



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

**DATE ISSUED:** July 9, 2009 **REPORT NO. PC-09-056**

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

**SUBJECT:** LA JOLLA CANYON – PROJECT NO. 154476  
PROCESS 4

**OWNER/  
APPLICANT:** La Jolla Canyon Gardens, LLC, a California Limited Liability Company

### SUMMARY

**Issue(s):** Should the Planning Commission approve a request to construct 48 additional residential condominium units on a 4.69-acre site which currently contains 157 existing residential condominiums located at 9501-9539 Genesee Avenue in the University Community Planning Area?

### Staff Recommendation:

1. **CERTIFY** Mitigated Negative Declaration No. 154476, and **ADOPT** the Mitigation, Monitoring, and Reporting Program (MMRP); and
2. **APPROVE** Vesting Tentative Map No. 548028 and Site Development Permit No. 548029.

**Community Planning Group Recommendation:** On May 12, 2009, the University Community Planning Group voted 12-1-0 to recommend approval with no conditions (Attachment 16).

**Environmental Review:** A Mitigated Negative Declaration (MND) No. 154476 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) guidelines, which addresses potential impacts to Parking and Paleontological Resources. A Mitigation, Monitoring, and Reporting Program (MMRP) would be implemented with this project to reduce the potential impacts to a level below significance.

**Fiscal Impact Statement:** None with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

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

**Housing Impact Statement:** The project proposes to construct 48 additional residential condominium units on a site which contains 157 existing residential condominiums for a total of 205 units. The site is located in the University Community Planning Area and is designated Medium-High Density Residential, 30-45 dwelling units per acre (du/ac). The proposed project site, occupying 4.69-acres, could accommodate 205 dwelling units based on the underlying RM-3-7 Zone and 141- 211 dwelling units based on the community plan. The proposed project would conform to the Inclusionary Housing Ordinance and Council Policy 600-27(A) criteria for the Affordable/In-Fill Housing Expedite Program by setting aside at least 10 percent (five units) of the total new condominium units on-site for households with an income at or below 65 percent area median income (AMI) for rental units, or at or below 100 percent AMI for for-sale units.

## **BACKGROUND**

The proposed project site is located at 9501-9539 Genesee Avenue (Attachment 1), on the northeastern corner of Genesee Avenue and Eastgate Mall, between Fez Street and Eastgate Mall (Attachment 2). The 4.69-acre site is located in the RM-3-7 Zone (Attachment 3) within the University Community Planning Area (Attachment 4), Airport Influence Area for the Marine Corps Air Station (MCAS) Miramar, Federal Aviation Administration (FAA) Part 77 Noticing Area for the MCAS Miramar, Community Plan Implementation Overlay Area A, and the Campus Impact Area of the Parking Impact Overlay Zone. The community plan designates the site as Medium-High Density Residential, 30-45 dwelling units per acre (du/ac), and the RM-3-7 zoning designation allows for one dwelling unit for each 1,000 square feet of lot area. The proposed project site, occupying 4.69-acres, could accommodate 205 dwelling units based on the underlying zone and 141-211 dwelling units based on the community plan.

The property is currently developed with six, two-story residential buildings containing 157 condominiums units, a fitness center, laundry facilities, pool, office, and onsite parking. On July 29, 1975, the residential apartment complex was approved pursuant to Permit No. C-13251. This permit included a variance for the parking to observe a 10 foot front yard setback along Fez Street where 15 feet was required. On August 28, 1975, the six building permits were issued for the residential apartment complex (Permit No. K49968-K49974). On September 24, 1979, Tentative Map No. 79-355 was approved for the conversion of the existing apartment complex into condominiums units. On January 12, 1981, Final Map No. 9971 for condominiums was approved by the City Council pursuant to Resolution No. R-253416.

## **DISCUSSION**

### **Project Description:**

The project proposes to demolish one parking lot containing nine (9) carports with approximately 147 parking spaces located on the southwest corner of the existing condominium complex for the construction of 48 condominium units over a two level subterranean parking garage containing 205 parking spaces. The proposed development would consist of two, four-story buildings containing 12 one-bedroom units and 36 two-bedroom units. The existing 157



condominiums units consist of six, two-story buildings containing 112 one-bedroom units and 45 two-bedroom units. The complex will contain a total of 205 condominiums units.

**Building/Unit Type**

| Building     | Units           | Bedrooms/<br>Bathrooms | Stories                            | Unit Size<br>(sq. ft.) |
|--------------|-----------------|------------------------|------------------------------------|------------------------|
| A (Existing) | 112             | 1 / 1                  | Two-Stories                        | 600                    |
| B (Existing) | 45              | 2 / 1                  | Two-Stories                        | 800                    |
| C (Proposed) | 12              | 1 / 1                  | Four-Stories o/underground parking | 760                    |
| D (Proposed) | 24              | 2 / 2                  | Four-Stories o/underground parking | 1,230                  |
| E (Proposed) | 12-End<br>Units | 2 / 2                  | Four-Stories o/underground parking | 1,167                  |

Development of the proposed project requires the approval of a Vesting Tentative Map (VTM) for condominiums and a Site Development Permit (SDP) for an affordable in-fill housing development project that is requesting deviations from development regulations. The proposed development would conform to the Inclusionary Housing Ordinance by setting aside at least 10 percent (five units) of the total new condominium units on-site for households with an income at or below 65 percent area median income (AMI) for rental units, or at or below 100 percent AMI for for-sale units. This affordable housing development would conform to Council Policy 600-27(A) criteria and therefore the land use approvals have been processed through the Affordable In-Fill Housing and Sustainable Buildings Expedite Program.

Deviation- The project proposal includes a request for a four (4) foot height deviation to the 40 foot height requirement of the RM-3-7 Zone (Table 131-04G of the Land Development Code). The requested deviation would allow for a 10 foot wide by 10 foot 6 inch long elevator tower to exceed the 40 foot height requirement by four (4) feet (Attachment 5 - Height Deviation Exhibit). This requested deviation would allow for the overhead elevator equipment and the required overrun clearance for the elevator, which is enclosed within the elevator tower. The proposed elevator tower is located within the center of the complex and stepped back from both the north and south elevations, and will be screened from the public right-of-way by the proposed and existing mature trees along Eastgate Mall (Attachment 6 - Color Elevations with and without trees).

Staff supports the deviation for the elevator tower based on the fact that the structure is a vital element for providing accessible access for disabled persons. The elevator provides for a reasonable accommodation to afford disabled persons the equal opportunity to use and enjoy a dwelling unit within the structure, and is in compliance with the California Building Code for accessible access. The strict compliance to the development regulation may impact the ability to provide accessible access and may require the elimination of the fourth floor, which contains six (6) units. In addition, the applicant has agreed to provide the affordable housing units on site.

**General/Community Plan Analysis:**

The subject property is a 4.69 acre site designated Multi-Family Residential, 30-45 dwelling units per acre, by the University Community Plan (UCP). The UCP organizes the community into four major subareas including Torrey Pines, Central, Miramar and South University with the



purpose of providing goals and recommendations specific to each subarea. The character of the community's four subareas will be pronouncedly different as reflected by the urban form, landscape, buildings and people. The subject property is located in the Central Subarea which is the most urban of the four subareas of the community. The UCP identifies a portion of the Central Subarea as an Urban Node which is characterized by a relatively high density, mixed use core in the area of La Jolla Village Drive and Genesee Avenue. The project site is located along the northeast portion of the Urban Node. Activities such as retail, professional office, medium to high density residential and entertainment are currently concentrated within the Urban Node.

The site is also within Community Plan Implementation Overlay Zone (CPIOZ) 'A'. The CPIOZ A is used to limit uses and development intensity to the levels specified in the Land Use and Development Intensity Table (Table 3). The Development Intensity Element of the UCP further divides the community into subareas and assigns land use and development intensities in accordance with the goals and objectives of the UCP. The site is located in subarea 16, which is assigned a total of 481 dwelling units to be entitled through a discretionary review process. Currently there are 423 existing dwelling units within subarea 16, leaving a capacity for 58 additional units. The proposed project would utilize 48 of the remaining 58 dwelling units assigned to subarea 16 and would also provide ten percent of the proposed units as affordable units on-site in compliance with the Inclusionary Affordable Housing Ordinance.

To improve the Central Subarea's urban form and cohesiveness, the Urban Design Element of the UCP provides recommendations which address issues such as bulk and scale, building height transition, building articulation, pedestrian circulation, provision and location of parking, solar access, and signage. The building design would incorporate offsetting planes, variations in height and varied use of materials and color to break down building mass and be compatible with the existing residential development adjacent to the project site. The proposed deviation for height is needed to accommodate the project's elevator shafts which have been designed as an integral part of the project's overall design. As such the proposed deviation would not adversely affect any goals or objectives contained in the Urban Design Element of the UCP.

The Urban Design Element of the General Plan establishes a set of design principles from which future physical design decisions can be based. Policies call for respecting San Diego's natural topography and distinctive neighborhoods, guiding the development of walkable, transit-oriented communities, providing distinctive public places, and implementing public art. The element also contains specific guidance for residential, mixed-use, commercial, office, and public space development.

The Mobility Element strives to improve mobility through development of a balanced transportation system that addresses walking, bicycling, transit, and roadways in a manner that strengthens the City of Villages land use vision. The "Transit/Land Use Connections Map" shows the relationship between existing and planned transit services and the City's planned land uses. Goals of the Mobility Element include creating walkable communities with pedestrian-friendly street, site and building design.

As stated previously, the project is located along the northeast portion of the Urban Node pedestrian network (Attachment 4 - Page 2) on Eastgate Mall. In order to create a project that implements the goals and objectives for development adjacent to the pedestrian network, as well



as the goals and objectives of the General Plan's Urban Design and Mobility Elements, the project has placed its central resident courtyard and main entrance along Eastgate Mall adjacent to the Urban Node pedestrian network. As mentioned before, the building design would incorporate offsetting planes, variations in height and varied use of materials and color to break down building mass and be compatible with the existing residential development adjacent to the project site and create a pleasant visual experience for the pedestrian. The project has also provided its required parking below grade and taken vehicular access from Genesee Avenue which eliminates new potential vehicular/pedestrian conflicts. The project's design, maintenance of mature landscaping, below grade parking and vehicular access off of Genesee instead of Eastgate Mall all help to promote a pedestrian-friendly street along the UCP's identified primary pedestrian network on Eastgate Mall.

### **Environmental Analysis:**

A Mitigated Negative Declaration (MND) has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) guidelines, which addresses potential impacts; and a Mitigation, Monitoring and Reporting Program (MMRP) would be implemented with this project to reduce the potential impacts to below a level of significance. The potential significant environmental impacts are in the following areas: Parking and Paleontological Resources.

Parking: Per City of San Diego's Significance Determination Thresholds, a project's shortfall or displacement of existing parking would substantially affect the availability of parking in an adjacent residential area, including the availability of public parking.

The existing condominium complex contains 198 off-street parking spaces (previously conforming) and the proposed 48 condominium units will require 90 off-street parking spaces for a total of 288 required off-street parking spaces. The project proposes to contain 288 off-street parking spaces in the form of 83 on grade off-street parking spaces and 205 off-street parking spaces within a proposed two level subterranean parking structure. There will be approximately 155 off-street parking spaces taken out of service due to the construction activity. Therefore, a Mitigation Monitoring Reporting Program (MMRP), as detailed within Section V of the MND, would be implemented to minimize short-term parking impacts.

Prior to the issuance of any construction permits, the applicant shall provide a shared parking agreement with the Costa Verde Hotel, LLC, located at 8995 Costa Verde Boulevard, for a minimum of 155 parking spaces. Said agreement shall be in force until the final occupancy permit is issued for the project and the applicant shall provide a 24 hours a day, seven (7) days a week between the two sites. With the implementation of the MMRP, the potential short-term parking impacts would be reduced to below a level of significance.

Paleontological Resources: According to the "Geology of the San Diego Metropolitan Area, California, La Mesa, 7<sup>1/2</sup> Minute Quadrangle" (Kennedy and Peterson, 1975), the project site is underlain by Scripps Formation, Linda Vista Formation, and Ardath Shale. With respect to fossil resource potential, both the Scripps and the Linda Vista Formations have high sensitivity levels for paleontological resources; whereas, Ardath Shale has a moderate sensitivity level for paleontological resources.



Construction of the project would require approximately 27,501 cubic yards of soil cut with grade cut depths of approximately 23.3 feet. According to the City of San Diego's Significance Determination Thresholds, over 1,000 cubic yards of grading at depths of greater than 10 feet (less than 10 feet if the site has been graded) into formations with a high resource sensitivity rating could result in a significant impact to paleontological resources, and mitigation would be required. The MMRP consists of monitoring excavation activities by a qualified paleontologist, recovery and curation of any discovered fossils and preparation of a monitoring results report. The implementation of the MMRP would reduce any project-related impacts to fossil resources to below a level of significance.

