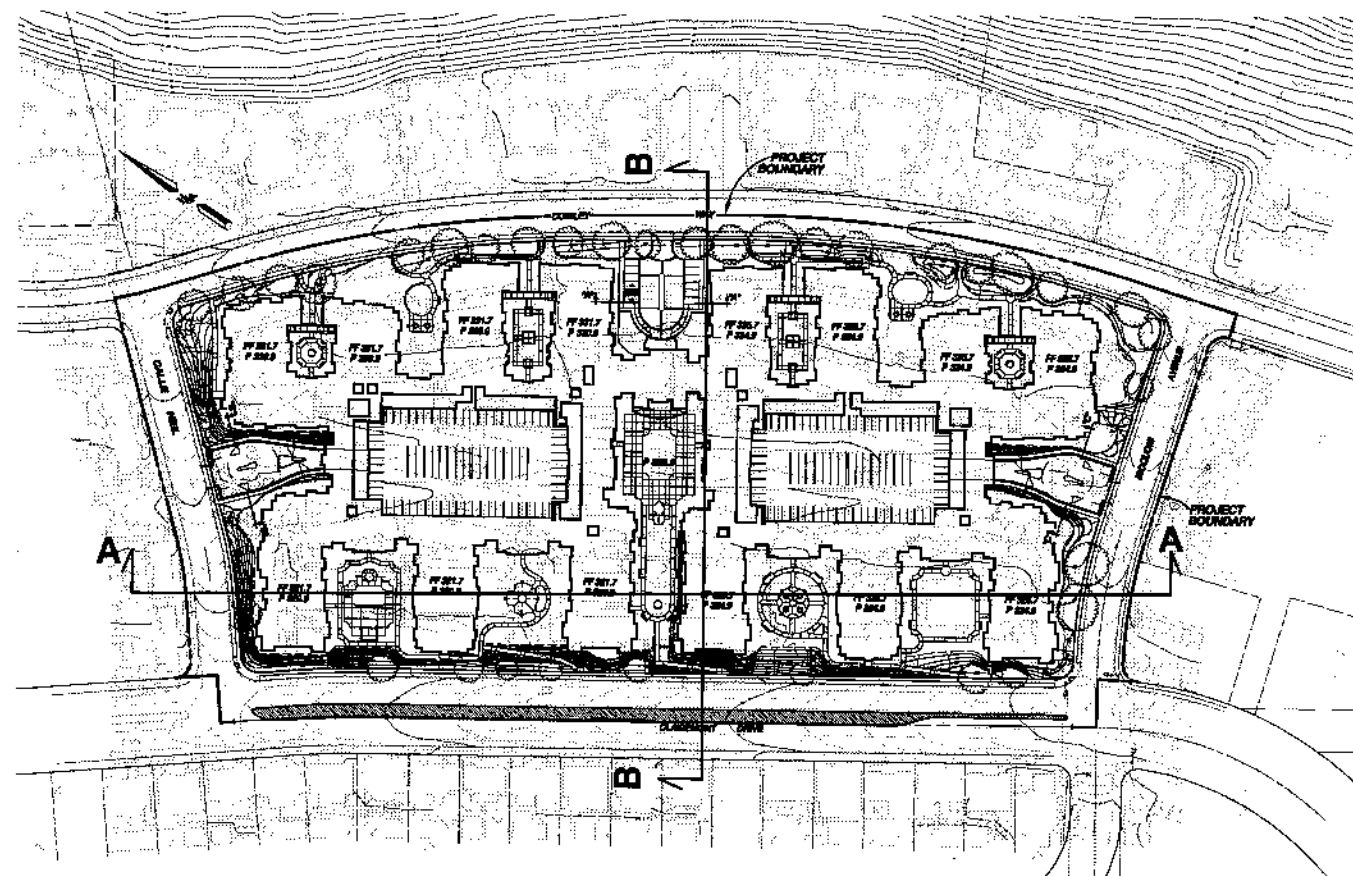
**SECTION A-A**

SCALE: HORIZ. 1"=40'  
VERT. 1"=40'



**SECTION B-B**

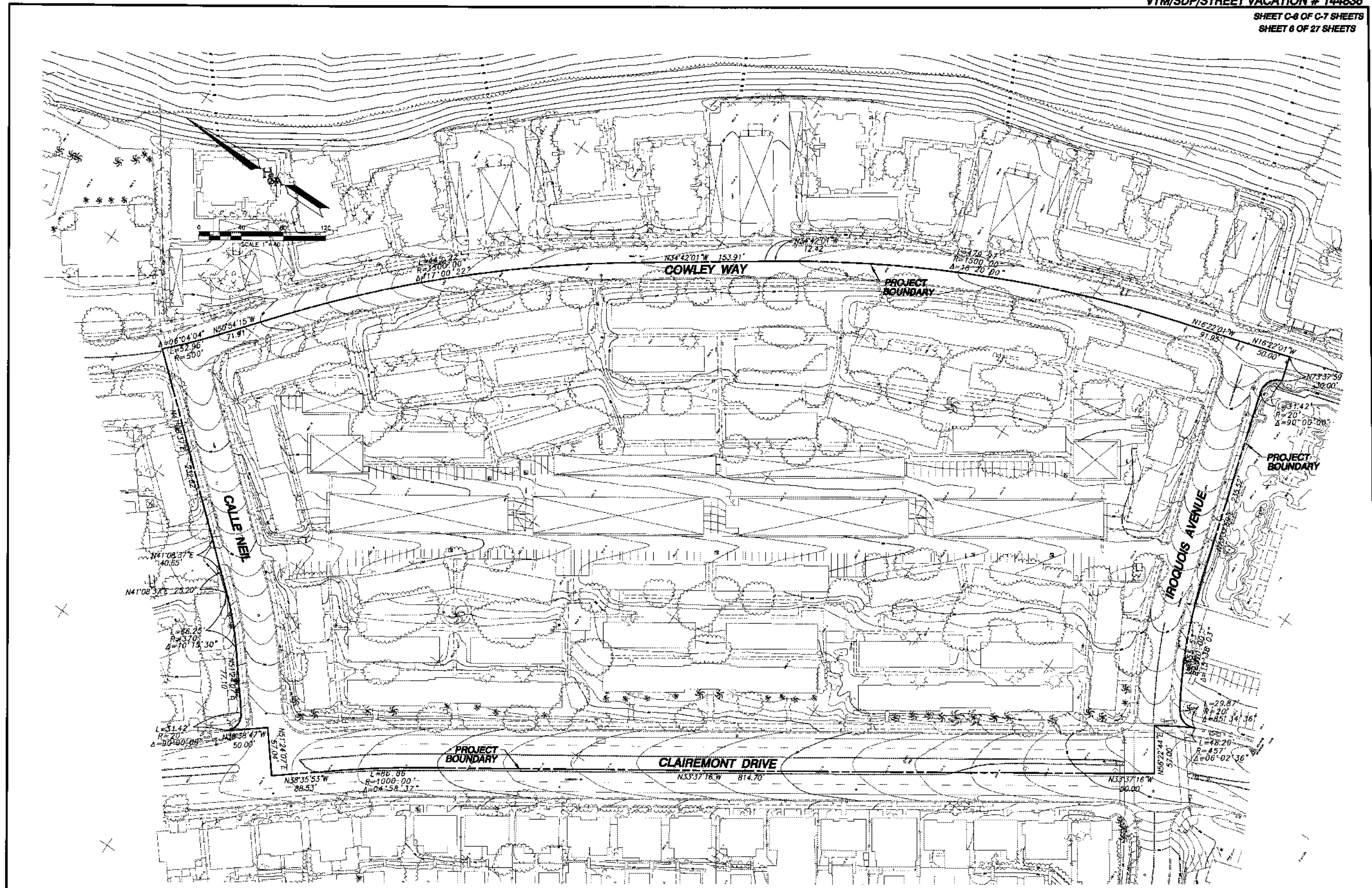
SCALE: HORIZ. 1"=40'  
VERT. 1"=40'



**INDEX**

SCALE: 1"=80'

PREPARED BY: HUNSAKER & ASSOCIATES SAN DIEGO, CA	PROJECT CROSS SECTIONS VESTING TENTATIVE MAP / SDP / PRELIMINARY GRADING PLAN / STREET VACATION <b>THE SUMMIT AT MISSION BAY</b> CLAIREMONT MESA City of San Diego, California		SHEET <b>C-5</b> OF <b>C-7</b>
	PLANNING: [unreadable] ARCHITECTURE: [unreadable] ENGINEERING: [unreadable]	2/10/2016/10:00 AM - 10:00 AM/10:00 AM	



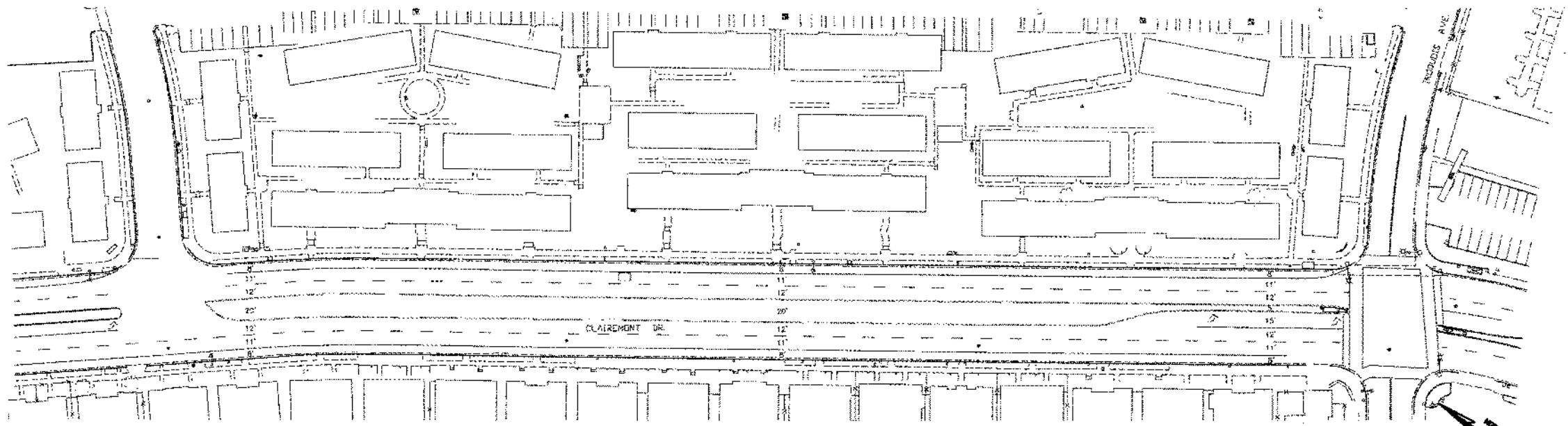
TOPOGRAPHIC EXHIBIT

PREPARED BY:  
**HUNSAKER & ASSOCIATES**  
 SAN DIEGO, CALIFORNIA

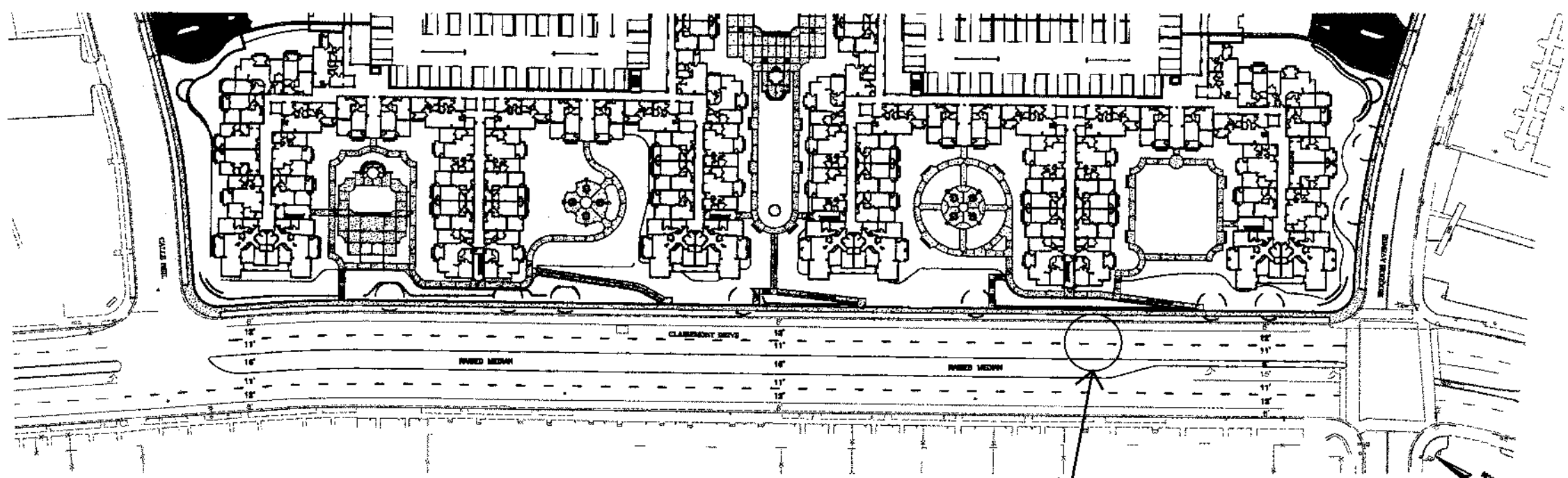
VESTING TENTATIVE MAP / SDP /  
 PRELIMINARY GRADING PLAN / STREET VACATION  
**THE SUMMIT AT MISSION BAY**  
 CLAIREMONT MESA  
 City of San Diego, California

SHEET  
**C-6**  
 OF  
**C-7**

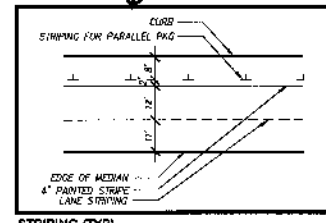
ATTACHMENT 6



**EXISTING CONDITIONS**  
NOT FOR CONSTRUCTION



**PROPOSED CONDITIONS**  
NOT FOR CONSTRUCTION



TRAFFIC STRIPING PLAN

PREPARED BY:  
**HUNSAKER & ASSOCIATES**  
 SAN DIEGO, CA

VESTING TENTATIVE MAP / SDP /  
 PRELIMINARY GRADING PLAN / STREET VACATION  
**THE SUMMIT AT MISSION BAY**  
 CLAIREMONT MESA  
 City of San Diego, California

SHEET  
**C-7**  
 OF  
**C-7**

# SUMMIT @ MISSION BAY APARTMENTS LANDSCAPE DEVELOPMENT PLANS SAN DIEGO, CALIFORNIA

UNITED DOMINION RESIDENTIAL, L.P.  
3 LINCOLN CENTRE 5430 LBJ FREEWAY, SUITE 1250 DALLAS, TEXAS 75240  
PHONE 972-763-3503

TITLE SHEET

SUMMIT @ MISSION BAY APARTMENTS  
SAN DIEGO, CALIFORNIA  
UNITED DOMINION RESIDENTIAL, L.P.  
3 LINCOLN CENTRE 5430 LBJ FREEWAY, SUITE 1250 DALLAS, TX 75240 TEL: 972-763-3503