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

Tenant Relocation- The property is currently developed with six, two-story residential buildings containing 157 condominiums units that were approved on January 12, 1981 and are currently being rented. These existing units would not be subject to City's Tenant Relocation requirements outlined in Chapter 14, Article 4, Division 5 of the Land Development Code (LDC), because these units would not be classified as a condominium conversion. However, the tenants residing in these existing condominium units may be subject to relocation benefits pursuant to California Government Code Section 66459 (f)(1-2) if the subdivider or subsequent owner of the project fails to provide the tenants with the required noticing as outlined in California Government Code Section 66459 (Attachment 9). The California Department of Real Estate enforces these regulations and determines if relocation benefits are warranted.

Airport Environs Overlay Zone (AEOZ) - The project site is located within the AEOZ for the Marine Corps Air Station (MCAS) Miramar. On September 4, 2008, a public hearing was held by the San Diego County Regional Airport Authority, as the Airport Land Use Commission (ALUC) for San Diego County for a determination of consistency for the proposed project. The ALUC provided a letter dated September 15, 2008 (Attachment 10), and has determined that proposed project is consistent with the governing Airport Land Use Plan (ALUP).

Federal Aviation Administration (FAA) Part 77 Noticing Area - The project site is located within the FAA Part 77 Noticing Areas for the Marine Corps Air Station (MCAS) Miramar. The proposed building at its highest elevation would be 409.68 feet above mean sea level and the FAA Part 77 notification surface at the closest point on the site facing MCAS Miramar is 575 feet above mean sea level. The proposed building height does not meet the Part 77 criteria to notify the FAA; therefore, the applicant is not required to notify the FAA for a Part 77 airspace and obstruction evaluation.


### **Conclusion:**

Other than the one deviation, the proposed development meets all applicable regulations and policy documents, and staff finds the project consistent with the recommended land use, design guidelines, and development standards in effect for this site per the LDC, the adopted University Community Plan, and the General Plan. The proposed development would conform to the Inclusionary Housing Ordinance by setting aside at least 10 percent (five units) of the total new condominium units on-site for households with an income at or below 65 percent area median income (AMI) for rental units, or at or below 100 percent AMI for for-sale units.

**ALTERNATIVE**

1. **CERTIFY** Mitigated Negative Declaration No. 154476, and **ADOPT** the Mitigation, Monitoring, and Reporting Program (MMRP); and **APPROVE** Vesting Tentative Map No. 548028 and Site Development Permit No. 548029, **with modifications**.
2. **DO NOT CERTIFY** Mitigated Negative Declaration No. 154476, and **DO NOT ADOPT** the Mitigation, Monitoring, and Reporting Program (MMRP); and **DENY** Vesting Tentative Map No. 548028 and Site Development Permit No. 548029, **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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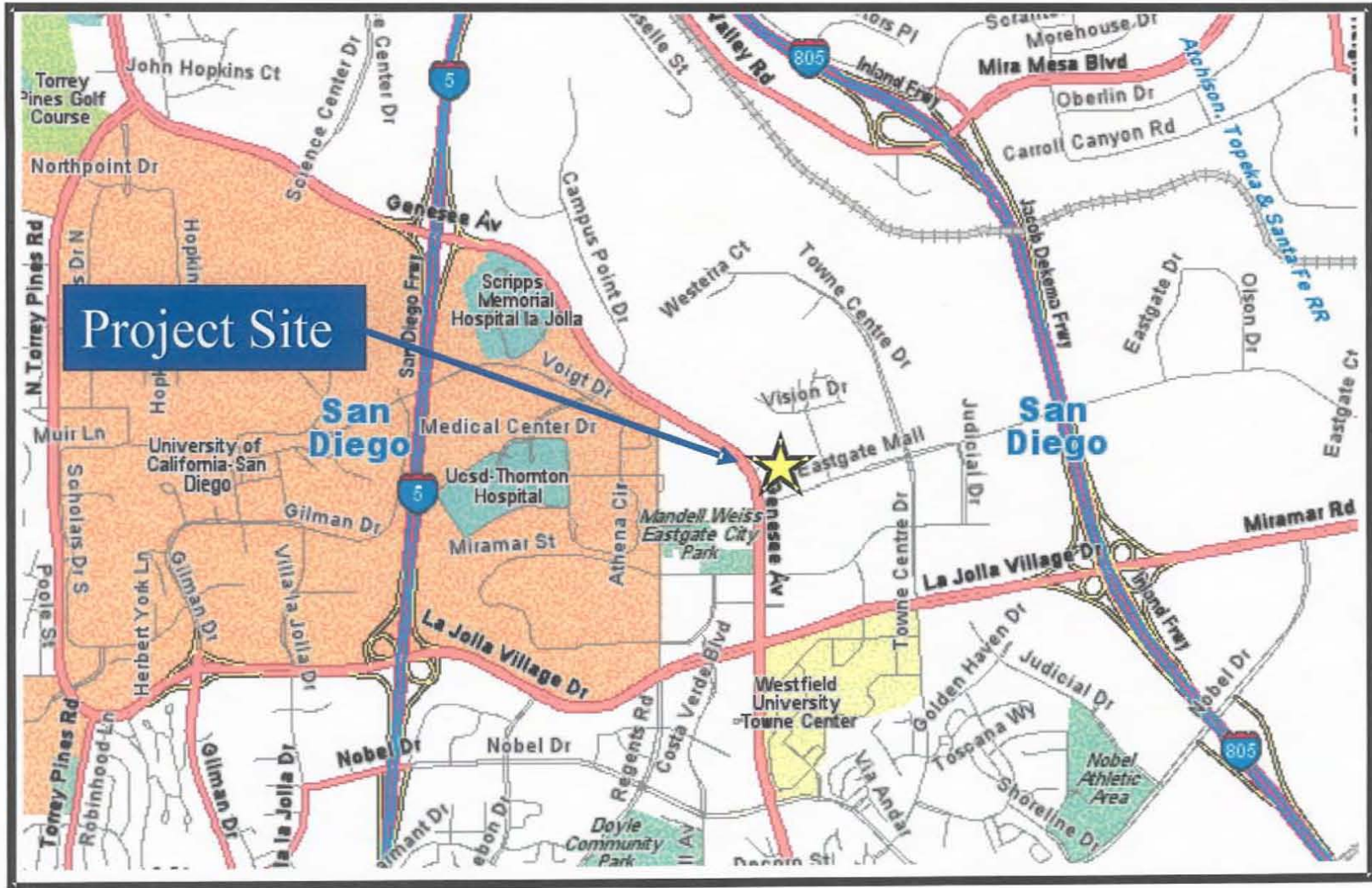
Jeffrey A. Peterson  
Development Project Manager  
Development Services Department

WESTLAKE/JAP

Attachments:

1. Project Location Map
2. Aerial Photograph
3. Zoning Map
4. Community Plan Land Use Map & Urban Node Pedestrian Network Map
5. Height Deviation Exhibit
6. Color Elevations (with and without trees)
7. Project Data Sheet
8. Project Plans
9. California Government Code Section 66459
10. ALUC Letter dated September 15, 2008
11. Draft SDP Resolution with Findings
12. Draft SDP Permit with Conditions
13. Draft VTM Resolution with Findings
14. Draft VTM Conditions
15. Draft MND No. 154476 Resolution and MMRP
16. Community Planning Group Recommendation
17. Ownership Disclosure Statement
18. Project Chronology

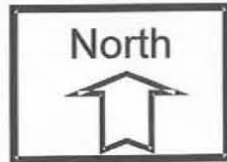




## Location Map

La Jolla Canyon- Project No. 154476

9501-9539 Genesee Avenue

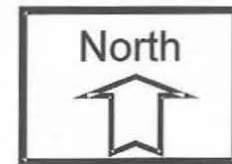


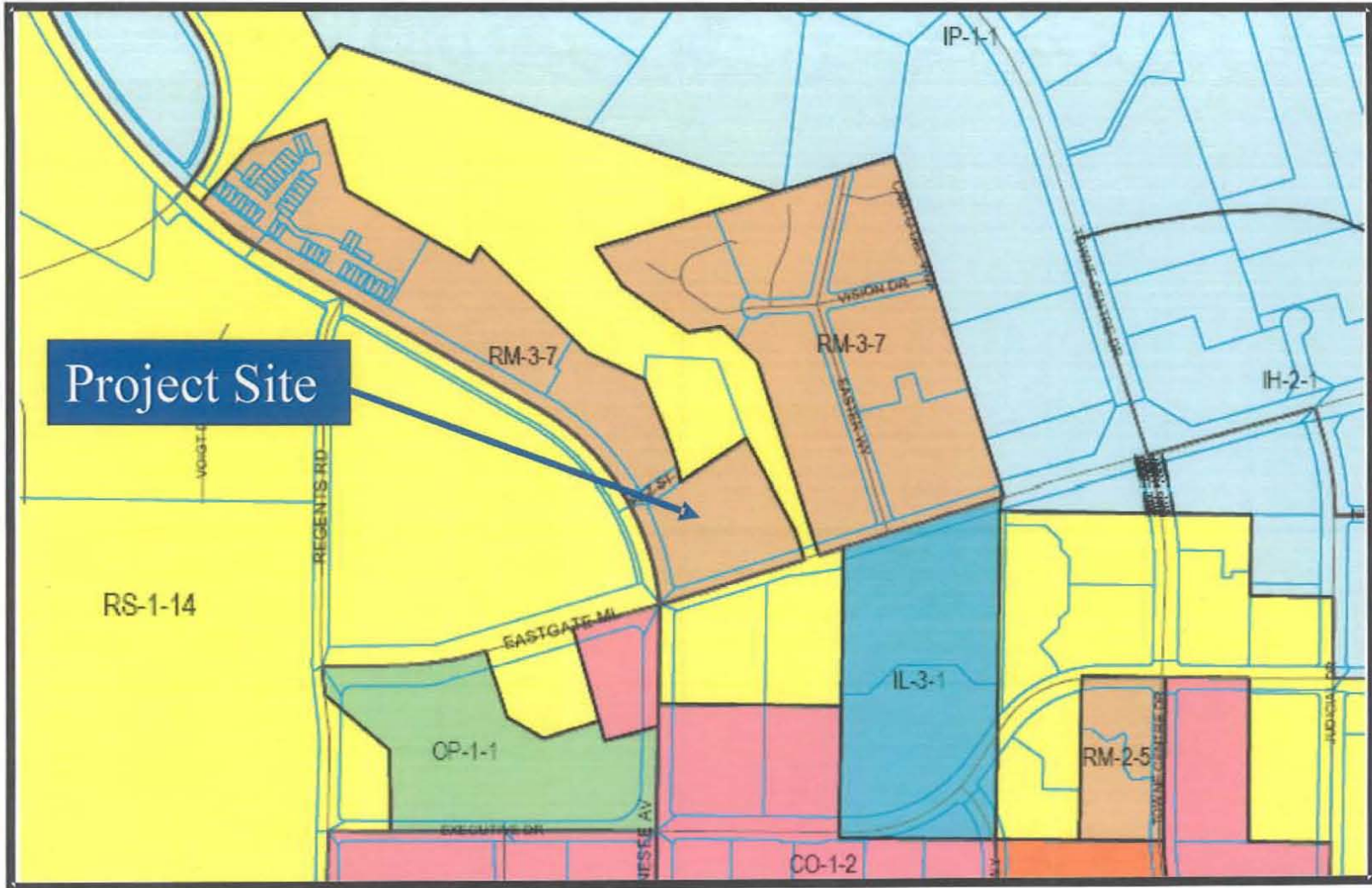




## Aerial Photograph (Bird's Eye View)

La Jolla Canyon- Project No. 154476  
9501-9539 Genesee Avenue

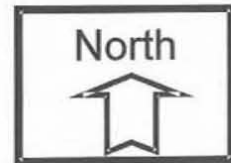




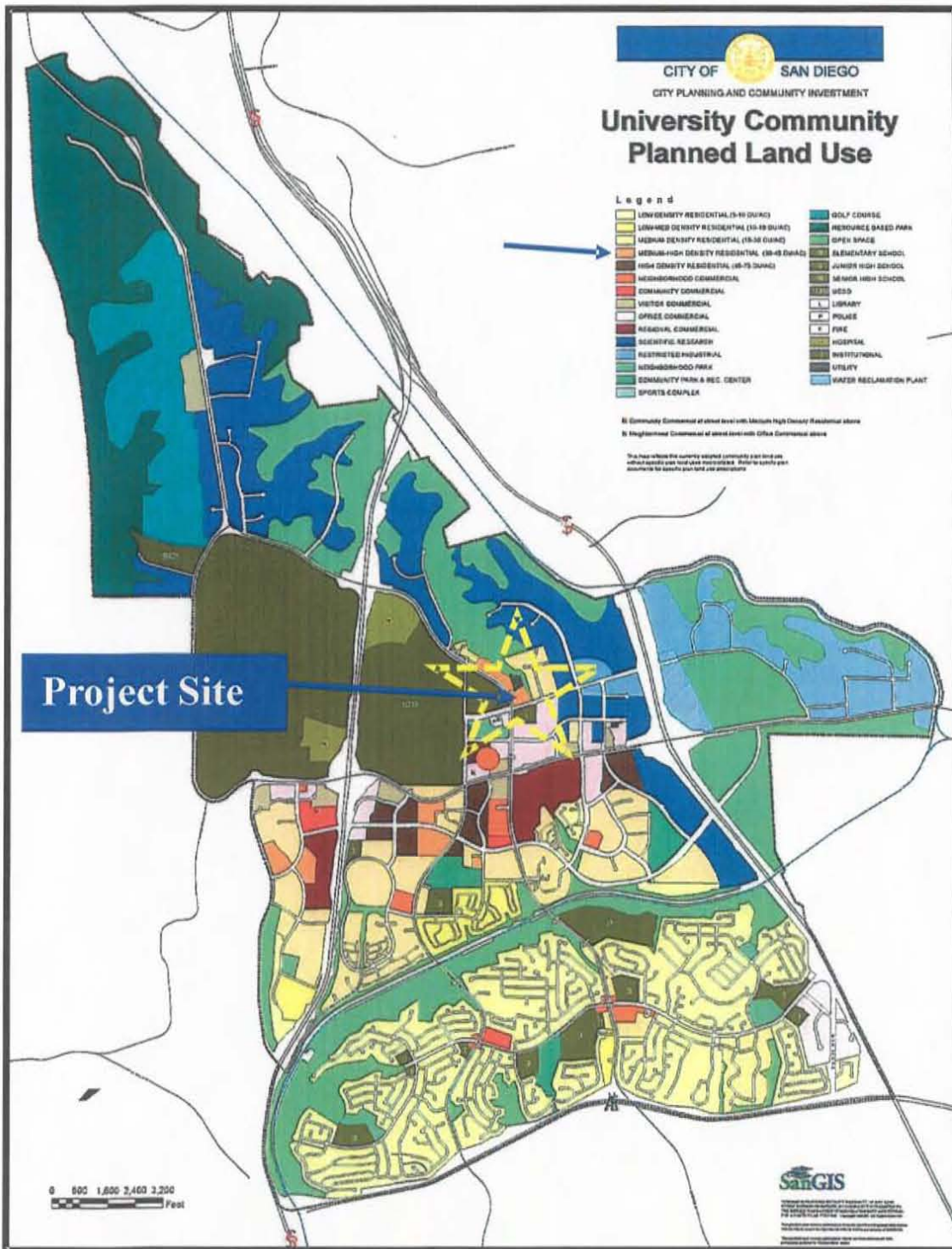
# Zoning Map

La Jolla Canyon- Project No. 154476

9501-9539 Genessee Avenue





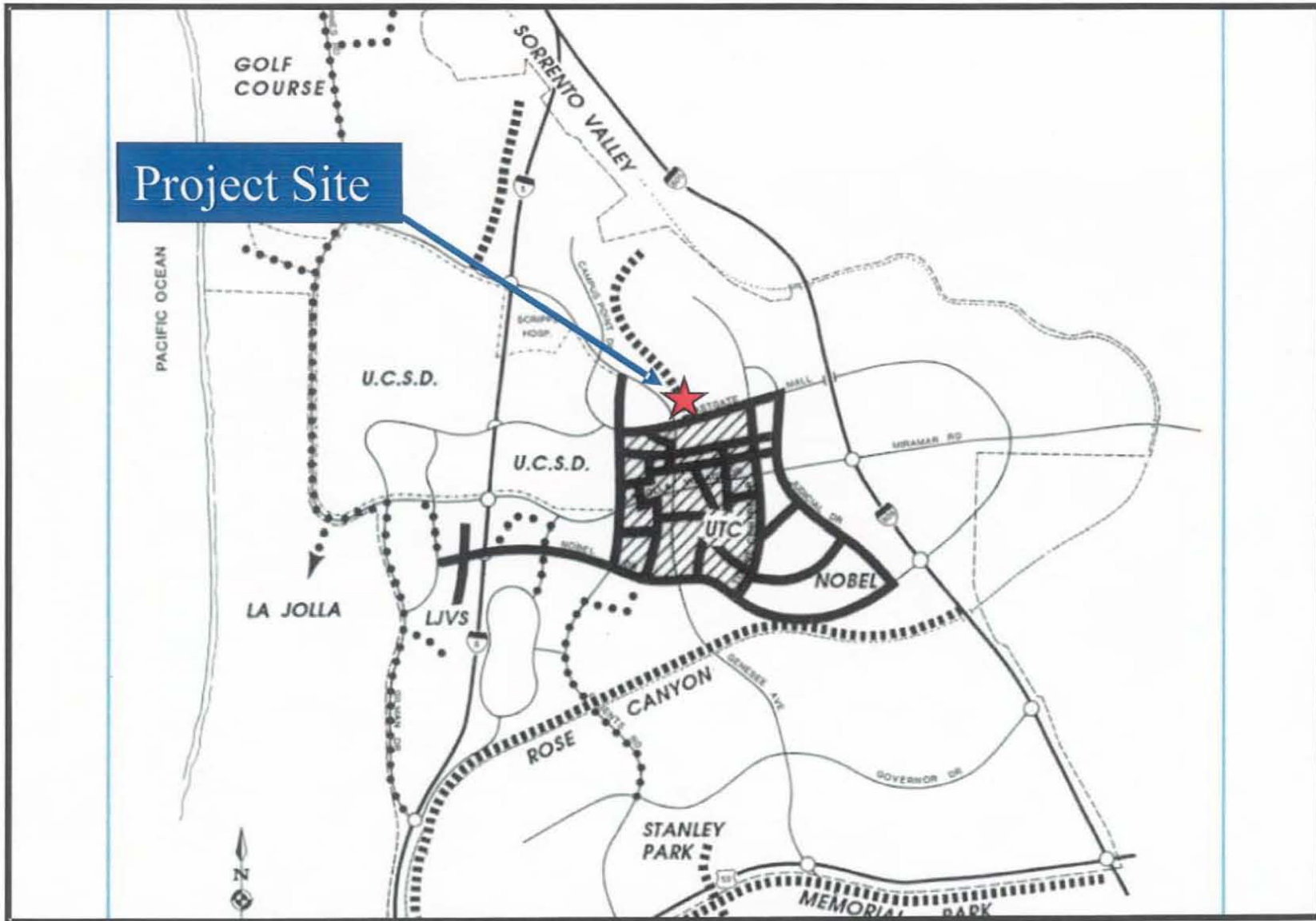


## University Land Use Map

La Jolla Canyon- Project No. 154476

9501-9539 Genesee Avenue

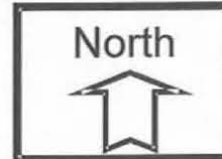




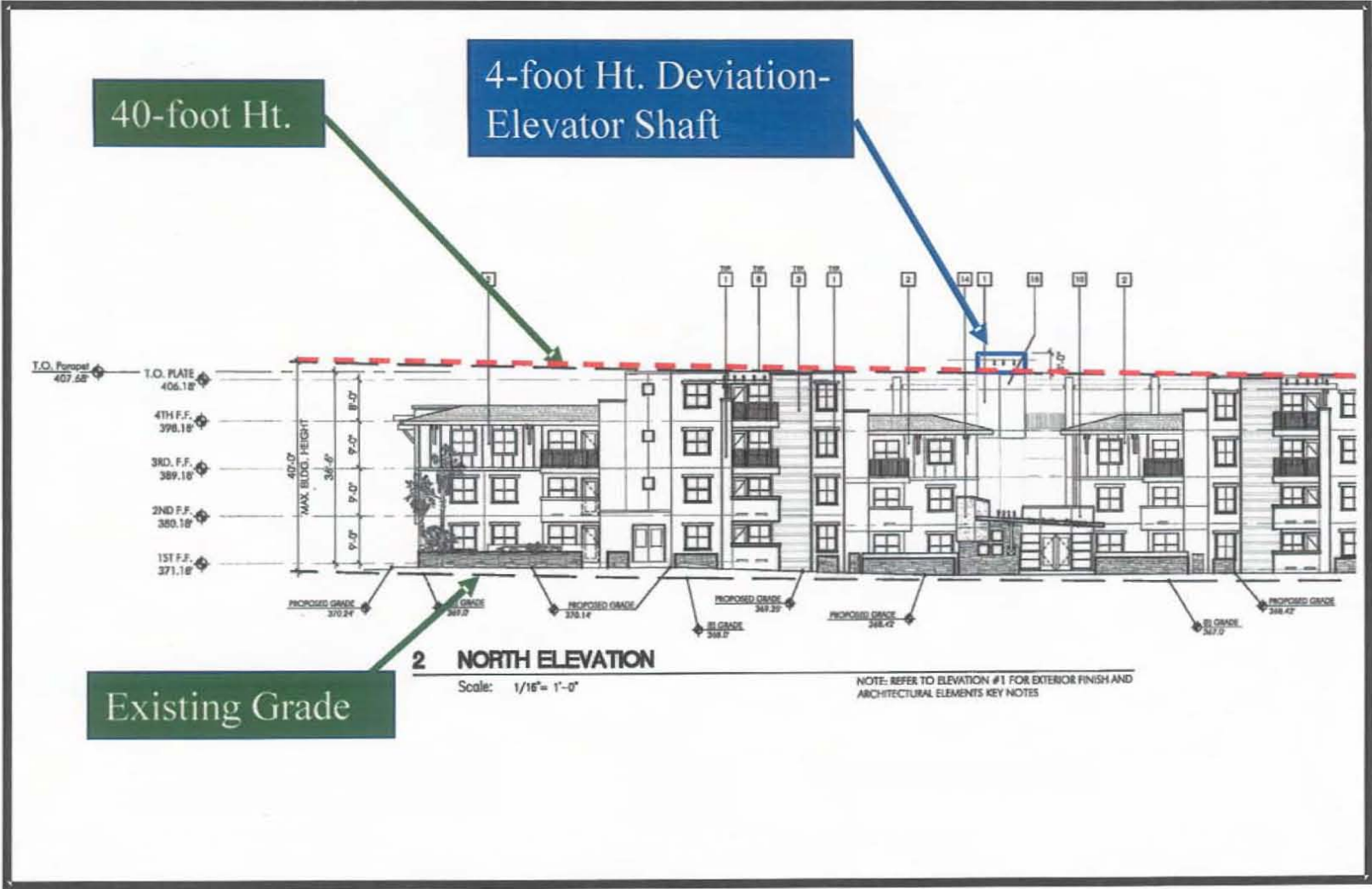
# Urban Node Pedestrian Network Map

La Jolla Canyon- Project No. 154476

9501-9539 Genesee Avenue







**Deviation Exhibit**  
 La Jolla Canyon- Project No. 154476  
 9501-9539 Genesee Avenue



EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION W/ STREET TREES

LA JOLLA CANYON - Maple **M**<sub>3</sub> Architects



**Color Elevations (with trees)**  
**La Jolla Canyon- Project No. 154476**  
**9501-9539 Genesee Avenue**





EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION W/ NO STREET TREES

LA JOLLA CANYON *Multiple* **M<sub>3</sub>** Architects



**Color Elevations (with no trees)**  
La Jolla Canyon- Project No. 154476  
9501-9539 Genesee Avenue

| <b>PROJECT DATA SHEET</b>                       |  |   |
|---|--|---|
| <b>PROJECT NAME:</b>                            | La Jolla Canyon – Project No. 154476   |   |
| <b>PROJECT DESCRIPTION:</b>                     | Construct of 48 additional residential condominium units on a 4.69-acre site which contains 157 existing residential condominiums                    |   |
| <b>COMMUNITY PLAN AREA:</b>                     | University   |   |
| <b>DISCRETIONARY ACTIONS:</b>                   | Vesting Tentative Map and Site Development Permit  |   |
| <b>COMMUNITY PLAN LAND USE DESIGNATION:</b>     | Medium-High Density Residential (30-45 du/ac)  |   |
| <b>ZONING INFORMATION</b>                       |  |   |
| <b>ZONE:</b>                                    | RM-3-7   |   |
| <b>HEIGHT LIMIT:</b>                            | 40'0"  |   |
| <b>LOT SIZE:</b>                                | 7,000 square feet  |   |
| <b>FLOOR AREA RATIO:</b>                        | 1.80   |   |
| <b>FRONT SETBACK:</b>                           | 10'0" minimum and 20'0" standard   |   |
| <b>SIDE SETBACK:</b>                            | 5'0"   |   |
| <b>STREETSIDE SETBACK:</b>                      | 10'0"  |   |
| <b>REAR SETBACK:</b>                            | 5'0"   |   |
| <b>PARKING:</b>                                 | 288 parking spaces required  |   |
| <b>ADJACENT PROPERTIES:</b>                     | <b>LAND USE DESIGNATION &amp; ZONE</b>   | <b>EXISTING LAND USE</b>                                |
| <b>NORTH:</b>                                   | Medium-High Density Residential and Utility/ RM-3-7 and RS-1-14  | Multi-Family Residential/ Electrical Switching Facility |
| <b>SOUTH:</b>                                   | Institutional / RS-1-14  | Religious Complexes                                     |
| <b>EAST:</b>                                    | Medium Density Residential and Neighborhood Park / RM-3-7 and RS-1-14  | Multi-Family Residential/ Open Space                    |
| <b>WEST:</b>                                    | Institutional / RS-1-14  | Private Day School                                      |
| <b>DEVIATIONS OR VARIANCES REQUESTED:</b>       | A four (4) foot height deviation to the 40 foot height requirement of the RM-3-7 Zone to allow for the five (5) foot by six (6) foot elevator shaft. |   |
| <b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b> | On May 12, 2009, the University Community Planning Group voted 12-1-0 to recommend approval with no conditions.                                      |   |