TREE LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY.	FORM	FUNCTION	HEIGHT	SPREAD	TYPE	DROUGHT
T1	JACARANDA MIMOSIFOLIA	JACARANDA	24" BOX	13	LC	SH/FL	40'	40'	D/F	
T2	PLATANUS ACERIFOLIA	LONDON PLANE TREE	24" BOX	10	LC	SH/FC	40'	40'	D	
T3	FRAXINUS UDEI	EVERGREEN ASH	24" BOX	6	LC	SH/FC	40'	40'	E	
T4	KOELREUTERIA BIPINNATA	CHINESE FLAME TREE	24" BOX	8	LC	SH/FC	40'	40'	D/F	YES
T5	OLEA EUROPAEA	OLIVE	15" x 15" B4B	24	LC	A	25'	25'	E	YES
T6	CINNAMOMUM CAMPHORA	CAMPHOR TREE	48" BOX	2	LC	SH	40'	40'	E	
T7	PHOENIX DACTYLIFERA	DATE PALM	20" H B4B	32	U	A/SCA	80'	25'	P	YES
T8	COCOS PLUMOSA	QUEEN PALM	36" BOX	105	U	A	40'	20'	P	YES
T9	FIGUS NITIDA 'GREEN GEM'	INDIAN LAUREL FIG	36" BOX	8	LC	SH/SCA	30'	30'	E	
T10	TRISTANIA LAURINA 'ELEGANT'	WATER GUM	24" BOX	90	SC	SCR/SCA	25'	25'	E/F	
T11	LAGERSTROEMIA FAURIEI 'PINK'	CRAPE MYRTLE	24" BOX	22	SC	FL/FC	20'	20'	D/F	YES
T12	SCHEFFLERA ACTINOPHYLLA	QUEENSLAND UMBRELLA	24" BOX	42	SC	A	30'	20'	E	
T13	PYRUS CALLERYANA 'ARISTOCRAT'	ORNAMENTAL PEAR	24" BOX	14	SC	FL/FC	30'	20'	D/F	
T14	PINUS CANARIENSIS	CANARY ISLAND PINE	24" BOX	34	U	SCA	40'	25'	E	YES
T15	CHORISIA SPECIOSA	FLOSS SILK TREE	24" BOX	6	LC	FL/A	35'	30'	E/F	
T16	MAGNOLIA G. MAJESTIC BEAUTY'	SOUTHERN MAGNOLIA	24" BOX	11	LC	SH/FL	40'	40'	E/F	
T17	HYMENOPHYLLUM FLAVUM	SWEET SHADE	24" BOX	54	U	FL/SCR/SCA	35'	20'	E/F	
T18	RHAPHIOLEPIS MAJESTIC BEAUTY'	N.C.N.	24" BOX	20	SC	FL/SCA	20'	20'	E/F	YES
T19	PODOCARPUS GRACILIOR	FERN FINE	24" BOX	11	LC	SH/SC	40'	40'	E	YES
T20	CUPANOPSIS ANACARDIODES	CARROT WOOD	24" BOX	26	LC	SH	40'	30'	E	YES
T21	ERIOBOTRYA DEPLEXA 'COPPERTONE'	BRONZE LOQUAT	24" BOX	18	SC	FL/SCA	20'	20'	E/F	YES

LEGEND / DESCRIPTION

TYPE:	FORM:
D- DECIDUOUS	SC- SMALL CANOPY FORM
E- EVERGREEN	LC- LARGE CANOPY FORM
F- FLOWERING	U- VERTICAL/UPRIGHT CANOPY FORM
P- PALM SPECIES	

FUNCTION:

- SH- SHADE
- FL- FLOWERING
- A- ACCENT
- SCR- SCREEN
- SCA- SCALE
- FC- FALL COLOR

SHEET INDEX

- L-1 TITLE SHEET
- L-2 HARDSCAPE PLAN
- L-3 LANDSCAPE PLAN
- L-4 UTILITY OVERLAY PLAN
- L-5 STREET YARD EXHIBIT

LANDSCAPE NOTES

**IRRIGATION:** AN AUTOMATIC, ELECTRICALLY CONTROLLED IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED FOR PROPER IRRIGATION, DEVELOPMENT AND MAINTENANCE OF THE VEGETATION IN A HEALTHY, DISEASE-RESISTANT CONDITION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED. ALL PROPOSED IRRIGATION SYSTEMS WILL USE AN APPROVED RAIN SENSOR CUT-OFF DEVICE. IRRIGATION SYSTEMS SHALL INCLUDE SPRAY HEADS, BUBBLERS AND/OR DRIP EMITTERS.

**TREE ROOT BARRIERS** SHALL BE INSTALLED WHERE TREES ARE PLACED WITHIN 5 FEET OF PUBLIC IMPROVEMENTS INCLUDING WALKS, CURBS OR STREET PAVEMENTS OR WHERE NEW PUBLIC IMPROVEMENTS ARE PLACED ADJACENT TO EXISTING TREES. THE ROOT BARRIER WILL NOT WRAP AROUND ROOT BALL.

**MAINTENANCE:** ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE PROPERTY OWNER. THE LANDSCAPE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT.

**MINIMUM TREE SEPARATION DISTANCE IMPROVEMENT/ MINIMUM DISTANCE TO STREET TREE:**

- TRAFFIC SIGNALS (STOP SIGNS) - 20 FEET
- UNDERGROUND UTILITY LINES - FEET
- ABOVE GROUND UTILITY STRUCTURES - 10 FEET
- DRIVEWAY (ENTRIES) - 10 FEET
- INTERSECTIONS, (INTERSECTING CURB LINES OF TWO STREETS) - 25 FEET
- SEWER LINES - 10 FEET

**MULCH:** ALL REQUIRED PLANTING AREAS SHALL BE COVERED WITH A MULCH TO A MINIMUM DEPTH OF 2 INCHES, EXCLUDING SLOPES REQUIRING REVEGETATION AND AREAS PLANTED WITH GROUND COVER. ALL EXPOSED SOIL AREAS WITHOUT VEGETATION SHALL ALSO BE MULCHED TO THIS MINIMUM DEPTH.

**ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE CITY OF SAN DIEGO'S LANDSCAPE DEVELOPMENT CODE, LANDSCAPE REGULATIONS, THE LAND DEVELOPMENT MANUAL, LANDSCAPE STANDARDS, AND ALL OTHER CITY AND REGIONAL STANDARDS.**

LANDSCAPE AREA:  
TURF 96,200 SQ. FEET (48%)  
PLANT BEDS 103,095 SQ. FEET (52%)  
TOTAL LANDSCAPE AREA: 199,295 SQ. FEET

SHRUB LEGEND

SHRUBS - 12" - 36" HEIGHT	CONTAINER SIZE	SPACING	FORM	FUNCTION	MATURE SIZE (HT x WT)
CUPHEA HYSSOPIFOLIA	1 GAL	24"	S	F	18" x 24"
EUONYMUS JAPONICA MICROPHYLLA	1 GAL	18"	S	F	18" x 18"
LAVANDULA ANGUSTIFOLIA 'MUNSTEAD'	1 GAL	18"	S	F	18" x 18"
THEODOSIA CHAMAEDRYFIS	1 GAL	18"	S	F	18" x 18"
CAREXA GIBBER CARPET	1 GAL	24"	S	F	18" x 24"

SHRUBS - 48" - 60" HEIGHT	CONTAINER SIZE	SPACING	FORM	FUNCTION	MATURE SIZE (HT x WT)
ARBITUS UNEDO 'COMPACTA'	5 GAL	48"	R	F	6' x 6'
ABELIA GRANDIFOLIA 'EDWARD GOUCHER'	5 GAL	48"	R	F	6' x 6'
BESCALONIA BRADSHAW	5 GAL	48"	O	F	5' x 4'
LIGUSTRUM TEXANUM	5 GAL	42"	O	F	5' x 4'
VERBENUM TENUS COMPACTA 'SPRING BOUQUET'	5 GAL	48"	R	F	4' x 4'
XYLOSA CONGESTUM 'COMPACTA'	5 GAL	48"	R	F	4' x 4'

SHRUBS - 12" - 18" ACCENT	CONTAINER SIZE	SPACING	FORM	FUNCTION	MATURE SIZE (HT x WT)
AGAPANTHUS PETER PAN	1 GAL	12"	V	AC	12" x 12"
AGAPANTHUS QUEEN ANNE	1 GAL	18"	V	AC	18" x 18"
LIRIOPE MUSCARI	1 GAL	18"	V	AC	18" x 18"
TULAGRA VIOLEACEA	1 GAL	18"	V	AC	18" x 18"

SHRUBS - 36" - 48" HEIGHT	CONTAINER SIZE	SPACING	FORM	FUNCTION	MATURE SIZE (HT x WT)
BUDS MICROPHYLLA JAPONICA	5 GAL	24"	O	H	36" x 24"
CAREXA GRANDIFLORA 'BOXYWOOD BEAUTY'	5 GAL	24"	R	F	30" x 24"
ESCALLONIA 'COMPACTA'	5 GAL	30"	R	F	28" x 30"
FITTOPHIM TONIA 'WEBBERS DWARF'	5 GAL	30"	R	F	30" x 30"
RAPHIDOLEPIS INDICA 'BALLERINA'	5 GAL	30"	R	F	24" x 30"
CALISTEMON VIMINALIS 'LITTLE JOEY'	5 GAL	30"	R	F	30" x 30"

SHRUBS - 18" - 24" GROUND COVER	CONTAINER SIZE	SPACING	FORM	FUNCTION	MATURE SIZE (HT x WT)
ACACIA REDOLENS	5 GAL	48"	S	GC	24" x 6"
LANTANA SELLOWIANA	1 GAL	48"	S	GC	18" x 6"
MYOPORUM PACIFICUM	5 GAL	36"	S	GC	18" x 6"
ROSEA SHRUB & GROUND COVER FORMS	5 GAL	36"	S	GC	24" x 3"
ROSMARINUS OFFICINALIS 'PROSTRATUS'	1 GAL	36"	S	GC	18" x 6"
TRACHELOSPERMUM JASMINOIDES	1 GAL	24"	S	GC	18" x 30"

SHRUBS - 18" - 24" ACCENT	CONTAINER SIZE	SPACING	FORM	FUNCTION	MATURE SIZE (HT x WT)
HEMIBOCALLIS HYBRIDA	1 GAL	24"	V	AC	24" x 24"
LAVANDULA STOECHAS	1 GAL	30"	R	AC	24" x 30"
MORAEA BICOLOR	1 GAL	30"	V	AC	30" x 30"
NANDINA DOMESTICA 'COMPACTA'	5 GAL	30"	O	AC	30" x 30"
PHORADENDRUM TENAX 'TOM THUMB'	5 GAL	30"	V	AC	24" x 30"

SHRUBS - 36" - 48" HEIGHT	CONTAINER SIZE	SPACING	FORM	FUNCTION	MATURE SIZE (HT x WT)
GREVILLEA NOBLE	5 GAL	48"	R	F	6' x 4'
LAVANDULA ANGUSTIFOLIA	1 GAL	36"	R	F	3' x 3'
MYRTIS COMMUNIS COMPACTA	5 GAL	48"	R	F	6' x 4'
FITTOPHIM TONIA VARIEGATA	5 GAL	48"	R	F	6' x 4'
RAPHIDOLEPIS INDICA 'SPRINGTIME'	5 GAL	42"	R	F	42" x 42"
ABELIA 'SHERWOOD'	5 GAL	42"	R	F	4' x 4'

SHRUBS - 48" - 60" COLUMN	CONTAINER SIZE	SPACING	FORM	FUNCTION	MATURE SIZE (HT x WT)
MYRSINE AFRICANUS	5 GAL	36"	N	AC	5' x 3'
MANDARINA DOMESTICA	5 GAL	36"	N	AC	5' x 5'
FRUNIS CAROLINIANA 'COMPACTA'	5 GAL	30"	N	AC	5' x 30"
ROSMARINUS OFFICINALIS 'TUSCAN BLUE'	5 GAL	30"	N	AC	5' x 30"

SHRUBS - 66" - 84" HEIGHT	CONTAINER SIZE	SPACING	FORM	FUNCTION	MATURE SIZE (HT x WT)
CALLIANDRA INEQUILATERA	5 GAL	6"	S	SC/F	6' x 9'
HOPSEAD BUSH	5 GAL	6"	O	SC/F	6' x 9'
ELAEAGNUS PLUNGENS FRUTILLANDI	5 GAL	6"	S	SC/F	6' x 9'
PHOTINIA FRASER	5 GAL	6"	O	SC/F	6' x 9'
VERBENUM JAPONICUM	5 GAL	6"	O	SC/F	6' x 6'
XYLOSA CONGESTUM	5 GAL	6"	S	SC/F	6' x 6'

SHRUBS - 66" - 84" COLUMN	CONTAINER SIZE	SPACING	FORM	FUNCTION	MATURE SIZE (HT x WT)
JUNIPERUS CHINENSIS 'SPARTAN'	15 GAL	4'	N	AC	7' x 4'
PODOCARPUS MACROPHYLLUS MAKI	15 GAL	36"	N	AC	6' x 3'
PODOCARPUS GRACILIOR 'COLLUM'	15 GAL	36"	N	AC	6' x 3'
PRUNUS CAROLINIANA	15 GAL	42"	N	AC	6' x 42"

VINES	CONTAINER SIZE	SPACING	FORM	FUNCTION	MATURE SIZE (HT x WT)
PANDOREA JASMINOIDES	5 GAL	10-12'	VINE	SC	
BIGNONIA VIOLEACEA	5 GAL	10-12'	VINE	SC	
CESLEBIUM SEMPERVIRENS	5 GAL	10-12'	VINE	SC	
PHARADANTHUS SUCCINANTORIS	5 GAL	10-12'	VINE	SC	
JASMINUM POLYANTHUM	5 GAL	10-12'	VINE	SC	
BOUGAINVILLEA SP.	5 GAL	10-12'	VINE	SC	

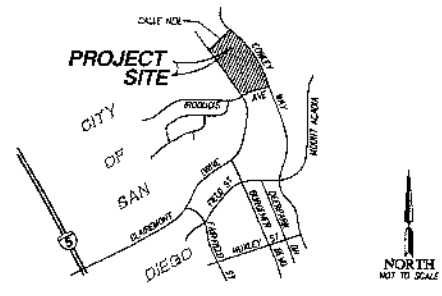
  

ROOTED CUTTINGS / GROUNDCOVERS	SPACING	FORM	FUNCTION	MATURE SIZE (HT x WT)
HYPERICUM CALYCEINUM	36"	S	GC	18" x 24" HT
LOXCIBRA JAPONICA 'HALLIANA'	24"	S	GC	18" x 24" HT
GAZANIA SP.	12"	S	GC	12" x 18" HT
PORENTELLA VERNIA	12"	S	GC	12" x 18" HT
MYOPORUM FAUVESCULUM	24"	S	GC	12" x 18" HT
ROSMARINUS OFFICINALIS 'HUNTINGTON CARPET'	24"	S	GC	18" x 24" HT

TURF GRASS  
SEEDS OR SOODED IMPROVED FESCUS BLEND, "MARATHON II", "MEDALLION", "WATER SAVER"

VICINITY MAP

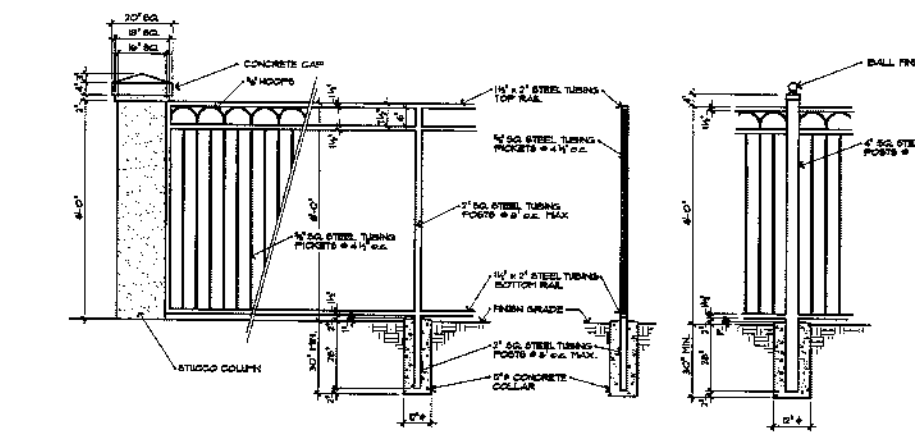
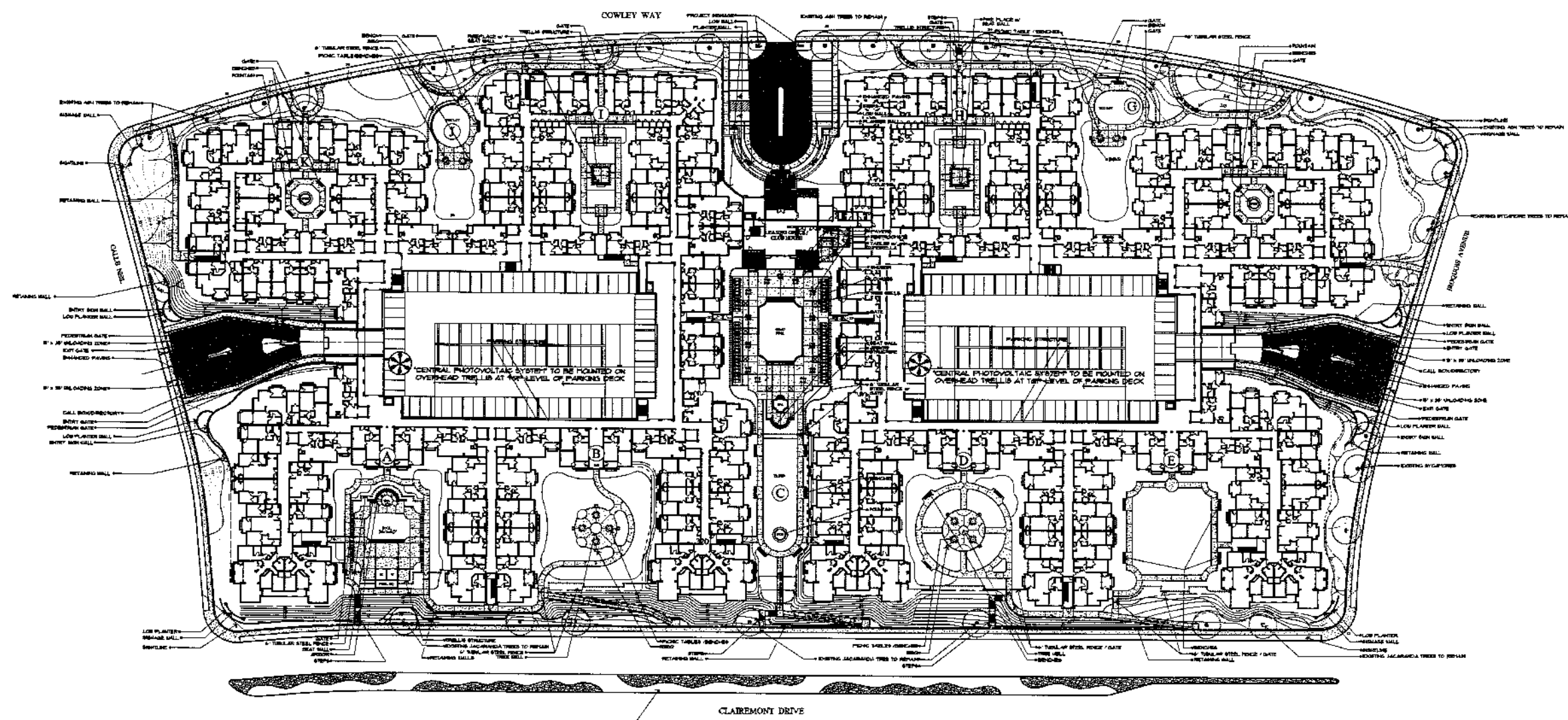


SHRUB FORM LEGEND:	SHRUB FUNCTION LEGEND:
N - NARROW	SC - SCREEN
O - OVAL	AC - ACCENT
F - PYRAMIDAL	F - FILLER
R - ROUND	GC - GROUND COVER
S - SPREADING	H - HEDGE
V - VASE	

DATE: 06/24/08  
BY: [Signature]  
SCALE: AS SHOWN  
DATE: 06/24/08  
DATE: 06/24/08  
JOB NO: 2851  
DRAWN: [Signature]  
CHECK: [Signature]

CURRENT DRAWING SET REVISION DATE: 07/26/08

SHEET L-1 OF 5



PERIMETER TUBULAR STEEL FENCE NO SCALE

CORNER POSTS NO SCALE

**LANDSCAPE NOTES:**

1. ALL WALKS TO BE "NATURAL GRAY" CONCRETE WITH A LIGHT TO MEDIUM BROOM FINISH.
2. POOL DECKS AND "GATHERING" AREAS SHALL BE COLORED CONCRETE WITH A "RETKADANT" FINISH.
3. ENLARGED VEHICULAR PAVING AREAS SHALL FEATURE EITHER INTERLOCKING PAVERS OR STAMPED-COLORED CONCRETE.

**LIGHTING NOTES:**

1. SOLAR STAND-ALONE LIGHTING FIXTURES WILL BE PLACED THROUGHOUT THE SITE TO ATTAIN REQUIRED ILLUMINATION.

**RETAINING WALLS:**

1. RETAINING WALLS SHALL BE SIMILAR TO "KEYSTONE" OR "LOEFFEL" CONSTRUCTION AND SHALL BE PLANTED WITH "CREeping FIG" VINE (FICUS REPENS) TO ACHIEVE 70% SCREENING WITHIN 7-9 YEARS.



**NOTE:**  
A DEVIATION HAS BEEN FILED TO LDC SECTION 142.0406 AND TABLE 142.04D TO ALLOW THE OMISSION OF TREES ON THE ROOF-LEVEL PARKING STRUCTURE DUE TO 50% SHADE COVERING BY ARCHITECTURAL STRUCTURES.

**CITY ISSUES 50-55 (5/21/09 REVIEW):**

- 50 Prior to issuance of construction permits for public right-of-way improvements, including the proposed raised median along Clairemont Drive, the Permittee or Subsequent Owner shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvements plans shall take into account a 40 sq-ft area around each tree which is unencumbered by utilities, Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees. (New Issue)
- 51 Prior to issuance of any construction permits for buildings, the Permittee or Subsequent Owner 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', Landscape Development Plan, on file in the Office of the Development Services Department. (New Issue)
- 52 Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Permittee or Subsequent Owner to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of any proposed street trees. (New Issue)
- 53 The Permittee or Subsequent Owner 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. (New Issue)
- 54 The Permittee or Subsequent Owner 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. (New Issue)
- 55 If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Permittee or Subsequent Owner 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. (New Issue)

**LQNG RANGE PLANNING CITY ISSUE ITEM 12 (8/13/08):**

- 12 Prior to the issuance of occupancy permits, the applicant shall have completed construction of the landscaped median improvements along Clairemont Drive, as shown on sheet L-3. The Permittee or Subsequent owner 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.

**DESIGN STATEMENT**

The "Summit at Mission Bay" landscaping is designed to enhance and complement the surrounding neighborhood while establishing a unique and upscale identity for the development. Existing mature Jacarandas, Sycamores and Ash trees are being preserved on Clairemont Drive, Iroquois Avenue and Cowley Way. These trees will symbolize the stability and continuity in the neighborhood as an interface with the new development and construction being proposed. Clairemont Drive will be improved with a raised, landscaped median. All four project corners will be highlighted with landscaping and lighted entry monumentation to identify the development. Two major gated vehicular entries will be located on Calle Neil and on Iroquois Avenue. These entries will be accentuated by curvilinear walls, planters, signage, enhanced paving, columns, decorative gates, lighting and mature landscaping featuring specimen Olives, Date Palms, Ficus trees and colorful shrubs, vines and ground covers. The leasing office and clubhouse will front Cowley Way and will be accessed by a guest parking plaza complete with monumentation, enhanced paving, decorative lighting, access ramps, steps and landscaping featuring specimen Olives, Queen Palms and Brezee Loquats. The perimeter landscaping will include contoured expanses of turf defined by meandering edges with layered masses of flowering shrubs and ground covers. Vertical, lacy trees such as Queen Palms, Tristramia laurina (Water gun) and Sweetbade will be placed to frame, soften and enhance the building facades.

A unique aspect of this development is the concept of creating numerous courtyards for both visual as well as recreational purposes. The central "courtyard C" contains the clubhouse, 40' x 60' swimming pool, spa, enhanced decking, decorative lighting, fountain, "Village Green" with walkways, benches and extended turf area. Major trees in this courtyard include Date Palms, Queen Palms, Ficus and Sweetbade. Ten additional courtyards include such amenities as a secondary pool/spa center, picnic/barbecue facilities, tee-tees, fountains, outdoor fireplaces, arbors, trellises, benches, walkways, open turf areas, decorative lighting and lush landscape grounds. Pedestrian walks, ramps and steps provide convenient access to the courtyards from both Clairemont Drive and Cowley Way.

The plant palette is designed to complement and reinforce the surrounding neighborhood while creating a pleasing and appropriate appearance for the development. Trees are selected for imagery, scale, form, texture, color and seasonal interest.

"Sustainable Landscaping" is an important goal for this project and will be achieved through the following design methods:

- Drought-tolerant plant palette
- Bioswales/Water Quality
- "Drip" and "Bubbler" irrigation where appropriate
- Use of "Smart Controllers", Automatic rain shut-off sensors
- Low gallons per minute heads/water-drain device
- Mutilch all lawn beds

**LANDSCAPE DEVELOPMENT PLAN HARDSCAPE**

**SUMMIT @ MISSION BAY APARTMENTS**  
SAN DIEGO, CALIFORNIA  
**UNITED DOMINION RESIDENTIAL, L.P.**  
3 LINCOLN CENTRE 5490 LBJ FREEWAY, STE. 1250 DALLAS, TX 75240 972-763-5303



**FRANK RADMACHER ASSOCIATES, INC.**  
Landscape Architects  
14417 York Street, Suite 200  
San Diego, CA 92121  
TEL: 619-591-1100 FAX: 619-591-1101  
EMAIL: FRANK@FRANKRACH.COM

NO.	REVISIONS	BY	DATE
1	ISSUE CITY PLAN CHECK	DM	06/20/09
2	ADD PLANNING NOTES	DM	09/05/09
3	REVISE PERIMETER & CLAIRMONT MEDIAN	DM	11/17/09/10

SCALE: 1"=40'  
DATE: 07/10/09  
JOB NO: 20971  
DRAWING: L-2  
SHEET: 14

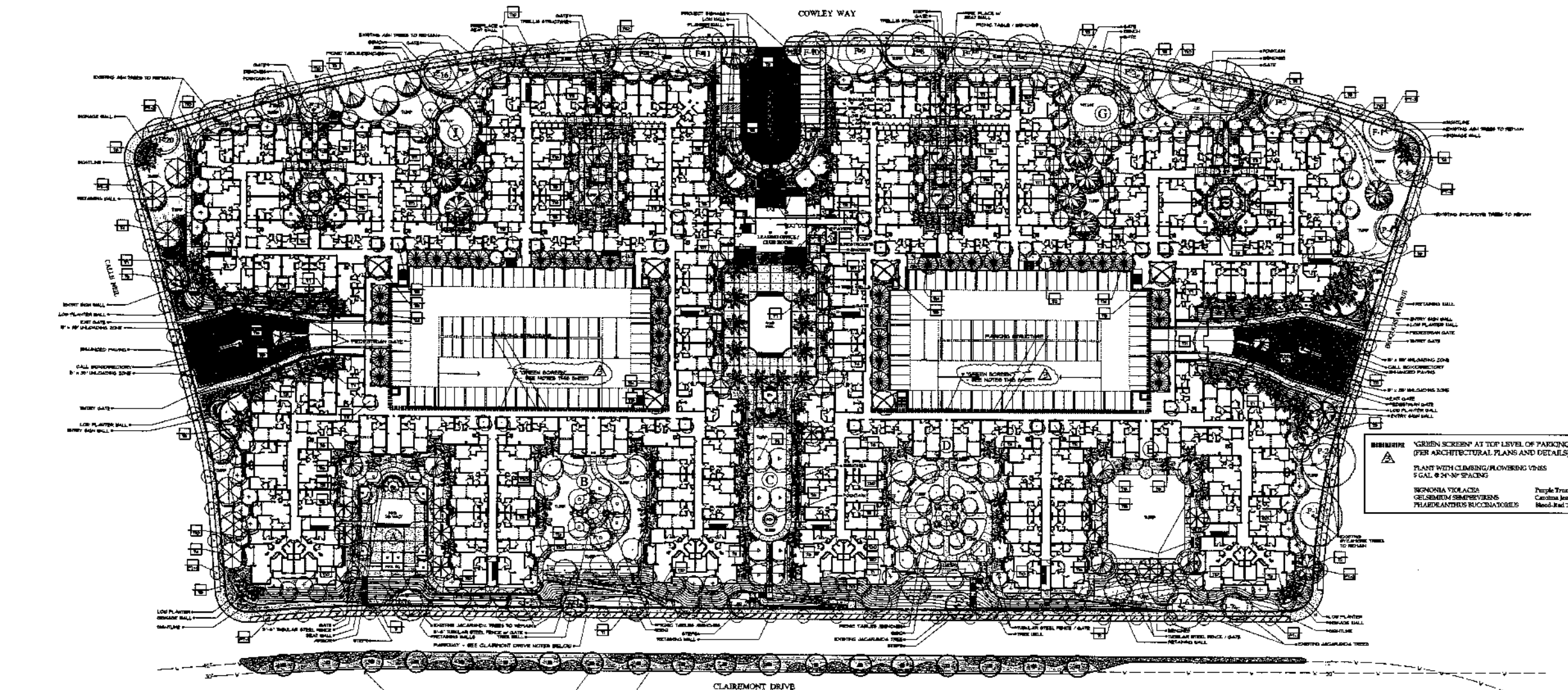


**L-2**



LANDSCAPE DEVELOPMENT PLAN

SUMMIT @ MISSION BAY APARTMENTS  
SAN DIEGO, CALIFORNIA  
UNITED DOMINION RESIDENTIAL, L.P.  
5401 BEECHWAY, STE. 1350, DALLAS, TX 75246  
31 LINCOLN CENTRE  
972-763-5903



GREEN SCREEN AT TOP LEVEL OF PARKING STRUCTURES (PER ARCHITECTURAL PLANS AND DETAILS)  
PLANT WITH CLIMBING/FLOWERING VINES  
5 GAL @ 24" SPACING  
ROSEMARINUS OFFICINALIS PROSTRATA Purple Trumpet Vine  
GELSEMIUM SEMPERVIRENS Carolina Jasmine  
PHAEODANTHUS RUCCARDIOLIS Blood Red Trumpet Vine

**WATER PROPOSALS**  
TO PROVIDE MAXIMUM WATER QUALITY TREATMENT FOR FLOWS GENERATED BY THE PROPOSED RESIDENTIAL & COMMERCIAL DEVELOPMENT, DEVELOPED SITE FLOWS WILL RECEIVE TREATMENT VIA A SWP TREATMENT TRAIN INCORPORATING VEGETATED SWALES AND CONCRETE TREATMENT TRINCHES.

LOW IMPACT DEVELOPMENT (LID) BMP'S SUCH AS DISCONNECTION OF ROOF DRAINS AND PERMEABLE SURFACES ARE ALSO INCORPORATED WITHIN THE PROJECT SITE DESIGN IN ORDER TO MITIGATE TREATMENT FLOWS AND ASSOCIATED POLLUTANTS OF CONCERN GENERATED VIA THE PROPOSED DEVELOPMENT.

RUN-OFF FROM THE PROPOSED MULTI-FAMILY RESIDENTIAL UNITS WILL DRAIN CENTRALLY TO VEGETATED LANDSCAPE AREAS VIA ROOF DRAINS TO RECEIVING VEGETATED SWALES. RUN-OFF FROM THESE SWALES DRAIN TO A PROPOSED SWALE OR IN SYSTEM, CONVEYING FLOWS IN A NORTH-WESTERN DIRECTION, ULTIMATELY DISCHARGING TO THE EXISTING STORM DRAIN LOCATED WITHIN THE ADJACENT CLAIREMONT DRIVE.

85TH PERCENTILE FLOWS GENERATED VIA THE RESIDENTIAL DEVELOPMENT WILL RECEIVE TREATMENT INITIAL TREATMENT VIA VEGETATED SWALES, FILTERING OUT TRASH AND DEBRIS, SEDIMENTS AND OILY HYDROCARBONS. ONCE FLOWS HAVE BEEN CONVEYED VIA THE SWALES, THESE TREATED FLOWS ARE INTERCEPTED VIA A CATCH BASIN LOCATED AT THE END OF THE SWALE AND DISCHARGED TO A RECEIVING ON-SITE STORM DRAIN SYSTEM.

LOW IMPACT DESIGN (LID) BMP'S WILL ALSO BE IMPLEMENTED ON EACH INDIVIDUAL LOT TO THE MAXIMUM EXTENT PRACTICABLE TO ENSURE WATER QUALITY TREATMENT IS MAINTAINED THROUGHOUT THE SUBMIT DEVELOPMENT. ROOFTOP RUN-OFF WILL BE MANAGED TO VEGETATED LANDSCAPED AREAS ON EACH LOT, DRAINING OVERLAND VIA THE VEGETATED LANDSCAPING TO THE RECEIVING STORM DRAIN. THIS CONVEYANCE THROUGH THE NATURAL LANDSCAPING PROVIDES PASSIVE TREATMENT FOR THESE FLOWS AND ALSO ALLOWS FOR PARTIAL INFILTRATION VIA THE ON-LOT VEGETATED AREAS, TARGETING THE POTENTIAL POLLUTANTS OF CONCERN GENERATED VIA THE DEVELOPED SITE.

IN AN EFFORT TO REDUCE IMPERVIOUS SURFACE AREAS, PARKING AND DRIVEWAYS PAVEMENTS WILL BE LOCATED THROUGHOUT THE PROPOSED DEVELOPMENT (EXCLUSIVE OF SOME PARKING AREAS) TO PROVIDE ADDITIONAL SITE DESIGN BMP'S.