# VESTING TENTATIVE MAP NO. 548028



**LEGEND:**

|                                     |     |
|-------------------------------------|-----|
| VIEW BOUNDARY                       | --- |
| SECTION LINE                        | --- |
| RECORD DATA PER PARCEL MAP NO. 4871 | ( ) |
| EXISTING EASEMENTS                  | --- |
| EXISTING EASEMENT CENTERLINE        | --- |

**PROJECT PROPOSAL:**  
 TO CONSTRUCT 48 NEW RESIDENTIAL CONDOMINIUM UNITS ON AN EXISTING DEVELOPED PARCEL, THAT CURRENTLY CONTAINS 157 SELLING UNITS. ALL EXISTING PARKING SPACES OCCUPIED BY NEW CONSTRUCTION WILL BE INCLUDED IN A NEW SUBSTANTIAL PARKING STRUCTURE. PROPOSAL FOR THE 48 NEW RESIDENTIAL UNITS WILL ALSO BE ACCOMMODATED WITHIN THE NEW PARKING STRUCTURE. THE PARCEL FOR THE NEW UNITS WILL BE DESIGNATED TO MEET CURRENT ZONING REQUIREMENTS.

- PROPOSED CHANGES TO THE ZONING:**
1. THE PROPERTY IS CURRENTLY ZONED RM-1.7. NO RE-ZONING OF THE PROPERTY IS REQUIRED.
  2. **DESIGN/CONCEPT:** THE PROPERTY IS LOCATED IN THE FOLLOWING ZONING AREAS: BUREAU MANAGEMENT UNITS (B1), BUREAU SUPPORT OFFICES (B2), BUREAU OFFICES (B3), BUREAU OFFICES (B4), BUREAU OFFICES (B5), BUREAU OFFICES (B6), BUREAU OFFICES (B7), BUREAU OFFICES (B8), BUREAU OFFICES (B9), BUREAU OFFICES (B10), BUREAU OFFICES (B11), BUREAU OFFICES (B12), BUREAU OFFICES (B13), BUREAU OFFICES (B14), BUREAU OFFICES (B15), BUREAU OFFICES (B16), BUREAU OFFICES (B17), BUREAU OFFICES (B18), BUREAU OFFICES (B19), BUREAU OFFICES (B20), BUREAU OFFICES (B21), BUREAU OFFICES (B22), BUREAU OFFICES (B23), BUREAU OFFICES (B24), BUREAU OFFICES (B25), BUREAU OFFICES (B26), BUREAU OFFICES (B27), BUREAU OFFICES (B28), BUREAU OFFICES (B29), BUREAU OFFICES (B30), BUREAU OFFICES (B31), BUREAU OFFICES (B32), BUREAU OFFICES (B33), BUREAU OFFICES (B34), BUREAU OFFICES (B35), BUREAU OFFICES (B36), BUREAU OFFICES (B37), BUREAU OFFICES (B38), BUREAU OFFICES (B39), BUREAU OFFICES (B40), BUREAU OFFICES (B41), BUREAU OFFICES (B42), BUREAU OFFICES (B43), BUREAU OFFICES (B44), BUREAU OFFICES (B45), BUREAU OFFICES (B46), BUREAU OFFICES (B47), BUREAU OFFICES (B48), BUREAU OFFICES (B49), BUREAU OFFICES (B50), BUREAU OFFICES (B51), BUREAU OFFICES (B52), BUREAU OFFICES (B53), BUREAU OFFICES (B54), BUREAU OFFICES (B55), BUREAU OFFICES (B56), BUREAU OFFICES (B57), BUREAU OFFICES (B58), BUREAU OFFICES (B59), BUREAU OFFICES (B60), BUREAU OFFICES (B61), BUREAU OFFICES (B62), BUREAU OFFICES (B63), BUREAU OFFICES (B64), BUREAU OFFICES (B65), BUREAU OFFICES (B66), BUREAU OFFICES (B67), BUREAU OFFICES (B68), BUREAU OFFICES (B69), BUREAU OFFICES (B70), BUREAU OFFICES (B71), BUREAU OFFICES (B72), BUREAU OFFICES (B73), BUREAU OFFICES (B74), BUREAU OFFICES (B75), BUREAU OFFICES (B76), BUREAU OFFICES (B77), BUREAU OFFICES (B78), BUREAU OFFICES (B79), BUREAU OFFICES (B80), BUREAU OFFICES (B81), BUREAU OFFICES (B82), BUREAU OFFICES (B83), BUREAU OFFICES (B84), BUREAU OFFICES (B85), BUREAU OFFICES (B86), BUREAU OFFICES (B87), BUREAU OFFICES (B88), BUREAU OFFICES (B89), BUREAU OFFICES (B90), BUREAU OFFICES (B91), BUREAU OFFICES (B92), BUREAU OFFICES (B93), BUREAU OFFICES (B94), BUREAU OFFICES (B95), BUREAU OFFICES (B96), BUREAU OFFICES (B97), BUREAU OFFICES (B98), BUREAU OFFICES (B99), BUREAU OFFICES (B100).
  3. THE PROPERTY CURRENTLY CARRIES 487 UNITS AND CONSISTS OF 1 LOT.
  4. **LEGAL INTERESTS:** THE PROPERTY CURRENTLY CONSISTS OF ONE PARCEL. THE PARCEL NUMBER IS 543-140-34-40.
  5. **LEGAL DESCRIPTION:** LOT 1 OF LOT 1000, BLOCK 10, OF EASTGATE VILLAGE, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF AS 5071, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JANUARY 16, 1981.
  6. **PERMITS BEING APPLIED FOR:** ALONG WITH THE VESTING TENTATIVE MAP, THIS APPLICATION INCLUDES A SITE DEVELOPMENT PERMIT.
  7. THE PROPERTY IS DESIGNATED IN THE COMMUNITY PLAN AS **MEDIUM-DENSITY RESIDENTIAL DEVELOPMENT** AT 30-45 SELLING UNITS PER ACRE. THE PROPOSED PROJECT IS CONSISTENT WITH THIS LAND USE DESIGNATION.
  8. **COMMUNITY PLAN DEVELOPMENT:** THE UNIVERSITY COMMUNITY PLAN ON THE LAND USE AND DEVELOPMENT INTEREST SUBAREA MAP (PAGES 483 AND 484) IS IN THE FOLLOWING PAGE, WHICH THE SUBJECT PROPERTY AS BEING PART OF PARCEL 16. IN PAGE 3, PARCEL 16 IS ALLOCATED TO SELLING UNITS. PARCEL 16 IS CURRENTLY ZONED AS BUREAU OFFICES. THE SUBJECT PROPERTY HAS 157 SELLING UNITS AND THE 48 NEW DEVELOPMENTS TO THE NORTH WERE A TOTAL OF 200 EXISTING UNITS FOR A TOTAL OF 357 UNITS. THE 48 UNITS TO BE ADDED WILL BE IN CONFORMANCE WITH THE UNIVERSITY COMMUNITY PLAN. THE UNIVERSITY COMMUNITY PLAN IS, CONSEQUENTLY, THE APPLICABLE PLAN FOR THE PROJECT. THE UNIVERSITY COMMUNITY PLAN IS, CONSEQUENTLY, THE APPLICABLE PLAN FOR THE PROJECT. THE UNIVERSITY COMMUNITY PLAN IS, CONSEQUENTLY, THE APPLICABLE PLAN FOR THE PROJECT.
  9. **CONTACT LOCATION:** THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF EASTGATE MALL AND GENESSEE AVENUE.

**CONDOMINIUM DEVELOPMENT:**  
 THIS PROPERTY HAS ALREADY BEEN DESIGNATED AS A CONDOMINIUM PROJECT AS PROVIDED BY THE CONCEPTS MAP NO. 5071. THE PROPOSED PROJECT WILL BE IN ACCORDANCE WITH THE CONDOMINIUM ACT AS AMENDED BY CHAPTER 1085 OF THE STATUTES OF CALIFORNIA, AND IN FULL COMPLIANCE WITH THE SUBDIVISION MAP ACT. THE TOTAL NUMBER OF UNITS IS 357. THE TOTAL NUMBER OF EXISTING CONDOMINIUM SELLING UNITS IS 157. THE TOTAL NUMBER OF PROPOSED CONDOMINIUM SELLING UNITS IS 48.

**STREETS AND ACCESS:**  
 ALL ADJACENT STREETS, GENESSEE AVENUE, EASTGATE MALL AND FEZ STREET, HAVE BEEN FULLY IMPROVED. NO IMPROVEMENTS TO ANY OF THESE ADJACENT STREETS ARE REQUIRED TO IMPLEMENT THIS VESTING TENTATIVE MAP.

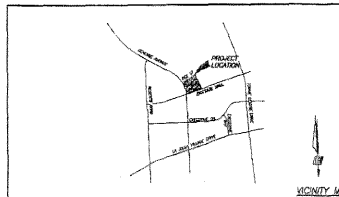
**EXISTING UTILITIES:**  
 ALL EXISTING UTILITIES ARE SHOWN ON THIS SHEET. THE PROJECT PROPOSES THREE ACCESS POINTS: ONE OFF OF GENESSEE AVENUE, ONE OFF OF EASTGATE MALL AND ONE OFF OF FEZ STREET.

**EXISTING EASEMENTS:**  
 ALL EXISTING EASEMENTS ARE SHOWN ON THIS SHEET.

**EXISTING RECORDS:**  
 ITEM 1: CONCEPT MAP NO. 5071.  
 ITEM 2: CONCEPT MAP NO. 5071.  
 ITEM 3: CONCEPT MAP NO. 5071.  
 ITEM 4: CONCEPT MAP NO. 5071.  
 ITEM 5: CONCEPT MAP NO. 5071.

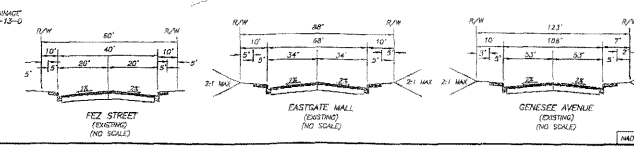
**EXISTING STRUCTURES:**  
 TWO STORY CONCRETE WALL BUILDING IN 1970

| TYPE                 | NO. OF UNITS | TOTAL SF |
|----------------------|--------------|----------|
| 1 BED. 1 BATH. BLDG. | 48           | 5,000    |
| 2 BED. 1 BATH. BLDG. | 48           | 5,000    |
| TOTAL                | 96           | 10,000   |



**PREPARATION AND REVISION LOG**

| NO. | DATE     | DESCRIPTION                      |
|-----|----------|----------------------------------|
| 1   | 10/20/08 | PREPARED FOR SUBMITTAL           |
| 2   | 11/25/08 | REVISION 1: CORRECTED DIMENSIONS |
| 3   | 12/30/08 | REVISION 2: ADDED NOTES          |
| 4   | 01/15/09 | REVISION 3: FINAL CHECK          |



**APPLICANT/OWNER:**  
 LA JOLLA CANTON COMMUNITIES, LLC - CIVIC CENTER COMMUNITIES  
 3500 SAN DIEGO AVENUE, SUITE 200  
 SAN DIEGO, CA 92121  
 PHONE: (619) 592-2001

**ENGINEER:**  
 LEPPERT ENGINEERING CORPORATION  
 3187 GARDNER DRIVE, SUITE 200  
 SAN DIEGO, CA 92122  
 PHONE: (619) 592-2001