THE GRASSY SWALE HAS BEEN DESIGNED WITH AN AVERAGE 4 FOOT BOTTOM WIDTH, A SLOPE OF 1:1.0 FT., A GRADES SLOPE OF LOW AND A SIDE SLOPE OF 1:5. THE REQUIRED FLOW LENGTH TO ATTAIN THE 10 MINUTE HYDRAULIC RESIDENCE TIME IS APPROXIMATELY 64 LINEAR FEET. THIS LENGTH IMPLEMENTED EXCEEDS THE REQUIRED MINIMUM LENGTH. BASED ON THESE PARAMETERS, CALCULATIONS CONCLUDED AT THE END OF THIS CHAPTER SHOW THAT THE GRASSY SWALES ARE CAPABLE OF TREATING 100% OF 85TH PERCENTILE FLOWS.

THE DISCHARGING ROOF DRAINS TO RECEIVING SWALES WILL BE IMPLEMENTED WITHIN ALL RESIDENTIAL PROJECT LOTS. ROOFTOP RUN-OFF WILL BE DISCHARGED TO VEGETATED LANDSCAPED AREAS ON EACH RESIDENTIAL LOT, DRAINING OVERLAND VIA THE VEGETATED LANDSCAPING TO THE RECEIVING STORM DRAIN SYSTEM.

**CLAIREMONT DRIVE MEDIAN**

**PLANTING PALETTE:**

**GROUND COVER:**

- MYOPORUM PARVIFOLIUM NCN
- FESTUCA OVINA Sheep Fescue
- LANTANA MONTEVIDENSIS Trailing Lantana
- LAVANDULA SPP. Lavender
- ROSMARINUS OFFICINALIS PROSTRATA Trailing Rosemary
- ENCENLA CALIFORNICA California Eucalia
- LIMONIUM FRIGIDUM Sea Lavender
- MUELENBERGIA RIENSIS Deer Grass

**SHRUBS:**

- ARBUTUS UNEDO 'COMPACTA' NCN
- ARCTOSTAPHYLOS DENSIFLORA Manzanita
- GREVILLEA NOBLE Noelle
- MYRTUS COMMUNIS 'COMPACTA' True Myrtle
- PHORMIUM TENAX HYBRIDA New Zealand Flax
- RAPIHOLEPIS INDECA India Hawthorn
- DIETES VEGETA Fountain Lily
- HEMEROCALLIS HYBRID 'YELLOW' Autumn Sage
- SALVIA GREGGII Dwarf Bottle Brush
- CALLISTEMON VIMINALIS 'LITTLE JOHN'

**TREES:**

- REUS LANCEA 24" BOX @ 30' o.c. w/ ROOT BARRIER
- CENTER IN 8' SPACE BETWEEN EXISTING WATER LINES.

**IRRIGATION:**

"DRIP IRRIGATION"

**CLAIREMONT DRIVE PARKWAY**

EXISTING TURF GRASS TO REMAIN TO FACILITATE PEDESTRIAN FOOT TRAFFIC FROM PARALLEL PARKING TO SIDEWALK.

IF DROUGHT-TOLERANT PLANTING REQUIRED, UTILIZE THE FOLLOWING:

- MYOPORUM PARVIFOLIUM
- ROSMARINUS OFFICINALIS 'PROSTRATA'
- CALLISTEMON VIMINALIS 'LITTLE JOHN'
- GREVILLEA NOBLE
- PHORMIUM TENAX HYBRIDA

**PARKWAY TREES @ 30' o.c. 24" BOX w/ LINEAR ROOT BARRIER**

CL. DRIVE	QTY
CLAIREMONT DRIVE:	
PT-1 CHITALPA TASHKENTENSIS - Pink Chitalpa	31
ROQUOIS AVENUE:	
PT-2 BAUHINIA FLAKEANA Orchid Tree	13
COWLEY WAY:	
PT-3 STENOCAARPUS SINUATUS Firewheel Tree	37
CALLE NEIL:	
PT-4 PYRUS CALLERYANA - 'Bradford' Bradford Pear	13
<b>TOTAL:</b>	<b>94</b>

**EXISTING STREET TREES**  
CLAIREMONT DRIVE (E-1 - E-7)

**JACARANDA ACUTIFOLIA - "JACARANDA"**

CL. DRIVE	QTY
J-1	18"
J-2	18"
J-3	12"
J-4	14"
J-5	16"
J-6	16"
J-7	14"

**ROQUOIS AVENUE (P-1 - P-3)**

**PLATANUS ACERIFOLIA - "LONDON PLANE TREE"**

CL. DRIVE	QTY
P-1	26"
P-2	18"
P-3	18"
P-4	14"
P-5	14"

**COWLEY WAY (E-1 - E-20)**

**FRAXINUS UHDEI - "EVERGREEN ASH"**

CL. DRIVE	QTY
E-1	30"
E-2	22"
E-3	26"
E-4	20"
E-5	24"
E-6	26"
E-7	18"
E-8	28"
E-9	24"
E-10	24"
E-11	28"
E-12	20"
E-13	26"
E-14	18"
E-15	20"
E-16	16"
E-17	24"
E-18	24"
E-19	26"
E-20	24"

**TREE LEGEND**

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
	T1 JACARANDA MIMOSIFOLIA	JACARANDA	24' BOX STD.
	T2 PLATANUS ACERIFOLIA	LONDON PLANE TREE	24' BOX STD.
	T3 PRAXINUS UHDEI	EVERGREEN ASH	24' BOX STD.
	T4 KOELREUTERIA BIPINNATA	CHINESE FLAME TREE	24' BOX STD.
	T5 OLEA EUROPAEA	OLIVE	15' X 15' B4 B
	T6 CINNAMOMUM CAMPHORA	CAMPHOR TREE	48' BOX STD.
	T7 PHOENIX DACTYLIFERA	DATE PALM	20' H B4 B
	T8 COCOS PLUMOSA	QUEEN PALM	36' BOX STD.
	T9 RICUS NITIDA 'GREEN GEM'	FIGUS	36' BOX STD.
	T10 TRISTANIA LAURINA 'ELEGANT'	WATER GUM	24' BOX STD.
	T11 LAGERSTROEMIA FAURIEI 'PINK'	GRAPE MYRTLE	24' BOX STD.
	T12 SCHEFFLERA ACTINOPHYLLA	QUEENSLAND UMBRELLA	24' BOX STD.
	T13 PYRUS CALLERYANA 'ARISTOCRAT'	ORNAMENTAL PEAR	24' BOX STD.
	T14 PINUS CANARIENSIS	CANARY ISLAND PINE	24' BOX STD.
	T15 CHORISIA SPECIOSA	FLOSS SILK TREE	24' BOX STD.
	T16 MAGNOLIA G. MAJESTIC BEAUTY'	SOUTHERN MAGNOLIA	24' BOX STD.
	T17 HYMENOSPERM PLAVUM	SWEET SHADE	24' BOX STD.
	T18 RHAPHIOLEPIS MAJESTIC BEAUTY'	NCN	24' BOX STD.
	T19 PODOCARPUS GRACILIOR	FERN PINE	24' BOX STD.
	T20 CUPANIOPSIS ANACARDIODES	CARROT WOOD	24' BOX STD.
	T21 EROBOTRYA DEFLEXA 'COPPERTONE'	BRONZE LOQUAT	24' BOX STD.

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REVISIONS

NO.	DATE	DESCRIPTION
1	05/25/06	ISSUE FOR PERMITS
2	06/22/06	ISSUE FOR CITY
3	07/25/06	ISSUE FOR GREEN SCREEN
4	08/22/06	ISSUE FOR PERMITS
5	09/25/06	ISSUE FOR PERMITS
6	10/25/06	ISSUE FOR PERMITS
7	11/25/06	ISSUE FOR PERMITS
8	12/25/06	ISSUE FOR PERMITS

SCALE: 1"=40'  
DATE: 07/20/06  
JOB NO: 2061  
DRAWN: DM  
CHECK: FR  
SET  
1-3

LANDSCAPE DEVELOPMENT PLAN UTILITY OVERLAY

SUMMIT @ MISSION BAY APARTMENTS  
 SAN DIEGO, CALIFORNIA  
 UNITED DOMINION RESIDENTIAL, L.P.  
 3 LINCOLN CENTRE 5410 LBJ FREEWAY, STE. 1250 DALLAS, TX 75240 972-763-3903

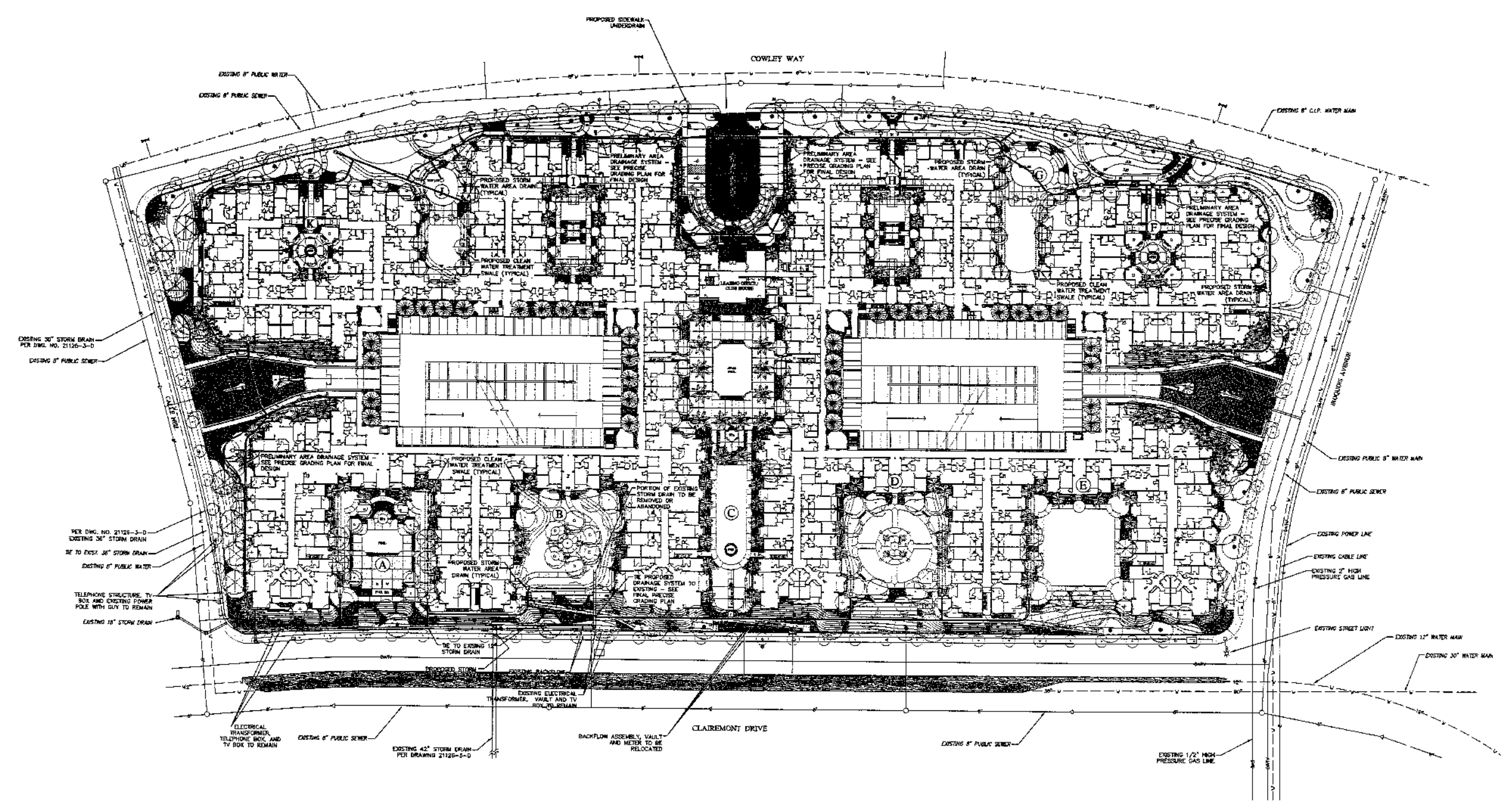


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 (619) 591-1100  
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NO.	REVISIONS	BY	DATE
1	ISSUE CITY PLAN CHECK	DM	06/20/03
2	ISSUE 30" WATER AREA DRAIN	DM	09/25/03
3	INCLUDE ENTRANCE & MEDIAN	DM	11/20/03

SCALE: 1" = 40'  
 DATE: 07/10/06  
 JOB NO: 2097  
 DRAWING: 2097-01  
 CHECKER: [Signature]

11/20/03  
 SHEET  
**L-4**  
 OF 7



11/20/03 2:00 PM 11/20/03 2:00 PM - United Dominion Residential, L.P. (U.D.R.) - 11/20/03 2:00 PM - 11/20/03 2:00 PM

LANDSCAPE  
DEVELOPMENT PLAN  
STREET YARD EXHIBIT

SUMMIT @ MISSION BAY APARTMENTS  
SAN DIEGO, CALIFORNIA  
UNITED DOMINION RESIDENTIAL, L.P.  
3 LINCOLN CENTRE 5490 LBJ FREEWAY, STE. 1250, DALLAS, TX 75240 972-763-3363

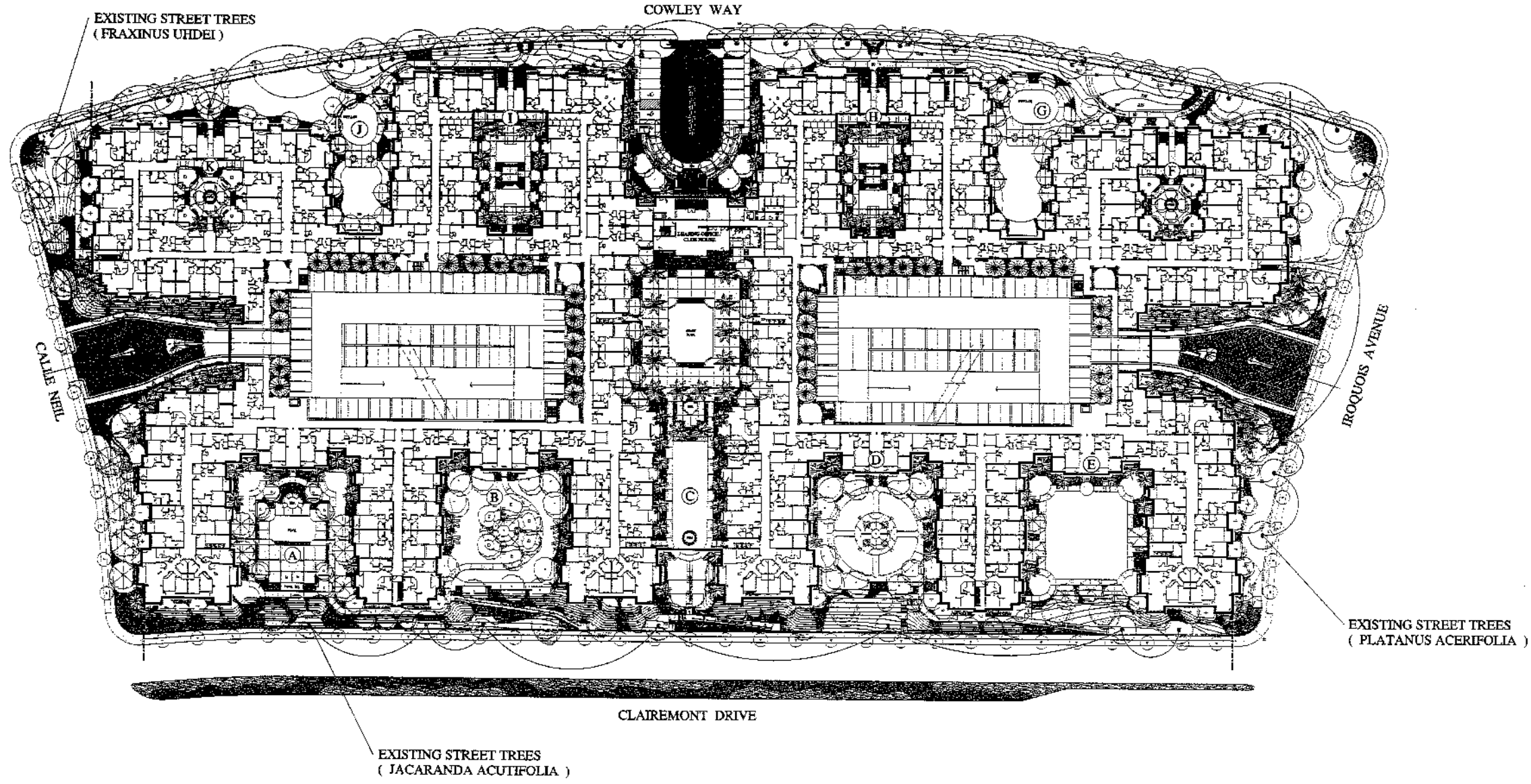


FRANK  
RADMACHER  
ASSOCIATES, INC.  
Landscape Architects  
12008 STATE STREET, SUITE 200, SAN DIEGO, CA 92101  
TEL: 619-591-1100 FAX: 619-591-1101  
WWW.FRANKRADMACHER.COM