**DATE:** 11/25/08

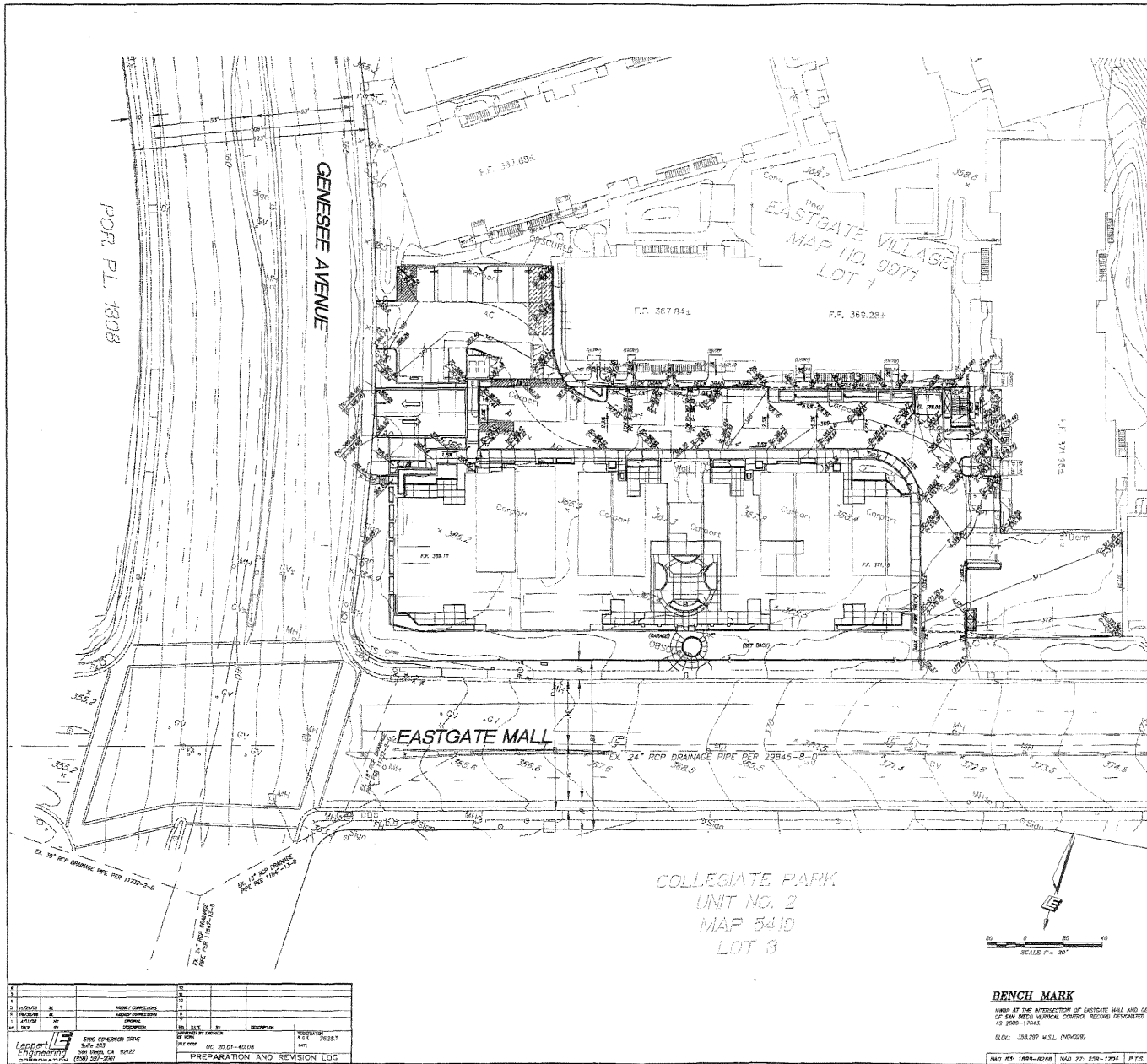
**PROJECT NAME:** 3515 GENESSEE AVENUE

| REVISION NO. | DATE     | DESCRIPTION                      |
|--------------|----------|----------------------------------|
| 1            | 11/25/08 | REVISION 1: CORRECTED DIMENSIONS |
| 2            | 12/30/08 | REVISION 2: ADDED NOTES          |
| 3            | 01/15/09 | REVISION 3: FINAL CHECK          |

**SHEET TITLE:** VESTING TENTATIVE MAP

**SCALE:** 1" = 80'





| NO. | DATE | BY | DESCRIPTION |
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**LEGEND**



**TOPOGRAPHIC INFORMATION**

SOURCE: TOPOGRAPHIC INFORMATION PRODUCED FROM PHOTOGRAMMETRIC METHODS FROM AERIAL PHOTOGRAPHY ON 11-28-2006.  
 PREPARED BY: SAN-LIO AERIAL PHOTO SURVEYS  
 DATUM: MEAN SEA LEVEL

**GRADING INFORMATION**

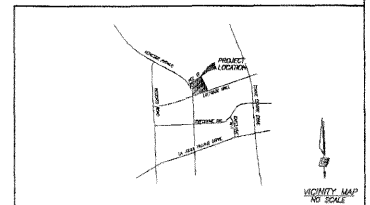
1. TOTAL AMOUNT OF SITE TO BE GRADED: 0.34 AC.F.
2. PERCENT OF TOTAL SITE TO BE GRADED: 4.0%
3. AMOUNT OF CUT: 24 C.Y.S.
4. MAXIMUM DEPTH OF CUT: 0.5 FT.S.
5. AMOUNT OF FILL: 37 C.Y.S.
6. MAXIMUM DEPTH OF FILL: 0.5 FT.S.
7. AMOUNT OF EXPORT: 39 C.Y.S.

**SUBTERRANEAN PARKING GARAGE EXCAVATION**

THE AMOUNT OF EXPORT FOR THE EXCAVATION OF THE PARKING GARAGE IS 27,201 C.Y.S. THIS EXCAVATION SHALL BE ACCOMPANIED WITH A BUILDING PERMIT AND A GRADING PERMIT. THE MAXIMUM DEPTH OF CUT FOR THE EXCAVATION OF THE PARKING GARAGE IS 23.5 FT.S.

**DRAINAGE**

THE PROPOSED STORM DRAIN SYSTEM COLLECTS STORM WATER IN A DECK DRAIN LOCATED NORTH OF THE PROPOSED STRUCTURE. THE STORM WATER WILL ENTER THE PUBLIC STORM DRAIN SYSTEM AT THE BEST LOCATION AT THE NORTHWEST CORNER OF GENESSEE AVENUE AND EASTGATE MALL. THE APPLICANT SHALL OBTAIN AN ENVIRONMENTAL MAINTENANCE PERMIT. AGREEMENT FOR THE NODDOR OF THE PRIVATE STORM DRAIN WITHIN THE EASTGATE MALL RIGHT-OF-WAY THAT CONNECTS INTO THE CITY OF SAN DIEGO CATCH BASIN.



| REVISION NO. | DATE     | DESCRIPTION          |
|--------------|----------|----------------------|
| 1            | 8/20/08  | PRELIMINARY          |
| 2            | 11/25/08 | REVISED PER COMMENTS |
| 3            |          |                      |
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**BENCH MARK**  
 MARKED AT THE INTERSECTION OF EASTGATE MALL AND GENESSEE AVE. PER CITY OF SAN DIEGO VERTICAL CONTROL RECORD DESIGNATED AS NO. 7081, HORIZONTAL AS 3600-1700A.  
 ELEV: 338.297 W.S.L. (VD4209)



**LEGEND**

NEW PROPOSED  
 EXISTING MAIN PER PHASE MAP NO. 9971  
 EXISTING CONDUIT  
 EXISTING STAIN GRAB  
 EXISTING CURB INLET  
 EXISTING WATER  
 EXISTING FIRE HYDRANT  
 EXISTING SEWER  
 EXISTING SEWER MANHOLE  
 EXISTING SEWER LATERAL  
 EXISTING WATER LATERAL  
 EXISTING UNDERGROUND TELEPHONE  
 EXISTING UNDERGROUND ELECTRICAL  
 EXISTING GAS  
 PROPOSED WATER SERVICE

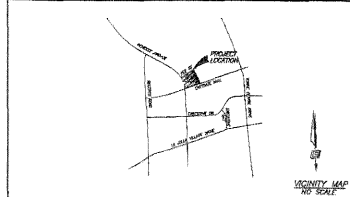
**NOTES**

THE PROPERTY IS CURRENTLY SERVED BY THE FOLLOWING UTILITIES:

1. WATER: THREE CONDUITS AT 4" WATER MAIN PER DMC NO. 11732-12-D AND 2" WATER MAIN PER DMC NO. 11732-12-D. 8" SEWER SERVICE: THREE 6" 12" WATER MAIN PER DMC NO. 11732-12-D AND 2" WATER MAIN PER DMC NO. 11732-12-D. EXISTING MAIN LINES: 8" WATER MAIN PER DMC NO. 11732-12-D IN FEZ STREET. CURRENTLY THE USE CONNECTS TO THE EXISTING MAIN AN EXISTING MAIN. NEW PROPOSED LATERAL MAINS PER EACH CONDUIT AND NEW SERVICE SHALL BE INSTALLED ON AND FOR THE NEW DMC.
2. SEWER: THERE IS AN EXISTING 8" SEWER MAIN AN EXISTING MAIN PER DMC NO. 5840-2, 5841-D & 5873-1-D WHICH PROVIDES SERVICE TO THE PROPERTY. A NEW ON-SITE PRIVATE DRAINAGE MAIN SHALL BE CONSTRUCTED WHEN THE PROJECT TO PROVIDE SERVICE TO THE NEW BLDG.
3. GAS: EXISTING GAS SERVICE: THERE ARE NO EXISTING UNDERGROUND GAS SERVICE TO THE PROPERTY.

**EXISTING APPROXIMATE:**

|                                       |                                       |
|---------------------------------------|---------------------------------------|
| 1. CONDUIT SERVICE                    | PER DMC NO. 11732-12-D                |
| 2. CONDUIT SERVICE                    | PER DMC NO. 11732-12-D                |
| 3. FEZ ST.                            | PER DMC NO. 12743-4-0                 |
| 4. 12" AC SERVICE/SEWERAGE MAIN       | PER DMC NO. 5840-2                    |
| 5. 8" AC SERVICE/SEWERAGE MAIN        | PER DMC NO. 5840-2, 5841-D & 5873-1-D |
| 6. 10" AC SERVICE/SEWERAGE MAIN       | PER DMC NO. 11732-12-D                |
| 7. 24" CONCRETE SERVICE/SEWERAGE MAIN | PER DMC NO. 11732-12-D                |
| 8. 12" AC SERVICE/SEWERAGE MAIN       | PER DMC NO. 11732-12-D & 2884-2-D     |
| 9. 24" AC SERVICE/SEWERAGE MAIN       | PER DMC NO. 11732-12-D                |
| 10. 8" AC SERVICE/SEWERAGE MAIN       | PER DMC NO. 12743-4-0                 |
| 11. 8" AC SERVICE/SEWERAGE MAIN       | PER DMC NO. 11732-12-D, 11847-13-D    |
| 12. 24" RCP DRAINAGE PIPE             | PER DMC NO. 2884-2-D                  |



**PREPARED BY:**  
 NAME: LEPPER ENGINEERING CORPORATION  
 ADDRESS: 5190 GOVERNOR DRIVE, S-202  
 SAN DIEGO, CA 92122  
 PHONE # (619) 587-2001

**PROJECT ADDRESS:**  
 2512 GENESSEE AVENUE

**PROJECT NAME:**  
 LA JOLLA CANTON

**SHEET TITLE:**  
 EXISTING IDENTIFY MAP  
 CONCEPTUAL UTILITY PLAN

**REVISIONS:**

|              |          |
|--------------|----------|
| REVISION 14: |          |
| REVISION 13: |          |
| REVISION 12: |          |
| REVISION 11: |          |
| REVISION 10: |          |
| REVISION 9:  |          |
| REVISION 8:  |          |
| REVISION 7:  |          |
| REVISION 6:  |          |
| REVISION 5:  |          |
| REVISION 4:  |          |
| REVISION 3:  | 11/25/08 |
| REVISION 2:  |          |
| REVISION 1:  | 6/30/08  |