NO.	REVISION	DATE
1	ISSUE CITY PLAN CHECK	04/17/08
2	REVISE DIMENSIONS & MEDIUM	04/17/08

SCALE: 1"=40'  
DATE: 3/27/08  
APP. NO. 28951  
DRAWN: [Signature]  
CHECKED: [Signature]

9-21  
5



1. CALLE NEIL		3. CLAIREMONT DRIVE	
Total landscape/softscape area	21,120 sq. ft.	Total landscape/softscape area	63,640 sq. ft.
Planting area required = 21,120 x 50%	10,560 sq. ft.	Planting area required = 63,640 x 50%	31,820 sq. ft.
Required points = .05 x 21,120	1,056	Required points = .05 x 63,640	3,182
14 Feather palms (12" brown trunk) @ 36 points each =	540	40 Feather palms (12" brown trunk) @ 36 points each =	1,440
38 trees (minimum 24" box) @ 20 points each =	760	112 trees (minimum 24" box) @ 20 points each =	2,240
<b>TOTAL TREE POINTS PROPOSED</b>	<b>1,264</b>	<b>TOTAL TREE POINTS PROPOSED</b>	<b>3,680</b>
2. COWLEY WAY		4. IROQUOIS AVENUE	
Total landscape/softscape area	40,700 sq. ft.	Total landscape/softscape area	24,320 sq. ft.
Planting area required = 40,700 x 50%	20,350 sq. ft.	Planting area required = 24,320 x 50%	12,160 sq. ft.
Required points = .05 x 40,700	2,035	Required points = .05 x 24,320	1,216
19 Feather palms (12" brown trunk) @ 36 points each =	684	15 Feather palms (12" brown trunk) @ 36 points each =	540
88 trees (minimum 24" box) @ 20 points each =	1,760	34 trees (minimum 24" box) @ 20 points each =	680
<b>TOTAL TREE POINTS PROPOSED</b>	<b>2,444</b>	<b>TOTAL TREE POINTS PROPOSED</b>	<b>1,220</b>

1/18/08/2008/42877/Summit @ Mission Bay - United Dominion/12877 - 5 street yard/08\_11/28/2008 11:23:02 AM, 1:49, 0N

**DRAFT CITY COUNCIL RESOLUTION NO. \_\_\_\_\_  
VESTING TENTATIVE MAP NO. 507600  
SUMMIT AT MISSION BAY - PROJECT NO. 144836  
DRAFT**

WHEREAS, UNITED DOMINION REALTY, L. P., A DELAWARE LIMITED PARTNERSHIP, Applicant/Subdivider, and Hunsaker and Associates, Inc., Engineer, submitted an application with the City of San Diego Vesting Tentative Map No. 507600, including a Public Right-of-Way Vacation and Easement Abandonment to demolish 323 existing apartments and construct 499 residential condominiums on a 15.7-acre site. The project site (the area east of Clairemont Drive, south of Calle Neil, west of Cowley Way, and north of Iroquois Avenue) is located in the RM-3-7 Zone within the Clairemont Mesa Community Plan, Clairemont Mesa Height Limit Overlay Zone, CPIOZ Type B, and FAA Part 77, within City Council District 6; and

WHEREAS, the Map proposes the consolidation of a 15.7-acre site into one lot; and

WHEREAS, a Mitigated Negative Declaration, No. 144836, has been prepared and circulated in accordance with the California Environmental Quality Act; and

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

WHEREAS, the subdivision is a condominium project as defined in Section 1350 et seq. of the Civil Code of the State of California and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is 499; and

WHEREAS, on April 16, 2009, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 507600 including a Public Right-of-Way and Easement Abandonment, and pursuant to Resolution No. \_\_\_\_\_-PC voted to recommend City Council approval of the map; and

WHEREAS, on \_\_\_\_\_, 2009 the City Council of the City of San Diego considered Vesting Tentative Map No. 507600 including a Public Right-of-Way Vacation and Easement Abandonment, and pursuant to Sections 125.0440 and 125.0430 of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, and the City Council having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 507600 including a Public Right-of-Way Vacation and Easement Abandonment:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (Land Development Code Section 125.0440.a and State Map Action Sections 66473.5, 66474(a), and 66474(b)).

The proposed subdivision would provide for a balanced community and equitable development within the community through the provision of housing that provides varying levels of architectural styles, size and affordability through residential development. The proposed subdivision is consistent with the recommended residential land use and density prescribed in the Clairemont Mesa Community Plan. Therefore, the proposed subdivision and its design or improvement would be consistent with the policies, goals, and objectives of the applicable land use plan.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 125.0440.b).

Other than the deviations described below, the proposed subdivision would comply with the development regulations of the underlying RM-3-7 Zone, the Clairemont Mesa Height Limit Overlay Zone, and the Community Plan Implementation Overlay Zone (CPIOZ) Type B and all of the applicable development regulations of the Land Development Code. This application includes a request to deviate from the regulations governing floor area ratio reserved for required parking; vehicular use area requirements of the landscaping regulations; the forty-foot height limitation of the Clairemont Mesa Height Limit Overlay Zone; and street side setbacks. Deviations to the applicable development regulations of the Land Development Code are permitted with a Site Development Permit. The deviations have been determined by staff to be consistent with the purpose and intent of the RM-3-7 Zone, the Clairemont Mesa Height Limit Overlay Zone, and the Community Plan Implementation Overlay Zone (CPIOZ) Type B. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code.

3. The site is physically suitable for the type and density of development (Land Development Code Section 125.0440.c and State Map Act Sections 66474(c) and 66474(d)).

The proposed development would be consistent with the recommended Residential land use and density range (30-45 dwelling units per acre) of the Clairemont Mesa Community Plan and other that the previously discussed deviations, the development would comply with the applicable development regulations of the underlying RM-3-7 Zone, the Clairemont Mesa Height Limit Overlay Zone, and the Community Plan Implementation Overlay Zone (CPIOZ)



Type B. Therefore, the site is physically suitable for the type and density of the proposed development.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat (Land Development Code Section 125.0440.d and State Map Act Section 66474(e)).

An initial Environmental Initial Study (EIS) was conducted for the proposed subdivision in accordance with the California Environmental Quality Act (CEQA) that determined the project could have potential adverse impacts to paleontology and traffic. A Mitigation, Monitoring and Reporting Program (MMRP) has been created for the project with measures that would reduce the potential adverse impacts to below a level of significance. Therefore, the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat.

5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (Land Development Code Section 125.0440.e and State Map Act Section 66474(f)).

The proposed subdivision and improvements have been designed to comply with all applicable Federal, State and local land use policies including the California State Map Act and the City of San Diego Land Development Code. Further, the proposed subdivision and improvements would be permitted, constructed and inspected in accordance with the California Building Code. Mitigated Negative Declaration No. 144836 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and would be implemented which would reduce, to a level of insignificance, any potential impacts identified in the environmental review process. Therefore, the design of the subdivision or the proposed improvements would not be detrimental to the public health, safety, and welfare.

6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (Land Development Code Section 125.0440.f and State Map Act Section 66474(g)).

The project proposes to abandon two public utilities easements and an alley within the project boundary. The existing 20-foot wide public alley currently bifurcates the site and provides private vehicular access to on-site garages and parking spaces of the existing development. Use of the alley by persons other than residents of the site is minimal. With the redevelopment of the property,

the existing parking arrangement would be re-configured and the public alley would no longer be required for site circulation. Utilities serving the site would be relocated into adjacent public rights-of-way, which is acceptable to the public utility agencies. Other than the public right-of-way vacation and easement abandonment, for which the findings can be made, the proposed subdivision would maintain and, as required, improve the existing public rights-of-ways and easements; therefore, the design of the subdivision and the associated improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Land Development Code Section 125.0440.g and State Map Act Section 66473.1).

The design of the proposed subdivision through building materials, architectural treatments, the placement of windows, and the selection of plant materials provide to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Land Development Code Section 125.0440.h and State Map Act Section 66412.3).

The decision maker has reviewed the administrative record including the project plans, technical studies, environmental documentation and public testimony to determine the effects of the proposed subdivision on the housing needs of the region. Through that review, the decision maker has determined that those needs are balanced against the needs for public services and the available fiscal and environmental resources and found that the addition of 176 residential units (demolition of 323 existing units and construction of 499 new units) would assist the housing needs of the Clairemont Mesa Community.

9. The property contains an easement which must be abandoned to implement the Final Map in accordance with San Diego Municipal Code 125.0430.
10. There is no present or prospective use for the easement, either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated.

A 20-foot wide public alley, which runs generally in a north-south direction and currently bifurcates the site, is surrounded on both the east and west sides by a six-foot wide general utilities easement. Utilities serving the site would be relocated into adjacent public rights-of-way, which is acceptable to the public

utility agencies. Therefore, there is no present or prospective use for the easement, either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated.

11. The public will benefit from the action through improved utilization of the land made available by the abandonment.

The public will benefit in that the abandonment of the unnecessary easements would allow an improved and more efficient use of the property. As anticipated by the Community Plan, existing development would be replaced by a modern state of the art sustainable development. Housing quality would be upgraded by the new development and housing opportunities would be increased by the overall net increase of 176-units in the community. Therefore, the public will benefit from the action through improved utilization of the land made available by the abandonment.

12. The abandonment is consistent with any applicable Land Use Plan.

The proposed development would provide for a balanced community and equitable development within the community through the provision of housing that provides varying levels of architectural styles, size and affordability through residential development. The proposed abandonment would enable redevelopment of the property in a way that promoted the goals and policies of the Clairemont Mesa Community Plan's Land Use Element. Abandonment of the easements would enable a project design that protects existing mature streetscapes, screens all resident parking from public view, and which promotes a lively streetscape with attractive architecture and lush landscaped open space elements.

The proposed subdivision is consistent with the recommended residential land use and density prescribed in the Clairemont Mesa Community Plan. Therefore, the proposed subdivision and its design or improvement would be consistent with the policies, goals, and objectives of the applicable land use plan.

13. The public facility for which the easement was originally acquired will not be detrimentally affected by the abandonment or the purpose for which the easement was acquired no longer exists.

A 20-foot wide public alley, which runs generally in a north-south direction and currently bifurcates the site, is surrounded on both the east and west sides by a six-foot wide general utilities easement. Utilities serving the site would be relocated into adjacent public rights-of-way, which is acceptable to the public utility agencies. Therefore, the public facility for which the easement was originally acquired will not be detrimentally affected by the abandonment.

14. The property contains a public right-of-way which must be vacated to implement the Final Map in accordance with San Diego Municipal Code 125.0430.
15. There is no present or prospective public use for the public right-of-way, either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated.

The project proposes to abandon two public utilities easements and an alley within the project boundary. The existing 20-foot wide public alley currently bifurcates the site and provides private vehicular access to on-site garages and parking spaces of the existing development. Use of the alley by persons other than residents of the site is minimal. With the redevelopment of the property, the existing parking arrangement would be re-configured and the public alley would no longer be required for site circulation. Therefore, there is no present or prospective public use for the public right-of-way, either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated.

16. The public will benefit from the action through improved use of the land made available by the vacation.

The public would benefit in that the vacation of the alley would allow an improved and more efficient use of the property. As anticipated by the Community Plan, existing development would be replaced by a modern state of the art sustainable development. Housing quality would be upgraded by the new development and housing opportunities would be increased by the overall net increase of 176-units in the community. Therefore, the public will benefit from the action through improved utilization of the land made available by the vacation.

17. The vacation does not adversely affect any applicable land use plan.

The proposed development would provide for a balanced community and equitable development within the community through the provision of housing that provides varying levels of architectural styles, size and affordability through residential development. The proposed vacation would enable redevelopment of the property in a way that promoted the goals and policies of the Clairemont Mesa Community Plan's Land Use Element. Vacation of the alley would enable a project design that protects existing mature streetscapes, screens all resident parking from public view, and which promotes a lively streetscape with attractive architecture and lush landscaped open space elements.

The proposed subdivision is consistent with the recommended residential land use and density prescribed in the Clairemont Mesa Community Plan. Therefore, vacation does not adversely affect any applicable land use plan.

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

The existing 20-foot wide public alley currently bifurcates the site and provides private vehicular access to on-site garages and parking spaces of the existing development. Use of the alley by persons other than residents of the site is minimal. With the redevelopment of the property, the existing parking arrangement would be re-configured and the public alley would no longer be required for site circulation. Therefore, the public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation.

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

The above findings are supported by the administrative record for this project including all review documentation, maps and the Exhibit "A" drawing dated \_\_\_\_\_, 2009.

**BE IT FURTHER RESOLVED**, that based on the Findings hereinbefore adopted by the City Council, Vesting Tentative Map No. 507600, including a Public Right-of-Way Vacation and Easement Abandonment, is hereby granted to UNITED DOMINION REALTY, L. P., A DELAWARE LIMITED PARTNERSHIP, Applicant/Subdivider, subject to the following conditions:

**BE IT FURTHER RESOLVED**, that pursuant to California Government Code section 66434(g), portions of an unnamed alley dedicated per Map No. 12851 and Map No. 2947, and General Utility Easements, granted to the City of San Diego on Map No. 12851 and Map No. 2947, located within the project boundaries as shown in Vesting Tentative Map No. 507600, shall be vacated and abandoned contingent upon the recordation of the approved final map for the project.

**BE IT FURTHER RESOLVED**, that the recommendation of the Planning Commission is sustained, and Vesting Tentative Map No. 507600 is granted to UNITED DOMINION REALTY, L. P., A DELAWARE LIMITED PARTNERSHIP, subject to the conditions attached hereto and made a part hereof.

**GENERAL**

- 1. This Vesting Tentative Map will expire on \_\_\_\_\_, 2012.



2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the Vesting Tentative Map expiration date, a Final Map to consolidate the existing lots into one lot shall be recorded in the Office of the County Recorder.
4. Prior to the issuance of the Final Map taxes must be paid on this property pursuant to section 66492 of the Subdivision Map Act. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition
5. The Final Map shall conform to the provisions of Site Development Permit No. 507598
6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against any Indemnified Party to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, and defends the action in good faith. Subdivider shall not be required to pay or perform any settlement unless such settlement is approved by the Subdivider.

**AFFORDABLE HOUSING**

7. Prior to the issuance of the first Residential Building Permit, the Applicant shall comply with the affordable housing requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).

**ENGINEERING**

8. Pursuant to City Council Policy 600-20, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.
9. The subdivider shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
10. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.

11. The subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
12. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

### MAPPING

13. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
14. "California Coordinate System means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
15. The Final Map shall:
  - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
  - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

**SEWER**

16. All proposed sewer facilities serving this lot shall be private.
17. The developer shall design and construct any proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.
18. The developer shall provide evidence, satisfactory to the Director of Public Utilities, indicating that each condominium will have its own sewer lateral or provide CC&R's for the operation and maintenance of private sewer facilities that serve more than one ownership.
19. No trees or shrubs exceeding three feet in height at maturity shall be located within ten feet of any public sewer mains or laterals.
20. No medians shall be installed within 5 feet of any public sewer facilities.

**WATER**

21. The subdivider shall design and construct all new water service(s) outside of any driveway, and the disconnection at the water main of all existing unused services adjacent to the site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.
22. The subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention devices(s) on each water service (domestic, fire, and irrigation), in a manner satisfactory to the Director of Public Utilities, the City Engineer, and the Cross Connection Supervisor in the Customer Support Division of the Water Department.
23. All on-site water facilities shall be private including all domestic, irrigation, and fire systems. Prior to the approval of any improvement plans, the subdivider shall provide CC&Rs for the operation and maintenance of the on-site private water system that serves or traverses more than a single unit.
24. Prior to the issuance of any certificates of occupancy, public water facilities necessary to serve the development, including services, shall be complete and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.
25. The Subdivider agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public water facilities, and associated easements, as

shown on approved Exhibit "A" shall be modified at final engineering to comply with standards.