**ORIGINAL DATE:** 04/11/08

**SHEET:** 12 OF 21

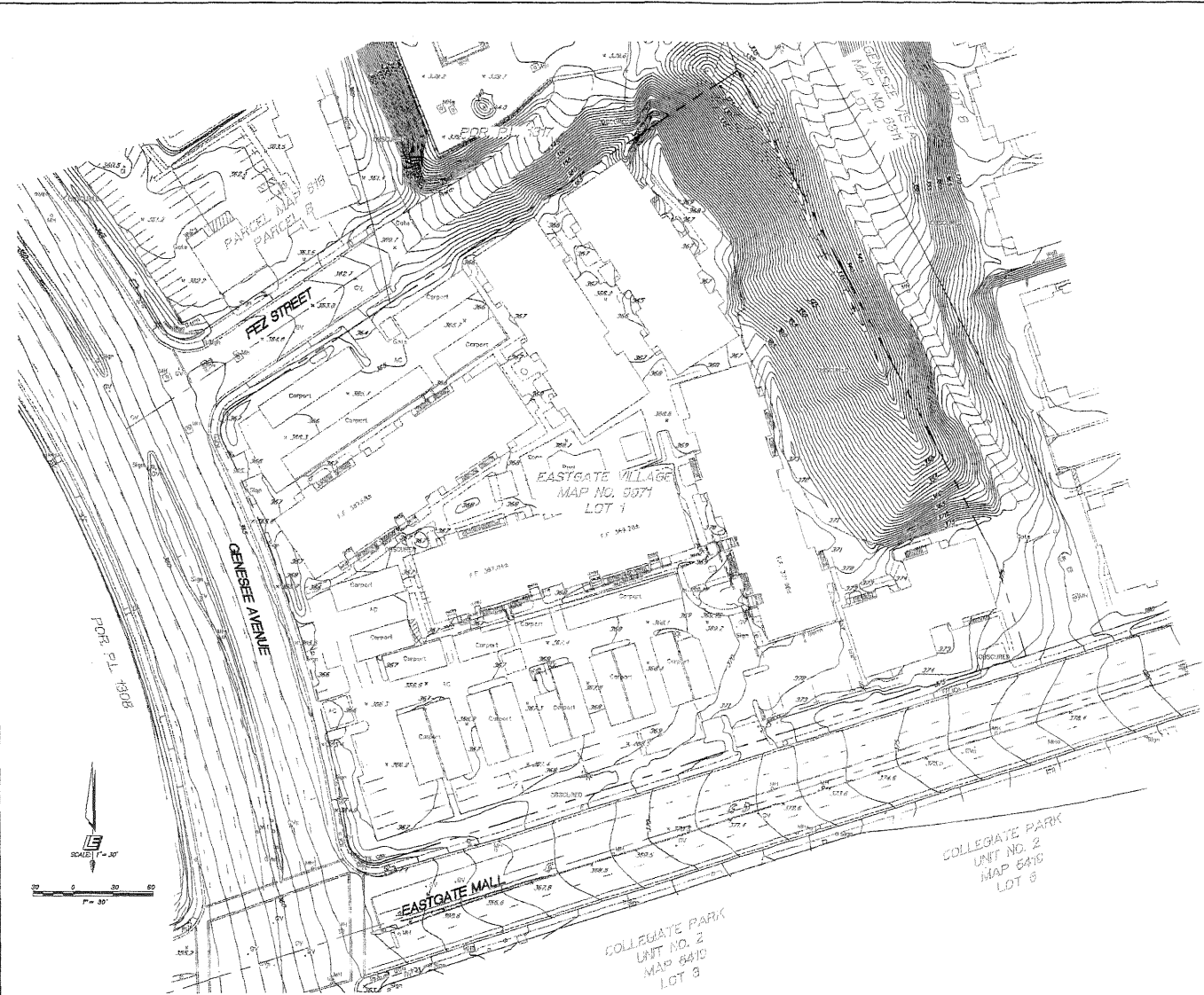
**DATE:** 6/30/08

| NO. | DATE     | BY | DESCRIPTION | APPROVED BY |
|-----|----------|----|-------------|-------------|
| 1   | 06/30/08 | ML | PREPARED    |             |
| 2   | 07/01/08 | ML | REVISION 1  |             |
| 3   | 07/01/08 | ML | REVISION 2  |             |
| 4   | 07/01/08 | ML | REVISION 3  |             |
| 5   | 07/01/08 | ML | REVISION 4  |             |
| 6   | 07/01/08 | ML | REVISION 5  |             |
| 7   | 07/01/08 | ML | REVISION 6  |             |
| 8   | 07/01/08 | ML | REVISION 7  |             |
| 9   | 07/01/08 | ML | REVISION 8  |             |
| 10  | 07/01/08 | ML | REVISION 9  |             |
| 11  | 07/01/08 | ML | REVISION 10 |             |
| 12  | 07/01/08 | ML | REVISION 11 |             |
| 13  | 07/01/08 | ML | REVISION 12 |             |
| 14  | 07/01/08 | ML | REVISION 13 |             |
| 15  | 07/01/08 | ML | REVISION 14 |             |

**PREPARATION AND REVISION LOG**

NO. 83 1899-0262 NO. 37 158-1704 P.T.S. 154476 W.G. 41-0744



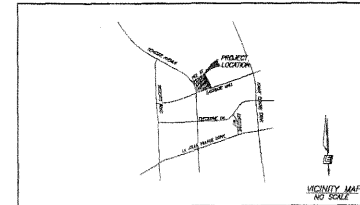


**TOPOGRAPHIC INFORMATION**

- A. SOURCE: AERIAL PHOTOGRAPHY ON 11-08-2006
- B. PREPARED BY: S&B-CO AERIAL SURVEYS
- C. DATUM: MEAN SEA LEVEL

**BENCH MARK**

THE BENCHMARK FOR THIS PROJECT IS A CITY OF SAN DIEGO MARK AT THE INTERSECTION OF EASTGATE MALL AND GENESSEE AVE. REF THE CITY OF SAN DIEGO UTILITY CONTROL RECORD INDICATED BY NE POST NUMBER AS 1005-1742E (ELEVATION = 316.287 MET ABOVE)



|                  |   |                |          |
|------------------|---|----------------|----------|
| PREPARED BY:     | NAME: LIZBERT ENGINEERING CORPORATION                 | REVISION 14:   | _____    |
| ADDRESS:         | 3190 GOVERNOR DRIVE, SUITE 205<br>SAN DIEGO, CA 92122 | REVISION 13:   | _____    |
| PHONE:           | (619) 597-2001  | REVISION 12:   | _____    |
| PROJECT ADDRESS: | 881 S GENESSEE AVENUE                                 | REVISION 11:   | _____    |
| PROJECT NAME:    | LA JOLLA DANCEN                                       | REVISION 10:   | _____    |
| REVISION 9:      | _____   | REVISION 9:    | _____    |
| REVISION 8:      | _____   | REVISION 8:    | _____    |
| REVISION 7:      | _____   | REVISION 7:    | _____    |
| REVISION 6:      | _____   | REVISION 6:    | _____    |
| REVISION 5:      | _____   | REVISION 5:    | _____    |
| REVISION 4:      | _____   | REVISION 4:    | _____    |
| REVISION 3:      | _____   | REVISION 3:    | _____    |
| REVISION 2:      | 11/23/08  | REVISION 2:    | 11/23/08 |
| REVISION 1:      | 6/30/08   | REVISION 1:    | 6/30/08  |
| SHEET TITLE:     | EXISTING TOPOGRAPHY                                   | ORIGINAL DATE: | 04/11/08 |
| SHEET:           | 02.0  | OF:            | 21       |
| DATE:            | 04/11/08  | BY:            | _____    |

| NO. | DATE | BY | DESCRIPTION |
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LIZBERT ENGINEERING CORPORATION  
 3190 GOVERNOR DRIVE  
 SAN DIEGO, CA 92122  
 (619) 597-2001

PREPARED BY: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 DATE: \_\_\_\_\_

LIZBERT ENGINEERING CORPORATION  
 3190 GOVERNOR DRIVE  
 SAN DIEGO, CA 92122  
 (619) 597-2001

NO. 89-0288 NO. 57-258-1704 P.S. 184478 NO. 43-0748



SLOPE ANALYSIS

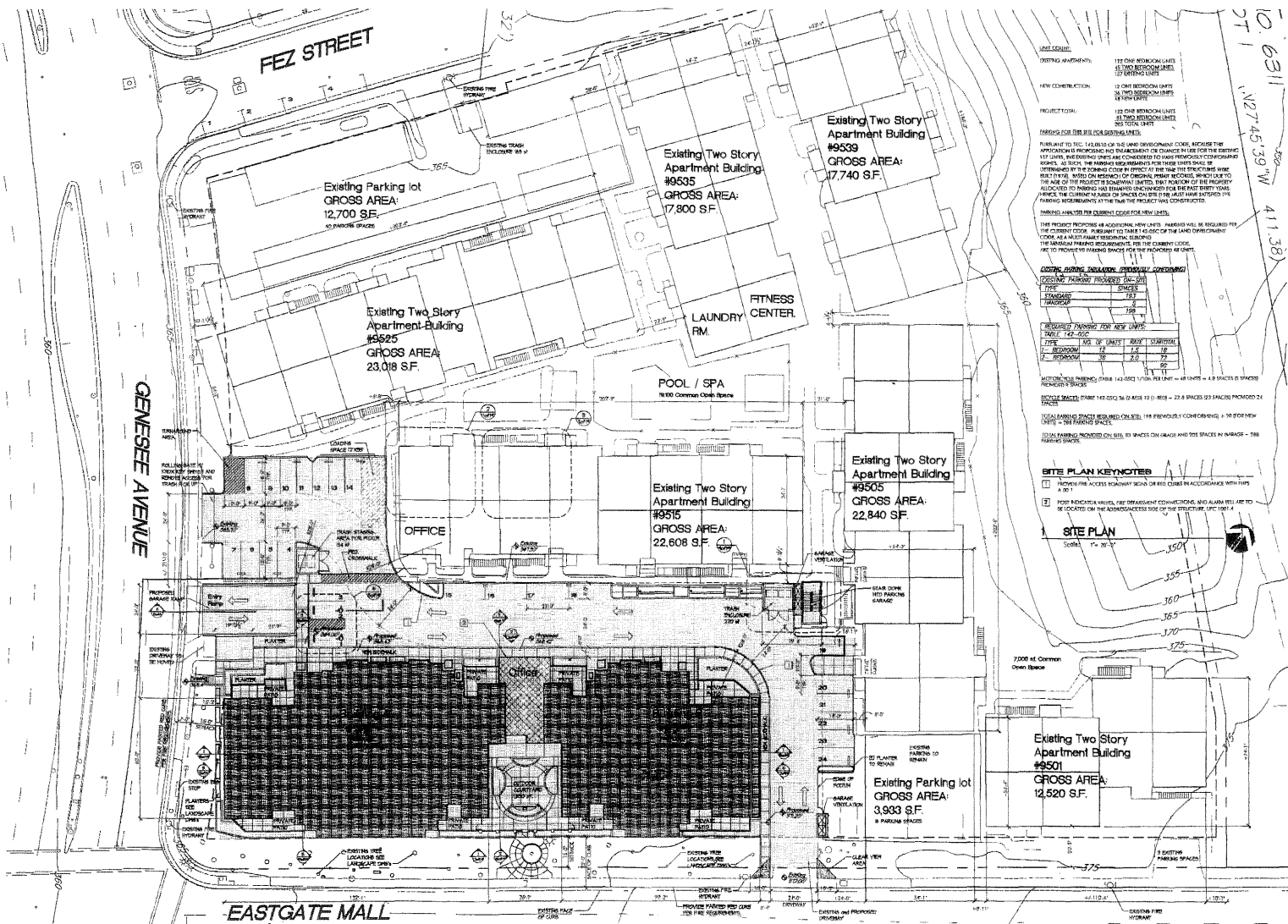
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| ■     | 25.01 |      | 35.00     | 3.4     | 8956.43  |
| ■     | 35.01 |      | 100.00    | 11.9    | 24347.52 |

|    |                 |   |
|----|-----------------|---|
| 1  | PREPARED BY     | LEFEKEL ENGINEERING CORPORATION                     |
| 2  | ADDRESS         | 5190 GOVERNOR DRIVE, SUITE 200, SAN DIEGO, CA 92122 |
| 3  | PHONE           | (619) 597-2001                                      |
| 4  | PROJECT ADDRESS | 8815 GENESSEE AVENUE                                |
| 5  | PROJECT NAME    | LA JOLLA CANYON                                     |
| 6  | DATE            | 04/11/08  |
| 7  | SHEET TITLE     | SLOPE ANALYSIS                                      |
| 8  | DATE            | 04/11/08  |
| 9  | SHEET           | 03.0 OF 21  |
| 10 | SCALE           | AS SHOWN  |

|    |                 |   |             |          |
|----|-----------------|---|-------------|----------|
| 11 | PREPARED BY     | LEFEKEL ENGINEERING CORPORATION                     | REVISION 14 | _____    |
| 12 | ADDRESS         | 5190 GOVERNOR DRIVE, SUITE 200, SAN DIEGO, CA 92122 | REVISION 13 | _____    |
| 13 | PHONE           | (619) 597-2001                                      | REVISION 12 | _____    |
| 14 | PROJECT ADDRESS | 8815 GENESSEE AVENUE                                | REVISION 11 | _____    |
| 15 | PROJECT NAME    | LA JOLLA CANYON                                     | REVISION 10 | _____    |
| 16 | DATE            | 04/11/08  | REVISION 9  | _____    |
| 17 | SHEET TITLE     | SLOPE ANALYSIS                                      | REVISION 8  | _____    |
| 18 | DATE            | 04/11/08  | REVISION 7  | _____    |
| 19 | SHEET           | 03.0 OF 21  | REVISION 6  | _____    |
| 20 | SCALE           | AS SHOWN  | REVISION 5  | _____    |
| 21 |                 |   | REVISION 4  | _____    |
| 22 |                 |   | REVISION 3  | _____    |
| 23 |                 |   | REVISION 2  | 11/25/06 |
| 24 |                 |   | REVISION 1  | 6/30/06  |

WD 83-1889-0289 WD 27-289-1294 P.P.S. 184478 WD 43-0740





**USE LEGEND**

|                     |  |
|---------------------|--|
| EXISTING APARTMENTS | 101 ONE BEDROOM UNITS<br>24 TWO BEDROOM UNITS<br>70 BIKING UNITS |
| NEW CONSTRUCTION    | 10 ONE BEDROOM UNITS<br>24 TWO BEDROOM UNITS<br>24 NEW UNITS     |
| PROJECT TOTAL       | 111 ONE BEDROOM UNITS<br>48 TWO BEDROOM UNITS<br>94 TOTAL UNITS  |

**PARKING FOR THE SITE FOR GARAGING UNITS:**

PERMANENT TO BE: 1.111 UNITS OF ONE AND TWO BEDROOM CODE, BEFORE THE APPROVAL OF THE PROPOSED AND REVISIONS OR CHANGE IN USE FOR THE PROPOSED USE. THE PROPOSED UNITS ARE CONSIDERED TO HAVE PROVIDED A PROPORTIONATE NUMBER OF SPACES. THE PARKING AND GARAGING FOR THESE UNITS SHALL BE DETERMINED BY THE CHAIRMAN CODE IN EFFECT AT THE TIME THE PROPOSAL WAS FILED IN THE CITY OF DENVER. IN ADDITION TO THE PROPOSED UNITS, THE CITY OF DENVER HAS ALLOCATED TO PARKING AND GARAGING UNITS FOR THE PROPOSED UNITS. THE CURRENT NUMBER OF UNITS ON THE SITE OF THE PROJECT HAS EXCEEDED THE PARKING REQUIREMENTS AT THE TIME THE PROJECT WAS CONSTRUCTED.