**TRANSPORTATION**

26. Prior to the issuance of an occupancy permit, the subdivider shall install a non-landscaped raised median on Clairemont Drive between Burgener Boulevard to Fairfield Street to the satisfaction of the City Engineer.
27. The project shall construct a raised median and restripe Clairemont Drive along the project's frontage with the following configuration - 8 foot/2 foot painted stripe/12 foot/11 foot/16 foot – median – 11 foot/12 foot/2 foot painted stripe/8 foot with a 5 foot sidewalk with a 10 foot parkway to the satisfaction of the City Engineer.
28. The project shall close all other driveways and replace with full height curb, gutter and sidewalk to the satisfaction of the City Engineer.
29. Prior to recording of the final map, the applicant shall assure by permit and bond the improvement of the project frontage along Calle Neil, with curb, gutter, sidewalks and appropriate pedestrian ramps, install one 25-foot wide driveway consistent with Regional Standards drawing SDG-114 serving the project and close all unused driveways satisfactory to the City Engineer.
30. Prior to recording of the final map, the applicant shall assure by permit and bond the improvement of the project frontage along Cowley Way, with curb, gutter, sidewalks and appropriate pedestrian ramps, install one 25-foot wide driveway consistent with Regional Standards drawing SDG-114 serving the project and close all unused driveways satisfactory to the City Engineer.
31. Prior to recording of the final map, the applicant shall assure by permit and bond the improvement of the project frontage along Iroquois Avenue, with curb, gutter, sidewalks and appropriate pedestrian ramps, install one 25-foot wide driveway consistent with Regional Standards drawing SDG-114 serving the project and close all unused driveways satisfactory to the City Engineer.
32. Prior to the issuance of a building permit, the applicant shall work with the Traffic Operations Section of the Engineering and Capital Projects Department to determine the need for a signal ahead warning sign on Clairemont Blvd for westbound traffic approaching the signalized intersection at Denver Street. If warranted, the applicant shall install the warning sign to the satisfaction of the City Engineer.

**INFORMATION:**

- The approval of this Vesting Tentative Map by the City Council of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
- If the subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then the subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within 90 days of the approval of this Vesting Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.
- Where in the course of development of private property, public facilities are damaged or removed the property owner shall at no cost to the City obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer. Municipal Code Section 142.0607.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, ON \_\_\_\_\_, 2009**

**APPROVED: NAME, City Attorney**

By \_\_\_\_\_  
NAME  
Deputy City Attorney

**ATTY/SEC. INITIALS**

**DATE**

**R- INSERT**

Reviewed by Daniel Stricker

Job Order No. 42-8934



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

**WHEN RECORDED MAIL TO**  
**CITY CLERK**  
**MAIL STATION 2A**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-8934

**SITE DEVELOPMENT PERMIT NO. 507598**  
**SUMMIT AT MISSION BAY - PROJECT NO. 144836**  
**CITY COUNCIL DRAFT**

This Site Development Permit No. 507598 is granted by the City Council of the City of San Diego to United Dominion Realty, L. P., a Delaware limited partnership, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0504. The 15.7-acre site is located within the block east of Clairemont Drive, south of Calle Neil, west of Cowley Way, and north of Iroquois Avenue in the RM-3-7 Zone, Clairemont Mesa Height Limit Overlay Zone, and Community Plan Implementation Overlay Zone Area B, within the Clairemont Mesa Community Plan.

The project site is legally described as,

Parcel A: Lots 1 and 2, Block 1 of Clairemont Gardens, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 2947 files in the Office of the County Recorder of San Diego County, January 14, 1953. Excepting therefrom all of Villamar Unit No. 1, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 11004, filed in the Office of the County Recorder of San Diego County, July 27, 1984 as File No. 84-285529 of Official Records.

Parcel B: Lots 1 and 2 of Reversionary Map of Villamar Unit No. 1, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 12851 filed in the Office of the County Recorder of San Diego County, August 9, 1991.

Parcel C: Non-Exclusive easements for ingress, egress, access and use, in, on, over, across, and through those certain walkways, pathways, open spaces, and other exterior common areas, excluding parking areas, of the "recreational facilities parcel," together with ingress, egress, and access to the recreational facilities, as granted and conveyed in that certain amended and restated declaration and easements and covenants concerning recreational facilities, subject to the terms,

covenants and provisions contained therein, recorded June 8, 1993 as File No. 1993-0361954 of official records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish 323 existing apartments and construct 499 residential condominiums 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. Demolition of the existing structures and construction of a single, three-story, 672,707 square-foot structure and two, five-level parking structures housing 905 parking spaces where 882 automobile parking spaces are required;
- b. A deviation from San Diego Municipal Code (SDMC) Section 131.0446(f) which requires that a minimum of one-third of the permitted floor area ratio be reserved for required parking. The project reserves 275,524 square feet for required parking where 315,929 square feet is required to be reserved.
- c. A deviation from SDMC Section 142.0560(k)(1) and 142.0406 which require that the top floor of parking structures that are open to the sky meet the landscape requirements for vehicular use areas. The project does not propose landscaping on the upper level of the parking structure, but proposes to shade portions of the vehicular use area with solar panels.
- d. An exception to the Clairemont Mesa Height Limit Overlay Zone. The project proposes a maximum height of 53 feet 6 inches with a five-story parking structure where the maximum structure height is 40 feet and the structure shall not exceed 3 stories.
- e. A deviation from SDMC Section 131.0443(f)(3) which requires a street side setback of 10 percent of the lot width. The project proposes a minimum street side yard setback of 11 feet where 46 feet 6 inches is required.
- f. Site amenities. Eleven themed courtyards including: two separate swimming pools & two spas within large deck terraces with plush landscaping; 5,000 square feet of open grass area; two community dining courtyards including BBQ Grills; three courtyards with water fountains; two private & secure tot lots; four enclosed private courtyards; meandering walkways throughout complex with existing mature trees and new landscaping; decorative perimeter fencing; two vehicular entry courts with enhanced paving & landscaping.
- g. Apartment Building Amenities: A dedicated solar hot water heater for each apartment; a two-level clubhouse with leasing offices, business center, conference room, mailrooms, billiards room, media room, kitchen & dining area, cyber café, clubroom

lounge, aerobics/yoga room, and exercise/fitness facility. Every unit will have energy efficient appliances; water efficient plumbing fixtures; and private balconies.

- h. Landscaping (planting, irrigation and landscape related improvements);
- i. Off-street parking (492 garaged, 11 open bay, and four loading zone spaces);
- j. A roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption, as established by Council Policy 900-14, and at minimum, Leadership in Energy and Environmental Design (LEED) Silver Certification; and
- k. 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.

**STANDARD REQUIREMENTS:**

- 1. 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.
- 2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The 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.
- 3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.
- 4. 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.

5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the 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.).
7. 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.
8. 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.
9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

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

10. The applicant 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, relating to the issuance of this permit 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 applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant 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, applicant 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 applicant 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 applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

11. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project.
12. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in Mitigated Negative Declaration No. 144836, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.
13. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Mitigated Negative Declaration No. 144836, 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: Paleontological Resources and Traffic.
14. 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.

**AFFORDABLE HOUSING REQUIREMENTS:**

15. Prior to the issuance of the first Residential Building Permit, the Applicant shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (Chapter 14, Article 2, Division 13 of the San Diego Municipal Code).

**GEOLOGY REQUIREMENTS:**

16. An updated geotechnical report will be required as grading plans are developed for the project. The geotechnical consultant must review, sign and stamp the grading plans as part of the plan review and grading permit issuance process. A Final As-Built Report is required within 15 days of completion of grading operations.
17. Prior to the issuance of building permits, additional geotechnical information such as verification of as-graded or existing soil conditions needed for design of structure foundations will be subject to approval by the Building and Safety Division of the Development Services Department.

**ENGINEERING REQUIREMENTS:**

18. Prior to the building occupancy, the applicant shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.
19. Prior to the issuance of any construction permits, the applicant 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 applicant 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. The Site Development Permit shall comply with the conditions of the Vesting Tentative Map No. 507600.
22. The drainage system proposed for this development is private and subject to approval by the City Engineer.
23. All driveways and curb openings shall comply with City Standard Drawings G-14B, G-16 and SDG-100.
24. Prior to building occupancy, the applicant shall obtain an Encroachment Maintenance and Removal Agreement for sidewalk underdrains.
25. Prior to the issuance of a building permit, the applicant shall obtain a grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
26. 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(National Pollutant Discharge Elimination System [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.
27. 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.



28. Prior to the issuance of any construction permits, the applicant shall assure by permit and bond construction of noncontiguous sidewalk, adjacent to the site, satisfactory to the City Engineer.

29. Prior to the issuance of any construction permits, the applicant shall assure by permit and bond the replacement of curb ramps adjacent to the site with to the current standard, satisfactory to the City Engineer.

30. Prior to the issuance of any construction permits, the applicant shall assure by permit and bond the installation of four street lights adjacent to the site on Clairemont Drive, satisfactory to the City Engineer.

**LANDSCAPE REQUIREMENTS:**

31. Prior to issuance of construction permits for public right-of-way improvements, including the proposed raised median along Clairemont Drive; the Permittee or Subsequent Owner shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall take into account a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

32. Prior to issuance of any construction permits for buildings; the Permittee or Subsequent Owner 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," Landscape Development Plan, on file in the Office of the Development Services Department.

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

34. The Permittee or Subsequent Owner 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.

35. The Permittee or Subsequent Owner 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.

36. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Permittee or Subsequent Owner 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.

37. Prior to the issuance of occupancy permits, the applicant shall have completed construction of the landscaped median improvements along Clairemont Drive, as shown on Sheet L-3. The Permittee or Subsequent owner 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.

38. Prior to issuance of construction permits for grading, the Permittee or Subsequent Owner shall submit landscape construction documents for the permanent and/or temporary re-vegetation, including irrigation and hydro-seeding, 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 (including Environmental conditions) and Exhibit 'A,' on file in the Office of the Development Services Department.

#### **PLANNING/DESIGN REQUIREMENTS:**

39. 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.

40. Prior to the issuance of building permits, construction documents shall fully illustrate the incorporation of a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the proposed project's projected energy consumption, as established by Council Policy 900-14, and the applicant shall obtain Leadership in Energy and Environmental Design (LEED) Silver Certification.

41. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

42. 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.

#### **TRANSPORTATION REQUIREMENTS**

43. No fewer than 905 (882 required) off-street parking spaces shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A," including 18 disabled/accessible spaces. Additionally, a minimum of 52 motorcycle (50 required) and 240 bicycle spaces (228 required) shall be provided on site.

44. A minimum of 4 Off-street Loading spaces shall be provided on site.

45. 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 Director of Development Services Department.

**WASTEWATER REQUIREMENTS:**

46. All proposed sewer facilities serving this lot shall be private.

47. Prior to the issuance of any engineering or building permits, the developer shall provide evidence, satisfactory to the Director of Public Utilities, indicating that each condominium will have its own sewer lateral or provide CC&R's for the operation and maintenance of private sewer facilities that serve more than one ownership.

48. Prior to the issuance of any engineering permits, the developer shall obtain an Encroachment Maintenance and Removal Agreement for private sewer facilities installed in or over the public right of way.

49. The developer shall design and construct any proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.

50. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Plumbing Code and shall be reviewed as part of the building permit plan check.

51. No trees or shrubs exceeding three feet in height at maturity shall be located within ten feet of any public sewer mains or laterals.

52. No medians shall be installed within 5 feet any public sewer facilities.

**WATER REQUIREMENTS:**

53. 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, within the rights-of-way adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

54. 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.

55. 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.

56. 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 City Council of the City of San Diego on [date and resolution number] .

Site Development Permit No. : 507598  
Date of Approval:

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

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Daniel Stricker  
Development Project Manager

**NOTE: Notary acknowledgment  
must be attached per Civil Code  
section 1189 et seq.**

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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.

[NAME OF COMPANY]  
Owner/Permittee

By \_\_\_\_\_  
NAME  
TITLE

[NAME OF COMPANY]  
Owner/Permittee

By \_\_\_\_\_  
NAME  
TITLE

**NOTE: Notary acknowledgments  
must be attached per Civil Code  
section 1189 et seq.**

City Council Resolution for Approving/Denying Permits

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

ADOPTED ON \_\_\_\_\_, 2009

WHEREAS, United Dominion Realty, L. P., a Delaware limited partnership, Owner/Permittee, filed an application with the City of San Diego for a Site Development Permit (SDP) No. 507598 demolish 323 existing apartments and to construct 499 residential condominiums known as the Summit at Mission Bay Project, located on a 15.7-acre site (the area east of Clairemont Drive, south of Calle Neil, west of Cowley Way, and north of Iroquois Avenue), and legally described as,

Parcel A: Lots 1 and 2, Block 1 of Clairemont Gardens, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 2947 files in the Office of the County Recorder of San Diego County, January 14, 1953. Excepting therefrom all of Villamar Unit No. 1, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 11004, filed in the Office of the County Recorder of San Diego County, July 27, 1984 as File No. 84-285529 of Official Records.

Parcel B: Lots 1 and 2 of Reversionary Map of Villamar Unit No. 1, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 12851 filed in the Office of the County Recorder of San Diego County, August 9, 1991.

Parcel C: Non-Exclusive easements for ingress, egress, access and use, in, on, over, across, and through those certain walkways, pathways, open spaces, and other exterior common areas, excluding parking areas, of the "recreational facilities parcel," together with ingress, egress, and access to the recreational facilities, as granted and conveyed in that certain amended and restated declaration and easements and covenants concerning recreational facilities, subject to the terms, covenants and provisions contained therein, recorded June 8, 1993 as File No. 1993-0361954 of official records,

in the Clairemont Mesa Community Plan area, in the RM-3-7 Zone, Clairemont Mesa Height Limit Overlay Zone, and the Community Plan Implementation Overlay Zone Area B; and



WHEREAS, on April 16, 2009 the Planning Commission of the City of San Diego considered Site Development Permit No. 507598, and pursuant to Resolution No. \_\_\_\_\_-PC voted to recommend City Council approval of the permit; and

WHEREAS, the matter was set for public hearing on \_\_\_\_\_, 2009, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Site Development Permit No. 507598:

**Findings Site Development Permit - Section 126.0504**

**(a) Findings for all Site Development Permits**

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

The Summit at Mission Bay Project consists of an application for a Site Development Permit, Vesting Tentative Map, Easement Abandonment, and Public Right of Way Vacation to demolish 323 existing apartments and construct 499 residential condominiums on a 15.7-acre site (12.1-net acres), and has been reviewed in accordance with all applicable development regulations of the San Diego Municipal Code, the Clairemont Mesa Community Plan, the City's General Plan, and the California Environmental Quality Act. The site is designated for Residential Land Use with a density range of 30-45 dwelling units per acre. Based on this land use designation, the project site could accommodate 471 to 707 (505 net) dwelling units. The proposal to demolish 323 existing residential units and construct 499 new residential units is in conformance with that land use designation and density. Further, the Community Plan specifically identifies the site of the proposed project as having the Community Plan Implementation Overlay Zone (CPIOZ) Type B applied to it, and provides several recommendations relating to landscaping and site design. The goal of the CPIOZ recommendations is to establish a site design which: includes a significant parkway streetscape environment that includes the preservation of large mature trees; provides for breaks in building design; and parking garages which are concealed from the public right-of-way. The proposed project is in conformance with the CPIOZ recommendations as it would provide for a project design which promotes a lively streetscape that preserves most of the existing mature trees, provides varying levels of architectural styles with large courtyards to break up the building façade, and includes internal parking structures which

screen all resident parking from public view. Therefore, 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; and**

The Summit at Mission Bay Project consists of an application for a Site Development Permit, Vesting Tentative Map, Easement Abandonment, and Public Right of Way Vacation to demolish 323 existing apartments and construct 499 residential condominiums on a 15.7-acre site, and has been reviewed in accordance with all applicable development regulations of the San Diego Municipal Code, the Clairemont Mesa Community Plan, the City's General Plan, and the California Environmental Quality Act.

The proposed residential development would result in a net increase in housing supply in a location with proximity to community services. The project would meet the intent of City Council Policy 900-14 criteria for the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program by installing a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the project's projected energy consumption, and by obtaining (at minimum) a Leadership in Energy and Environmental Design (LEED) Silver Certification. Project features include solar powered hot water systems, high efficiency irrigation system, and a construction waste management plan that would recycle 50% of all construction debris.

The permit prepared for the project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the San Diego Municipal Code in effect for this project. Such conditions are intended to avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area.

The City of San Diego conducted an Initial Study, which determined that the proposed project construction could potentially result in significant but mitigable impacts in the areas of Paleontological Resources and Traffic. Mitigated Negative Declaration Number 144836 was prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring, and Reporting Program would be implemented which would reduce, to below a level of significance, the potential environmental impacts identified from the environmental review process for Paleontological Resources and Traffic.

The project would comply with the development regulations in effect for the subject property as described in Site Development Permit No. 144836, and other regulations and guidelines pertaining to the subject property per the San Diego Municipal Code. The proposed development would be required to obtain building permits to show that all construction would comply with all applicable building and fire code requirements.

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

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

The Summit at Mission Bay Project consists of an application for a Site Development Permit, Vesting Tentative Map, Easement Abandonment, and Public Right of Way Vacation to demolish 323 existing apartments and construct 499 residential condominiums on a 15.7-acre site, and has been reviewed in accordance with all applicable development regulations of the San Diego Municipal Code, the Clairemont Mesa Community Plan, the City's General Plan, and the California Environmental Quality Act. Staff has determined the project complies with the applicable development regulations and would be consistent with the purpose and intent of the underlying zone. The project is consistent with the Community Plan land use designation and would implement several goals and recommendations contained in the Clairemont Mesa Community Plan and the City's General Plan.

The project would meet the intent of City Council Policy 900-14 criteria for the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program by installing a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 30 percent of the project's projected energy consumption, and by obtaining (at minimum) a Leadership in Energy and Environmental Design (LEED) Silver Certification. Project features include solar powered hot water systems, high efficiency irrigation system, and a construction waste management plan that would recycle 50% of all construction debris.

As an incentive for providing sustainable development, the San Diego Municipal Code (Section 143.0920 governing Deviation Requirements for Affordable/In-Fill Housing and Sustainable Buildings Development) allows a developer of a Sustainable development project to request deviations from the applicable development regulations of the underlying zone pursuant to a Site Development Permit decided in accordance with a Process 4, provided that the required findings can be made. The project proposes to deviate from the San Diego Municipal Code (SDMC) requirements for floor area ratio reserved for required parking, landscape requirements for vehicular use areas, street side setback, and is requesting an exception to the Clairemont Mesa Height Limit Overlay Zone.

- Floor area reserved for required parking – SDMC Section 131.0446(f) requires that a minimum of one-third of the permitted floor area ratio (FAR) be reserved for required parking. The RM-3-7 Zone provides for a maximum of 1.8 FAR or 948,737 square feet on the 15.7-acre (12.1 net) site. Of this total, 66.7%, or 632,808 square feet may be used for non-parking uses and 33.3% or 315,929 square feet may be used for parking floor area. The project reserves 275,524 square feet for required parking where 315,929 square feet is required to be reserved; requesting a reduction in the required parking reservation by 40,405 square feet. San Diego Municipal Code Section 131.0446(f) allows projects providing underground parking to add the gross

floor area (GFA) of the underground parking space provided to the maximum GFA permitted for non-parking uses. In addition, the Community Plan Implementation Overlay Zone requires that project parking garages be concealed from public view, which is being met by the project design. Although the applicant is not providing underground parking, the proposed wrap-style project design, which wraps the residential units around an interior parking structure, serves the same result of an underground parking structure, in eliminating the parking from view, therefore meeting the intent of the code section. The applicant is reallocating the 40,405 square feet from required parking to non-parking uses, which also meets the intent of the code section. Therefore, staff supports the requested deviation.

- Landscape for vehicular use areas - SDMC Sections 142.0560(k)(1) and 142.0406 require that the top floor of parking structures that are open to the sky meet the landscape requirements for vehicular use areas. The intent of these code sections is to conserve energy by the provision of shade trees over parking areas and reducing the heat island effect. The project does not propose landscaping on the upper level of the parking structure, but proposes to shade portions of the vehicular use area with solar panels, for the purpose of generating energy on-site, and reducing the project's dependence on outside energy sources. Although the project design does not meet the letter of the landscape regulations, it does meet the intent, as the solar array provides 2.5 to 3 times the amount of shading of the parking areas than the required landscaping. Therefore, staff supports the requested deviation.
- Street side setback – SDMC Section 131.0443(f)(3) requires a street side setback of 10 percent of the lot width. The project proposes a minimum street side yard setback of 11 feet where the SDMC requires a setback of 46 feet 6 inches. The project site covers an entire city block, having street frontage on all four sides. As designed, the project complies with the front yard setback requirements along the street frontages of Iroquois Avenue and Calle Neil, yet does not meet the strict interpretation of the code for the street side setback requirements for Cowley Way and Clairemont Drive.

The average overall street side setback is in excess of 35 feet. The project design incorporates multiple (11) themed courtyards which alternate with the apartment structure to create areas which greatly exceed and deviate from the street side setback requirements, and breaks up the building façade, meeting one of the recommendations of the Community Plan Implementation Overlay Zone. The themed courtyards include two separate swimming pools & two spas within large deck terraces with plush landscaping; 5,000 square feet of open grass area; two BBQ & community dining courtyards; three courtyards with water fountains; two private & secure tot lots; and meandering walkways throughout complex with existing mature trees and enhanced paving & landscaping. Each of the courtyards adds light, air, and views of the landscaped areas to a greater number of apartment units than would otherwise be allowed. Without the requested deviation to the street side setback requirements, the courtyard configuration would not be possible. In addition, the deviation for the reduced street side setbacks is consistent with the Strategic Framework Element's goal of creating more vibrant urban spaces that enhance the pedestrian experience by

stimulating visual interest through direct pedestrian access from the sidewalk to residential buildings, and does not adversely impact any Community Plan policies. Therefore, staff supports the requested deviation.

- Exception to the Clairemont Mesa Height Limit Overlay Zone (CMHLOZ) - The project proposes a maximum height of 53 feet 6 inches and five-story parking structure where the height limit is 40 feet and three-stories. The purpose of the CMHLOZ is to provide supplemental height regulations for western Clairemont Mesa. The intent of these regulations is to ensure that the existing low profile development in Clairemont Mesa will be maintained and that public views from western Clairemont Mesa to Mission Bay and the Pacific Ocean are protected. The San Diego Municipal Code allows an applicant to request an exception from the Clairemont Mesa Height Limit by applying for a Site Development Permit in accordance with Process Five, with the City Council as decision maker. Exceptions may be made to the height limit if the City Council can make the supplemental Site Development Permit findings governing the CMHLOZ.

An exception to the height limit is requested in order to provide energy generating photovoltaic panels over the upper deck of the parking structures, which are located in the center of the project site. An exception to the number of stories, allows for the parking requirements to be met, while meeting a key recommendation of the Community Plan Implementation Overlay Zone including internal parking structures which screen all resident parking from public view.

The exception would permit a solar panel canopy over a portion of the upper level parking area while not increasing the floor area of the project's habitable space. The exception would also permit limited penetrations of the height limit for small elevator shaft and stairwells. In total, approximately 35,800 square feet of surface area penetrates the 40 foot height limit (See Attachment 11). This area constitutes less than seven percent of the site area, and less than eleven percent of the overall proposed building coverage.

The subject property is situated at the summit of the mesa and sits at a higher elevation than the surrounding properties in all directions, and allowing the deviation would not interfere with public views from western Clairemont Mesa to Mission Bay and the Pacific Ocean within the surrounding area. For the reasons described above, staff supports the height exception request and believes that the required supplemental findings can be made. For the reasons described above, staff supports the height exception request and believes that the required supplemental findings can be made. Therefore, the proposed development will comply with the applicable regulations of the Land Development Code.

**(m) Supplemental Findings—Deviations for Sustainable Development**

1. **The proposed development will materially assist in reducing impacts associated with fossil fuel energy use by utilizing alternative energy resources, self-**

**generation and other renewable technologies (e.g. photovoltaic, wind and/or fuel cells) to generate electricity needed by the building and its occupants;**

The Summit at Mission Bay Project consists of an application for a Site Development Permit, Vesting Tentative Map, Easement Abandonment, and Public Right of Way Vacation to demolish 323 existing apartments and construct 499 residential condominiums on a 15.7-acre site, and has been reviewed in accordance with all applicable development regulations of the San Diego Municipal Code, the Clairemont Mesa Community Plan, the City's General Plan, and the California Environmental Quality Act. The development would obtain, at minimum, a Leadership in Energy and Environmental Design (LEED) Silver Certification. LEED Silver Certification would assure that the project would materially reduce its dependence on conventional fossil fuel energy sources and utilize sustainable energy resources. In addition to the project's commitment to sustainable design, material, and construction practices, the project would incorporate photovoltaic panels to provide electricity for common areas and solar hot water heating for all individual residential units. These two renewable elements would provide for at least thirty percent (30%) of the project's estimated energy requirements on-site. Therefore, the proposed development will materially assist in reducing impacts associated with fossil fuel energy use by utilizing alternative energy resources, self-generation and other renewable technologies (e.g. photovoltaic, wind and/or fuel cells) to generate electricity needed by the building and its occupants.

**2. The development will not be inconsistent with the purpose of the underlying zone; and**

The Summit at Mission Bay Project consists of an application for a Site Development Permit, Vesting Tentative Map, Easement Abandonment, and Public Right of Way Vacation to demolish 323 existing apartments and construct 499 residential condominiums on a 15.7-acre site, and has been reviewed in accordance with all applicable development regulations of the San Diego Municipal Code, the Clairemont Mesa Community Plan, the City's General Plan, and the California Environmental Quality Act. The site is zoned RM-3-7 and falls within the Clairemont Mesa Height Limit Overlay Zone, and the Community Plan Implementation Overlay Zone, Type B. The RM-3-7 Zone is a medium density multi-unit residential zone. The purpose of the RM zones is to provide for multiple dwelling unit development at varying densities. The purpose of the Clairemont Mesa Height Limit Overlay Zone is to provide supplemental height regulations for western Clairemont Mesa. The intent of these regulations is to ensure that the existing low profile development in Clairemont Mesa will be maintained and that public views from western Clairemont Mesa to Mission Bay and the Pacific Ocean are protected. The purpose of the Community Plan Implementation Overlay Zone, Type B is to provide supplemental development regulations that are tailored to specific sites within community plan areas of the City.

The proposed development would comply with the applicable regulations of the RM-3-7 Zone for density, minimum lot area, lot dimensions, lot coverage, storage requirements, private exterior open space, common open space, and parking and loading requirements.



As an incentive for providing sustainable development, the San Diego Municipal Code (Section 143.0920 governing Deviation Requirements for Affordable/In-Fill Housing and Sustainable Buildings Development) allows a developer of a Sustainable development project to request deviations from the applicable development regulations of the underlying zone pursuant to a Site Development Permit decided in accordance with a Process 4, provided that the required findings can be made. The project proposes to deviate from the San Diego Municipal Code (SDMC) requirements for floor area ratio reserved for required parking, landscape requirements for vehicular use areas, street side setback, and is requesting an exception to the Clairemont Mesa Height Limit Overlay Zone.

- Floor area reserved for required parking – SDMC Section 131.0446(f) requires that a minimum of one-third of the permitted floor area ratio (FAR) be reserved for required parking. The RM-3-7 Zone provides for a maximum of 1.8 FAR or 948,737 square feet on the 15.7-acre (12.1 net) site. Of this total, 66.7%, or 632,808 square feet may be used for non-parking uses and 33.3% or 315,929 square feet may be used for parking floor area. The project reserves 275,524 square feet for required parking where 315,929 square feet is required to be reserved; requesting a reduction in the required parking reservation by 40,405 square feet. San Diego Municipal Code Section 131.0446(f) allows projects providing underground parking to add the gross floor area (GFA) of the underground parking space provided to the maximum GFA permitted for non-parking uses. In addition, the Community Plan Implementation Overlay Zone requires that project parking garages be concealed from public view, which is being met by the project design. Although the applicant is not providing underground parking, the proposed wrap-style project design, which wraps the residential units around an interior parking structure, serves the same result of an underground parking structure, in eliminating the parking from view, therefore meeting the intent of the code section. The applicant is reallocating the 40,405 square feet from required parking to non-parking uses, which also meets the intent of the code section. Therefore, staff supports the requested deviation.
- Landscape for vehicular use areas - SDMC Sections 142.0560(k)(1) and 142.0406 require that the top floor of parking structures that are open to the sky meet the landscape requirements for vehicular use areas. The intent of these code sections is to conserve energy by the provision of shade trees over parking areas and reducing the heat island effect. The project does not propose landscaping on the upper level of the parking structure, but proposes to shade portions of the vehicular use area with solar panels, for the purpose of generating energy on-site, and reducing the project's dependence on outside energy sources. Although the project design does not meet the letter of the landscape regulations, it does meet the intent, as the solar array provides 2.5 to 3 times the amount of shading of the parking areas than the required landscaping. Therefore, staff supports the requested deviation.
- Street side setback – SDMC Section 131.0443(f)(3) requires a street side setback of 10 percent of the lot width. The project proposes a minimum street side yard setback of 11 feet where the SDMC requires a setback of 46 feet 6 inches. The project site

covers an entire city block, having street frontage on all four sides. As designed, the project complies with the front yard setback requirements along the street frontages of Iroquois Avenue and Calle Neil, yet does not meet the strict interpretation of the code for the street side setback requirements for Cowley Way and Clairemont Drive.

The average overall street side setback is in excess of 35 feet. The project design incorporates multiple (11) themed courtyards which alternate with the apartment structure to create areas which greatly exceed and deviate from the street side setback requirements, and breaks up the building façade, meeting one of the recommendations of the Community Plan Implementation Overlay Zone. The themed courtyards include two separate swimming pools & two spas within large deck terraces with plush landscaping; 5,000 square feet of open grass area; two BBQ & community dining courtyards; three courtyards with water fountains; two private & secure tot lots; and meandering walkways throughout complex with existing mature trees and enhanced paving & landscaping. Each of the courtyards adds light, air, and views of the landscaped areas to a greater number of apartment units than would otherwise be allowed. Without the requested deviation to the street side setback requirements, the courtyard configuration would not be possible. In addition, the deviation for the reduced street side setbacks is consistent with the Strategic Framework Element's goal of creating more vibrant urban spaces that enhance the pedestrian experience by stimulating visual interest through direct pedestrian access from the sidewalk to residential buildings, and does not adversely impact any Community Plan policies. Therefore, staff supports the requested deviation.

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exception would also permit limited penetrations of the height limit for small elevator shaft and stairwells. In total, approximately 35,800 square feet of surface area penetrates the 40 foot height limit (See Attachment 11). This area constitutes less than seven percent of the site area, and less than eleven percent of the overall proposed building coverage.

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

The Summit at Mission Bay Project consists of an application for a Site Development Permit, Vesting Tentative Map, Easement Abandonment, and Public Right of Way Vacation to demolish 323 existing apartments and construct 499 residential condominiums on a 15.7-acre site, and has been reviewed in accordance with all applicable development regulations of the San Diego Municipal Code, the Clairemont Mesa Community Plan, the City's General Plan, and the California Environmental Quality Act.

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The subject property is situated at the summit of the mesa and sits at a higher elevation than the surrounding properties in all directions, and allowing the deviation would not interfere with public views from western Clairemont Mesa to Mission Bay and the Pacific Ocean within the surrounding area. For the reasons described above, staff supports the height exception request and believes that the required supplemental findings can be made. For the reasons described above, staff supports the height exception request and believes that the required supplemental findings can be made. Therefore, the proposed deviations are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone

- (j) **Supplemental Findings--Clairemont Mesa Height Limit - A Site Development Permit required in accordance with Section 132.1306 because an exception from the Clairemont Mesa height limit is requested may be approved or conditionally approved only if the decision maker makes the following supplemental findings in addition to the findings in Section 126.0504(a):**

- 1. The granting of an exception will not significantly interfere with public views from western Clairemont Mesa to Mission Bay and the Pacific Ocean within the surrounding area; and**

The Summit at Mission Bay Project consists of an application for a Site Development Permit, Vesting Tentative Map, Easement Abandonment, and Public Right of Way Vacation to demolish 323 existing apartments and construct 499 residential condominiums on a 15.7-acre site, and has been reviewed in accordance with all applicable development regulations of the San Diego Municipal Code, the Clairemont Mesa Community Plan, the City's General Plan, and the California Environmental Quality Act. The project proposes a maximum height of 53 feet 6 inches with a five-story parking structure where the maximum allowed structure height is 40 feet and is not to exceed three stories. The subject property is situated at the summit of the mesa and enjoys a topographic elevation advantage over surrounding neighboring properties in all directions. As such, public views, of Mission Bay and the Pacific Ocean, to the extent that they currently exist, would be unaffected by the granting of this exception. Therefore, the granting of an exception will not significantly interfere with public views from western Clairemont Mesa to Mission Bay and the Pacific Ocean within the surrounding area

- 2. The granting of an exception is appropriate because there are existing structures over 30 feet in height and the proposed development will be compatible with surrounding one, two, or three-story structures; or the granting of an exception is appropriate because there are topographic constraints peculiar to the land; or the granting of the exception is needed to permit roofline and facade variations, accents, tower elements, and other similar elements and the elements will not increase the floor area of the structure.**

The Summit at Mission Bay Project consists of an application for a Site Development Permit, Vesting Tentative Map, Easement Abandonment, and Public Right of Way Vacation to demolish 323 existing apartments and construct 499 residential condominiums on a 15.7-acre site, and has been reviewed in accordance with all applicable development regulations of the San Diego Municipal Code, the Clairemont Mesa Community Plan, the City's General Plan, and the California Environmental Quality Act.