**PARKING SPACES FOR EXISTING CODE FOR NEW UNITS:**

THE PROJECT PROVIDES 48 ADDITIONAL PARKING SPACES. PARKING WILL BE REQUIRED FOR THE EXISTING CODE. NECESSARY TO TAKE 1/2 OF THE LAND DEVELOPMENT CODE AS A CITY FAMILY RESIDENTIAL ZONING. THE MINIMUM PARKING REQUIREMENTS FOR THE CHAIRMAN CODE ARE TO PROVIDE PARKING SPACES FOR THE PROPOSED UNITS.

**EXISTING PARKING PROVIDED (PREVIOUSLY CONVENING)**

| TYPE     | SPACES |
|----------|--------|
| EXISTING | 12,700 |
| PROPOSED | 3,993  |
| TOTAL    | 16,693 |

**REQUIREMENTS FOR NEW UNITS:**

| TYPE           | MIN. OF UNITS | MIN. SQUARE FEET |
|----------------|---------------|------------------|
| 1. RESIDENTIAL | 20            | 2,000            |
| 2. RESIDENTIAL | 20            | 2,000            |
| 3. RESIDENTIAL | 20            | 2,000            |

**ADDITIONAL PARKING CODE (AS PER 1/10/04 DENVER CODE - 11.01.01.01)**

PROPOSED UNITS:

| UNITS                 | PROVIDED SPACES |
|-----------------------|-----------------|
| 101 ONE BEDROOM UNITS | 101 SPACES      |
| 24 TWO BEDROOM UNITS  | 24 SPACES       |
| 70 BIKING UNITS       | 70 SPACES       |
| TOTAL                 | 195 SPACES      |

**EXISTING UNITS:**

| UNITS                 | PROVIDED SPACES |
|-----------------------|-----------------|
| 101 ONE BEDROOM UNITS | 101 SPACES      |
| 24 TWO BEDROOM UNITS  | 24 SPACES       |
| 70 BIKING UNITS       | 70 SPACES       |
| TOTAL                 | 195 SPACES      |

**TOTAL PARKING SPACES REQUIRED (PER 11.01.01.01)**

195 SPACES (PREVIOUSLY CONVENING) + 16 FOR NEW UNITS = 211 SPACES

**TOTAL PARKING PROVIDED (ON-SITE)**

16,693 SPACES (EXISTING) + 3,993 SPACES (PROPOSED) = 20,686 SPACES

**EXISTING AND PROPOSED PARKING**

20,686 SPACES (EXISTING) + 3,993 SPACES (PROPOSED) = 24,679 SPACES

**EXISTING AND PROPOSED PARKING**

| TYPE     | SPACES |
|----------|--------|
| EXISTING | 12,700 |
| PROPOSED | 3,993  |
| TOTAL    | 16,693 |

**EXISTING AND PROPOSED PARKING**

| TYPE     | SPACES |
|----------|--------|
| EXISTING | 12,700 |
| PROPOSED | 3,993  |
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**EXISTING AND PROPOSED PARKING**

| TYPE     | SPACES |
|----------|--------|
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| PROPOSED | 3,993  |
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**EXISTING AND PROPOSED PARKING**

| TYPE     | SPACES |
|----------|--------|
| EXISTING | 12,700 |
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**EXISTING AND PROPOSED PARKING**

| TYPE     | SPACES |
|----------|--------|
| EXISTING | 12,700 |
| PROPOSED | 3,993  |
| TOTAL    | 16,693 |

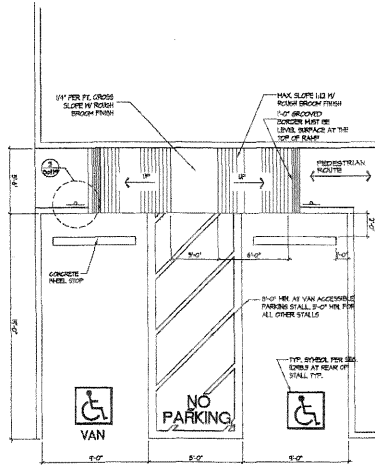
**Maple Dell + McClelland**  
ARCHITECTS, LLP

ARCHITECTURE • PLANNING • INTERIOR DESIGN  
3800 CHERRY STREET  
DENVER, CO 80202  
PHONE: (303) 733-8800  
WWW.MDMLP.COM

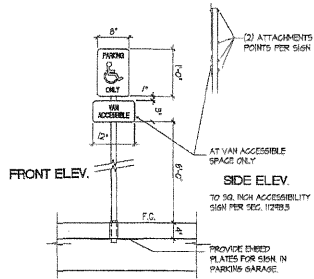
**La Jolla Canyon**  
8575 Genesee Ave.  
San Diego, CA 92121

| NO. | DESCRIPTION       | DATE     |
|-----|-------------------|----------|
| 1   | CONCEPT SITE PLAN | 06/04/07 |

DATE: 06/04/07  
SHEET: 7 of 21

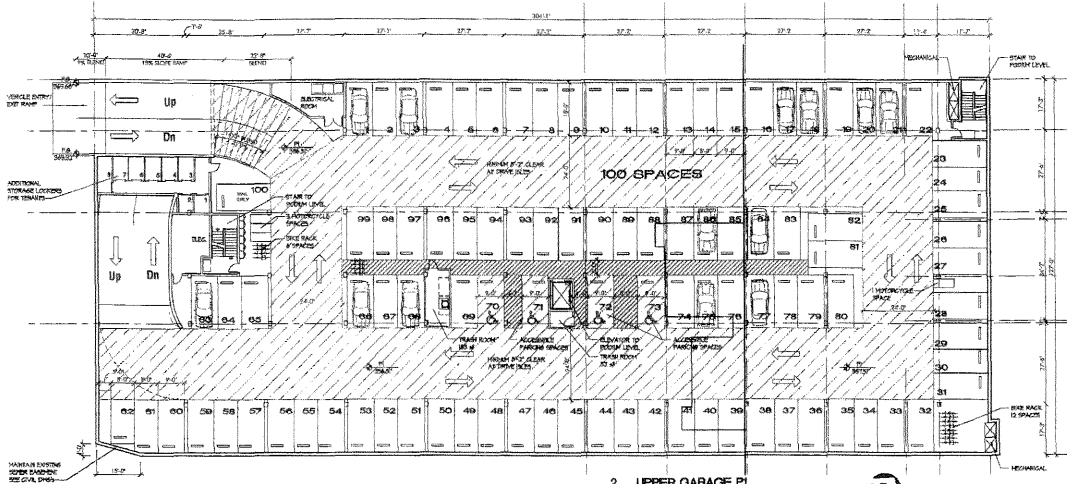


**4 ACCESSIBLE PARKING**  
Scale: 1/4" = 1'-0"

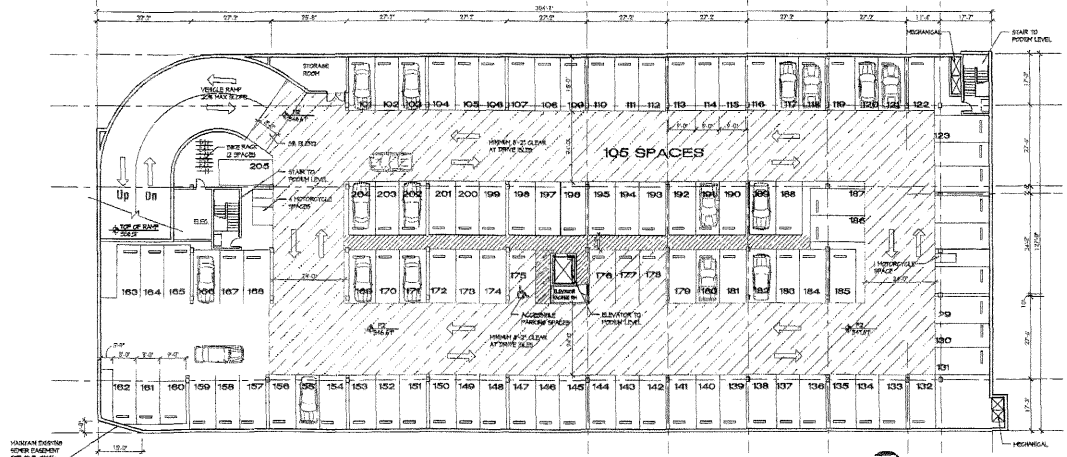


**3 ACCESSIBLE PARKING SIGN**  
Scale: 1" = 1'-0"

**PARKING**  
LOWER GARAGE: 105 SPACES  
UPPER GARAGE: 100 SPACES  
TOTAL GARAGE PARKING: 205 SPACES



**2 UPPER GARAGE P1**  
Scale: 1/8" = 1'-0"



**1 LOWER GARAGE P2**  
Scale: 1/8" = 1'-0"

Maple Dell + McClelland  
ARCHITECTS, LLP  
ARCHITECTS  
400 WEST 15TH AVENUE  
DENVER, CO 80202  
TEL: 303.733.7777

CLIENT  
**La Jolla Canyon**  
9515 Genesee Ave  
San Diego, CA 92121

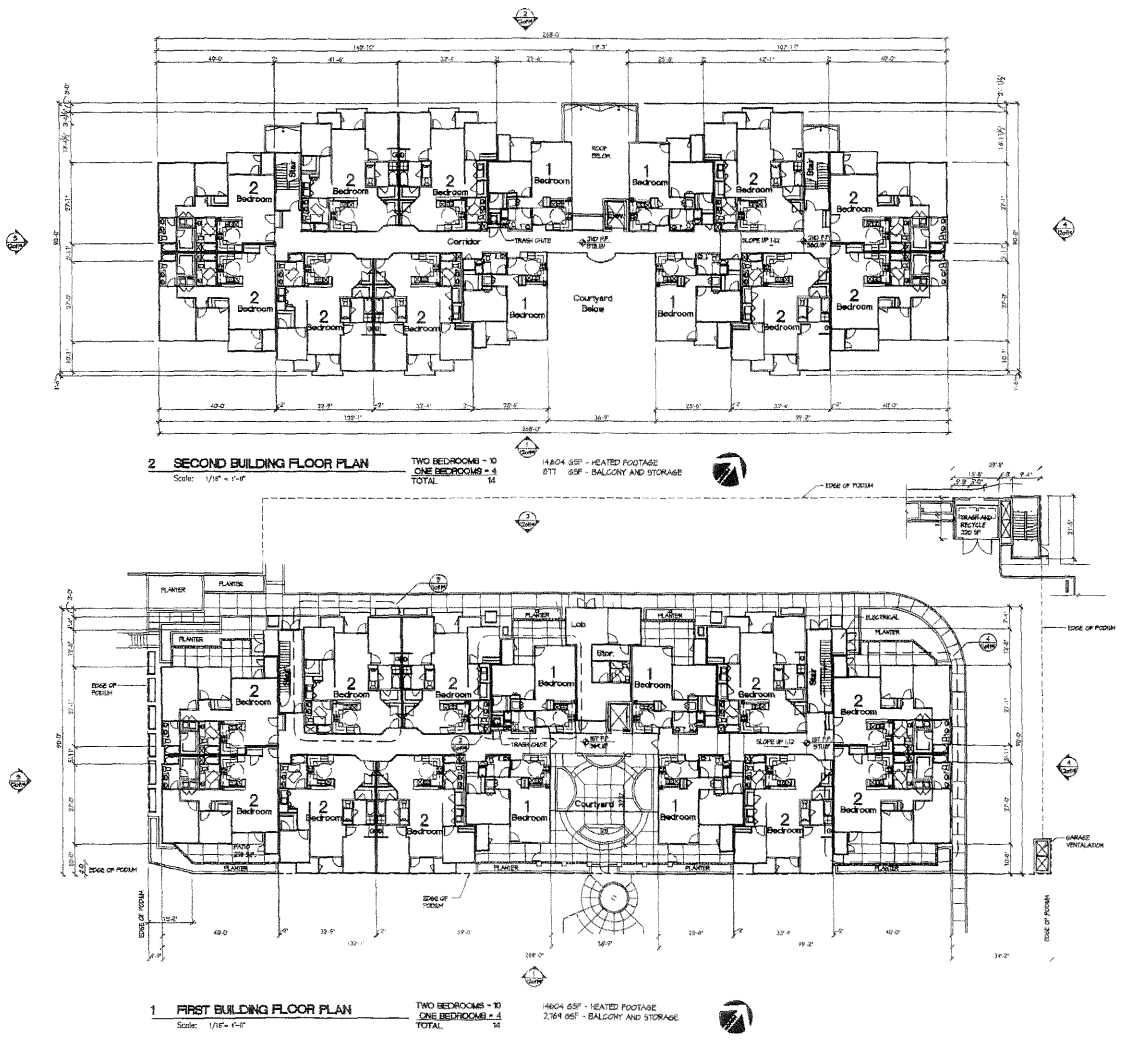
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PROJECT TITLE  
**GARAGE FLOOR PLANS**