The project proposes a maximum height of 53 feet 6 inches and five-story parking structure where the height limit is 40 feet and three-stories. The purpose of the CMHLOZ is to provide supplemental height regulations for western Clairemont



Mesa. The intent of these regulations is to ensure that the existing low profile development in Clairemont Mesa will be maintained and that public views from western Clairemont Mesa to Mission Bay and the Pacific Ocean are protected.

An exception to the height limit is requested in order to provide energy generating photovoltaic panels over the upper deck of the park structures, which are located in the center of the project site. An exception to the number of stories, allows for the parking requirements to be met, while meeting a key recommendation of the Community Plan Implementation Overlay Zone including internal parking structures which screen all resident parking from public view.

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

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Site Development Permit No. 507598 is granted to United Dominion Realty, L. P., a Delaware limited partnership, Owner/Permittee, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: Jan Goldsmith, City Attorney

By \_\_\_\_\_  
NAME  
Deputy City Attorney

ATTY/SEC. INITIALS

DATE

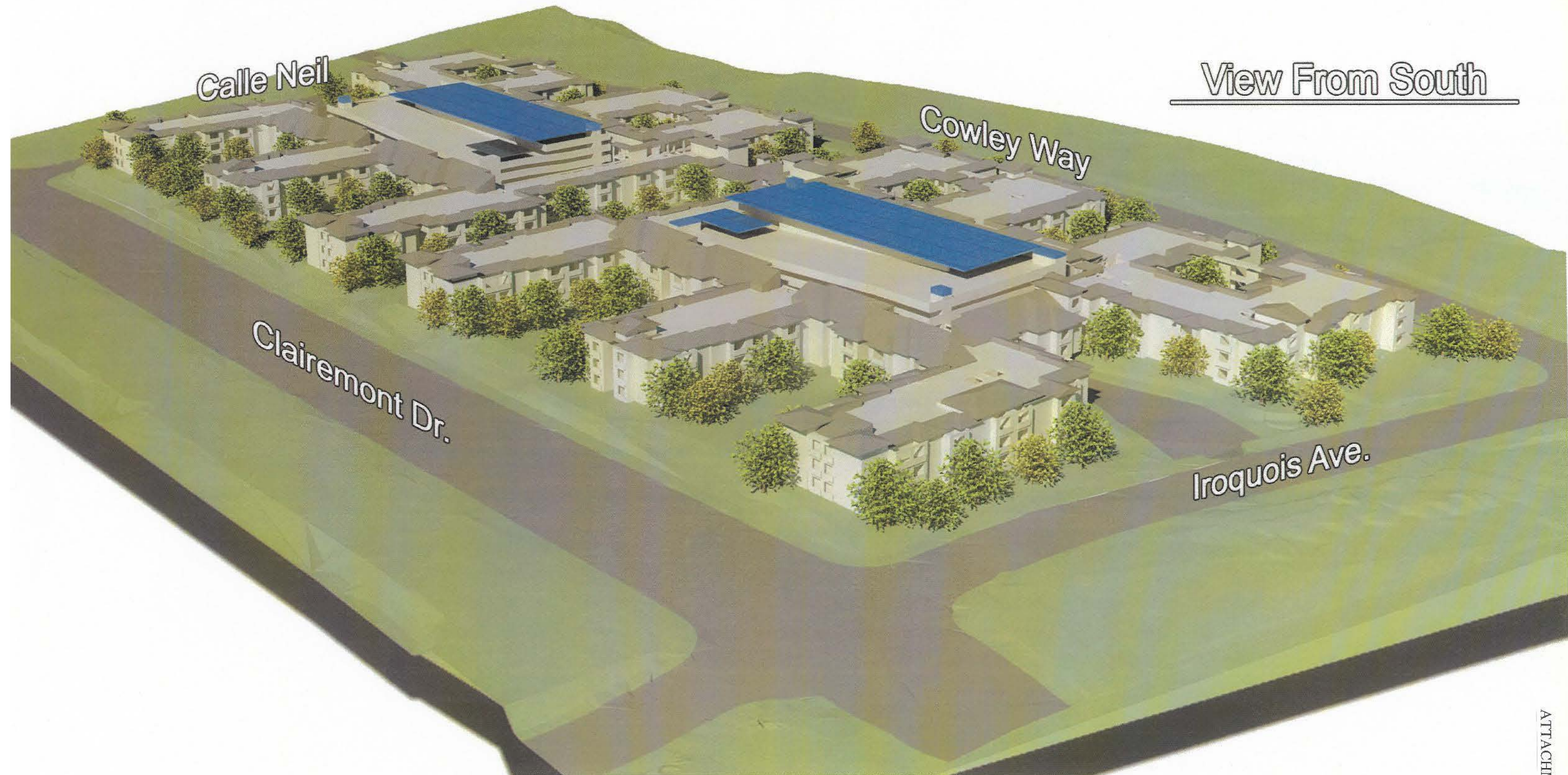
Or.Dept:Clerk

R-\_\_\_\_\_

Reviewed by Daniel Stricker



View From South



Calle Neil

Cowley Way

Clairemont Dr.

Iroquois Ave.







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

# Ownership Disclosure Statement

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

**Project Title** **Project No. For City Use Only**  
 The Summit at Mission Bay

**Project Address:**  
 3101-3147 & 3137-3171 Clairemont Dr., 3102-3152 & 3157-3180 Cowley Way, San Diego, CA 92117

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

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

**Additional pages attached**  Yes  No

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

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**UNITED DOMINIO., L.P.  
OFFICERS & AUTHORIZED AGENTS**

<b>Name</b>	<b>Title</b>
Mark Wallis	President
Warren Troupe	Secretary
Bill Overby	Assistant Vice President
Teresa Porter	Assistant Vice President
Doug Walker	Authorized Agent
Mark Culwell	Authorized Agent



<b>Clairemont Community Planning Group</b>
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Minutes of the Meeting of  
January 20, 2009  
North Clairemont Friendship Center

P Jeff Barfield- Secretary P Jack Carpenter P Eric Lardy P Richard Jensen	A Sheri Mongeau - Vice Chair P Kathy Monsour	P Susan Mournian P Billy Paul P Brooke Peterson - Chair	P Donald Steele P Fiona Theseira P Scott Wentworth
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P – Present A – Absent

### 1. Call to Order / Roll Call

Brooke Peterson called the meeting to order at 6:35 p.m. Attendance called by Jeff Barfield and quorum present.

### 2. Non-Agenda Public Comment

**Public:**

Kathy from City of SD Engineering gave an update on the waterline replacement project along Clairemont Drive and Clairemont Mesa Blvd. (Project 554) Traffic control is beginning to go up, lane closures will be involved. She gave a summary of the work schedule from start to finish. They are also adding a small section further east along Clairemont Mesa Blvd. Project 555 is also being revised slightly, removing some pipe segments where the pipe mains are in good shape. The money saved will be used to remove other poor cast iron pipes in adjacent areas. She noted that there have been some traffic issues.

Jack Carpenter brought up the waterline issue in the median and the ability of developments to plant trees in the median if pipelines are there. Tom Bergerson, Summit at Mission Bay, indicated a willingness to plant whatever would be permitted by engineering.

Roberto Vejar-Parra from the city summarized Project Group 789, the portion within the Clairemont Community Planning Group Area. The project is still in the design stage.

Richard asked about a small segment of pipe not being replaced. The question was answered that the pipe was in good shape.

**Committee Members:**

Jack Carpenter spoke to the stimulus package being put forward by Sandag.

### 3. Modifications to the Agenda

None

### 4. Approval of Minutes

Motion by Don Steele, second by Jack Carpenter, to approve the minutes from the November 18, 2008 meeting, with corrections as noted.

**Vote: 10-0-1 Motion Passes**, Susan Mournian abstained because of her absence from the October meeting.

#### 5. Information Items

None

#### 6. Workshop Item

None

#### 7. Action Items

##### **301. Summit At Mission Bay Tentative Map** (Dan Rehm, Hunsaker and Associates/Tom Bergerson, Cubellis)

Tom Bergerson summarized the history of the project, particularly the last meeting in November. Tom indicated the MND is completed and starting public review. A reviewed the traffic conditions, particularly treatment of median. He indicated they will plant in the median whatever trees and in the location that the city will accept. He reiterated the traffic issues are located on Clairemont Drive, west, between Fairfield Street and Burgener.

Brooke summarized what the Project Review Committee concluded in its meeting with the applicant. The traffic consultant answered questions regarding LOS in the segment getting the mitigation. She confirmed that the mitigation is necessary there.

Keith Corry indicated in the last few months there has been a marked increase in serious accidents along Clairemont Dr. at Fairfield.

Billy Paul stated that the medians help prevent U-turns in the street. He raised the problem at the intersection at Denver St. He feels it is a real problem because cars are stopped at the light and backed up with approaching traffic coming down the hill on Clairemont Dr. at high speeds. Because of curve in the road, approaching vehicles aren't aware that traffic is stopped. He recommended installing a "Traffic Stopped" warning light at the top of the hill before the curve.

Brooke indicated our group should fashion an alternative request for traffic improvement.

Don Steele recommended the warning lights, a credit to landscaping done by the project out front of their property, and also a raised meeting with some form of hardscape.

Richard Jensen agreed with the warning lights, but indicated that we are getting mixed signals about what the median will do. He felt the issues are at Fairfield Street and improvement at the Denver Street intersection.

Eric Lardy supports the light and doesn't support the median.

Jeff Barfield and Brooke Petterson supported the measures at Denver, Fairfield, and the warning lights. Also planting the median if it's constructed, but indicated it did not seem fair to the project.

Billy indicated the median out front should be considered mitigation and supported a u-turn at Calle Neil, a move of the bus stop to accommodate the u-turn and a no left turn out of Fairfield Street.

Scott Wentworth supported Billy Paul's comments.

Brooke restated and summarized the group's desires.

Tom Bergerson and Donald Steele discussed alternatives for the median, being decorative and a temporary of permeable surface.

Tom indicated that the earliest start of construction is at least 14-months away. Brenda from UDR indicated they have sent out letters and discussed how they distribute the notices.

Brooke indicated that it is important that the notices on update of schedule be done regularly.

Jack Carpenter felt the most important of issues is parking.

Dan Rehm summarized the parking situation and indicated the total parking ratio goes up from 1.3 spaces per unit to 1.8. He also indicated that intermittent spaces in front of the buildings along Clairemont Drive to allow for fire access from ladder trucks. He explained the location of the loading spaces, that they dropped their request for a deviation to allow loading spaces along Clairemont Drive.

Jack asked for the pull-outs along Clairemont Drive and felt they were superior to the city-recommended interior loading spaces. Dan commented they will put forward the request for the 14-foot travel lane on the outside of Clairemont Drive.

Billy Paul asked about motorcycle and maintenance/repair parking.

Richard Jensen likes loading zones in the project.

**Public:**

Kerry McCone, resident, spoke about the petition by Corral Bay, Sunset cove, Summit, and other residents to make sure enough parking is required. She submitted the petition and provided examples of how many people are living in two and three-bedroom condos, stating up to 6 to 9 people are living in some of these units. She complained about the lease break discussion.

Judy Bramer lives in the neighborhood. She agrees with Billy Paul on the median, and would like mitigation to go further north with the median.

**Committee:**

Jack Carpenter is worried by "doubling-up" of people because of the economy and this having an adverse affect on parking.

Motion by Jack Carpenter, second by Donald Steele, to approve the project with the following conditions: landscape the median in front of the project with trees; the city-required median on Clairemont Drive between Denver and Fairfield be improved with some form of hardscape improvement; a "stopped traffic" warning light be installed on Clairemont Drive at the top of the hill before the curve; and the outside lane on

Clairemont Drive be the wider lane to provide more room against parked cars for bicycles.

**Vote: 11-0-0, Motion Passes**

**302. Mid-coast South Station Area Plan, Sandag Grant Proposal** (Brian Schoenfisch, City of San Diego City Dept. of Planning and Community Investment)

Brian S. summarized the mid-coast station area plan, and gave the tentative schedule from Sandag and presented a draft letter in support of the grant from the CCPG to accompany the grant request. He stated the project should be coming quickly, and it is Sandag's number one mass transit priority in the County. The City is going after the grant to help pay for the plan that would look at adjusting the Community Plan around the trolley stops. It would include pedestrian improvements, connections, and land uses near the trolley stops. The plan would be an amendment to our community plan. Brian asked for us to support his letter.

Richard Jensen stated it sounded like a good idea. He questioned Linda Vista's and Pacific Beach's involvement in the effort and the charrettes. Brian indicated citizens would only work on parts of the plan within their plan area. Richard asked about money sources to improve streets or areas related but outside of the immediate study area.

Billy spoke of his past experience on related planning efforts and strongly supported the effort.

Motion by Jack Carpenter, second by Billy Paul, to approve the letter to Sandag.

**Vote: 11-0-0 Motion Passes**

## **Item 8. Reports to Committee**

### **District 6 Council Report**

Keith Corry summarized Donna's state of Clairemont address and the make up of the new council. Keith announced the Clairemont service center is finally being closed down, effective January 31. The police storefront may stay for the foreseeable future until it is lost to a lease. Jeff Barfield asked about a police officer coming to the group periodically. Keith indicated Charlie Wetzel is the community relations officer for Clairemont and would work with Brooke to get a presentation.

Jack asked about the library and Tecolote Rec Center staying open. Keith indicated that the library and the rec center are funded for now.

### **Planning Department**

Brian Schoenfisch passed out our new bylaws and indicated our name is now Clairemont Community Planning Group.

Jack Carpenter asked about the latest smart growth tool kit and getting a presentation. Brian indicated he would look into getting a Sandag staff person to come out to present it to us.

### **Town Council**

No report

**BACAC**

No update

**Mission Bay Park Committee**

No report

**North Bay Redevelopment Committee**

Jeff Barfield indicated the next meeting is scheduled for February 4 and he would provide a report of the meeting at our next meeting.

**Clairemont Drive Monument Entry Committee**

Fiona Theseira provided a summary of the committee's work. Focus is on the name on the sign. People who live Bay Park are pushing for its name on the sign, versus Clairemont. Susan Mournian reported that landscape architect Glenn Schmidt indicated the budget is \$20,000. Money is coming from the developer. Keith Corry summarized the history of the sign effort.

**Chair**

No report on CPC.

Richard reminded the group that elections are coming up. We need to know whose up for election and publicize that vacancies exist. Brooke asked for help preparing and conducting the election. Several committee members expressed willingness to help.

**Secretary**

No report.

**Treasurer**

Susan Mournian reported we have \$191 in the bank.

**Traffic and Transportation**

No report

**Project Review**

No report

**Parking**

No report

**Schools**

No report

Adjournment at 8:45 p.m. Next meeting to be held on January 20, 2009.

**Project Chronology**  
Summit at Mission Bay – Project No. 144836

<b>Date</b>	<b>Action</b>	<b>Description</b>	<b>City Review Time</b>	<b>Applicant Response</b>
<b>4/28/08</b>	<b>First Submittal</b>	<b>Project Deemed Complete After Mandatory Initial Review</b>		
5/21/08	Initial Review Assessment Letter	Issued to Applicant	17 Business Days	
7/24/08	Second Submittal	Submitted by Applicant		44 Business Days
8/13/08	Second Review Assessment Letter	Issued to Applicant	14 Business Days	
10/3/08	Third Submittal	Submitted by Applicant		14 Business Days
10/20/07	Third Review Assessment Letter	Issued to Applicant	11 Business Days	
11/26/08	Fourth Submittal	Submitted by Applicant		27 Business Days
12/15/08	Fourth Review Assessment Letter	Issued to Applicant	11 Business Days	
2/26/09	Fifth Submittal	Submitted by Applicant		49 Business Days
3/5/09	Fifth Review Assessment Letter	Issued to Applicant	5 Business Days	
3/27/09		Applicant Works to Resolve All Issues		15 Business Days
4/3/09	Applicant Supplies Required Documents			5 Business Day
4/6/09		Staff Completes Hearing Documents	1 Business Day	
4/16/09	Planning Commission Hearing	First Available Hearing		
<b>Total Staff Time</b>			59	
<b>Total Applicant Time</b>				154
<b>Total Project Running Time</b>		<b>Deemed Complete to PC Hearing</b>	<b>11 Months, 18 Days</b>	