DATE PLOTTED: 08/09/09

8of21





**Maple Dell + McClelland**  
 ARCHITECTS, LLP  
 ARCHITECTURE • PLANNING • INTERIOR DESIGN  
 1000 W. BROADWAY, SUITE 1000  
 DENVER, CO 80202  
 TEL: 303.733.0000

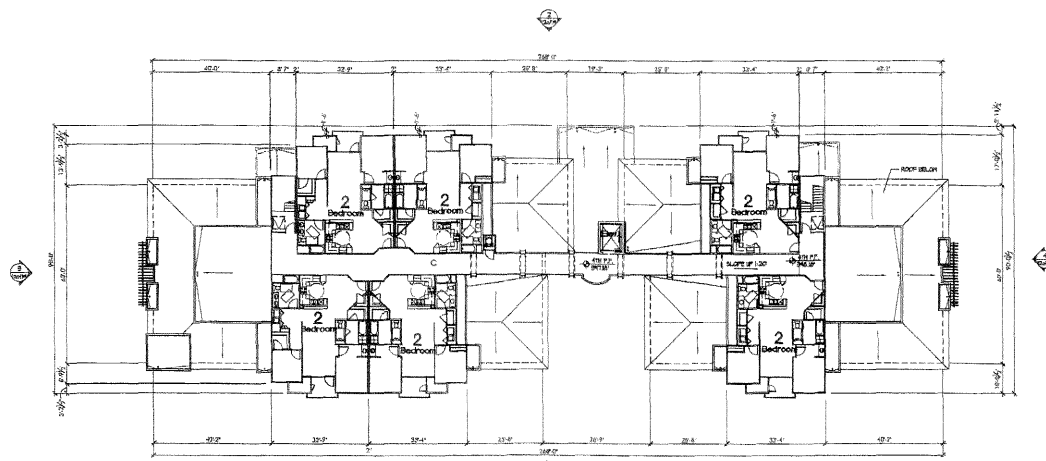
**La Jolla Canyon**  
 9515 Gertrude Ave.  
 San Diego, CA 92121

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**PROJECT TITLE**  
 FIRST AND SECOND BUILDING FLOOR PLANS

Drawn By: [ ]  
 Checked By: [ ]  
 Date: [ ]  
 Project No.: [ ]  
 Sheet No.: [ ]

Scale: 1/8" = 1'-0" SHEET NUMBER  
 9 of 21  
 Date: 01-10-09

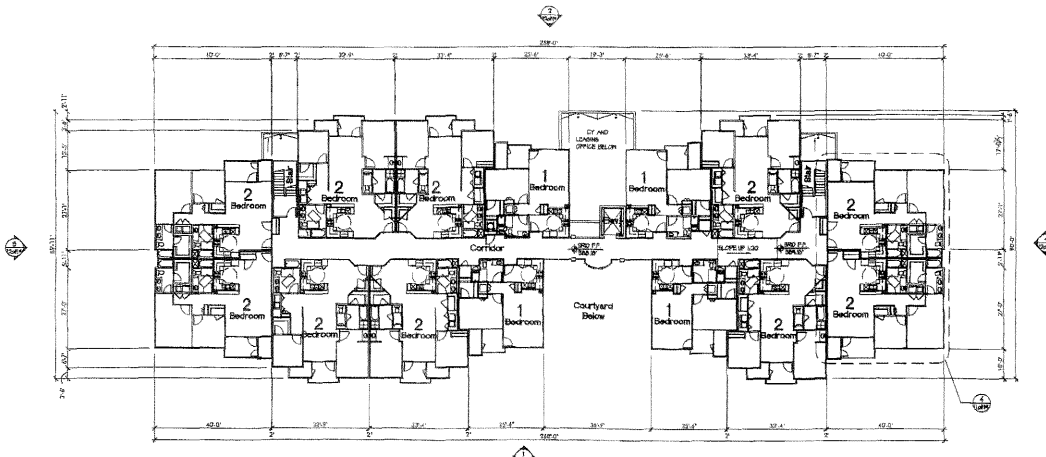


**2 FOURTH BUILDING FLOOR PLAN**

TWO BEDROOMS = 6

6,424 GSF - HEATED FOOTAGE  
524 GSF - BALCONY AND STORAGE

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



**1 THIRD BUILDING FLOOR PLAN**

TWO BEDROOMS = 10

ONE BEDROOMS = 4

TOTAL = 14

14,604 GSF - HEATED FOOTAGE  
871 GSF - BALCONY AND STORAGE

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

**Maple Dell + McClelland**  
ARCHITECTS, LLP  
ARCHITECTURE • PLANNING • INTERIOR DESIGN  
380 EAST WASHINGTON  
SALT LAKE CITY, UT 84103  
TEL: 801.462.2000 FAX: 801.462.2000

**La Jolla Canyon**  
9515 Genesee AVE  
SALT LAKE CITY, UT 84121

| NO. | DESCRIPTION | DATE |
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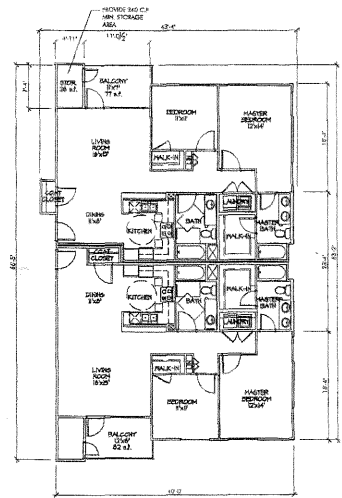
PROJECT TITLE  
**THIRD AND FOURTH BUILDING FLOOR PLANS**

Client/Agency  
Architect/Designer  
Author/Designer  
Project Address  
Project No. 200100010

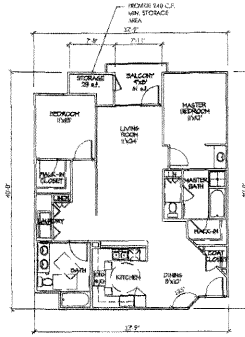
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Checked By: KAM  
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Date: 01-12-09

Sheet No. 10 of 12

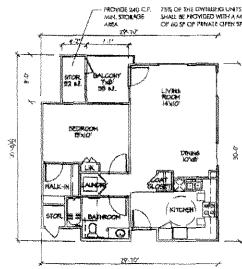




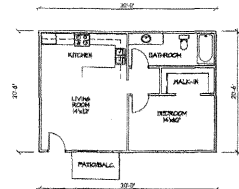
**6 TWO BEDROOM - 2 BATH END UNITS (PROPOSED)**  
 Scale: 1/8" = 1'-0"  
 1061 S.F.  
 102 S.F. BALCONY AND STORAGE



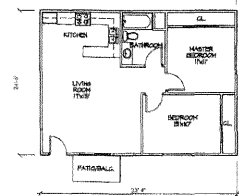
**5 TWO BEDROOM - 2 BATH UNIT (PROPOSED)**  
 Scale: 1/8" = 1'-0"  
 1250 S.F.  
 107 S.F. BALCONY AND STORAGE



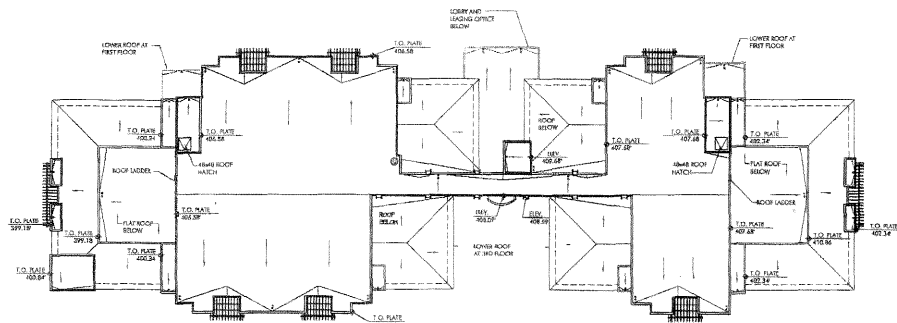
**4 ONE BEDROOM UNIT (PROPOSED)**  
 Scale: 1/8" = 1'-0"  
 765 S.F.  
 75 S.F. BALCONY AND STORAGE



**3 TYP. ONE BEDROOM UNIT (EXISTING)**  
 Scale: 1/8" = 1'-0" 800 S.F. (APPROX)



**2 TYP. TWO BEDROOM UNIT (EXISTING)**  
 Scale: 1/8" = 1'-0" 900 S.F. (APPROX)



**1 ROOF PLAN**  
 Scale: 1/16" = 1'-0"

Maple Dell + McClelland  
 ARCHITECTS, LLP  
 ARCHITECTS  
 9515 GERRISS AVE. SUITE 100  
 SAN DIEGO, CA 92121  
 TEL: 619.594.1111  
 WWW.MDMLP.COM

La Jolla Canyon  
 9515 GERRISS AVE.  
 SAN DIEGO, CA 92121

| NO. | DESCRIPTION | DATE |
|-----|-------------|------|
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ENLARGED  
 UNIT PLANS  
 AND  
 ROOF PLAN

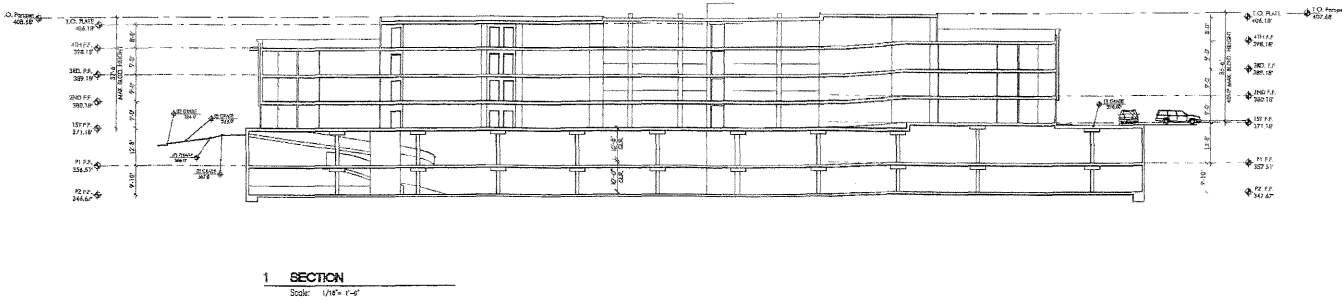
| DATE | BY | REVISION |
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Owner Approval: \_\_\_\_\_  
 Architect Approval: \_\_\_\_\_  
 Plan Approval: \_\_\_\_\_  
 Permit No.: 060-0000-00

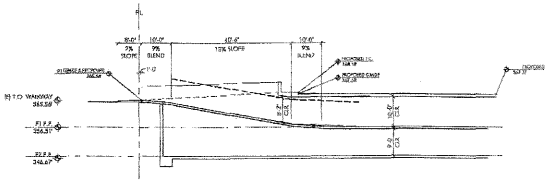
Sheet No. 1 of 2  
 Date: 07-12-07



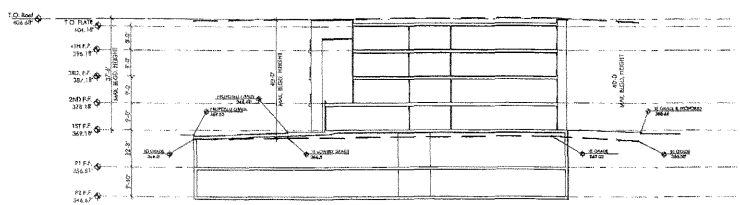




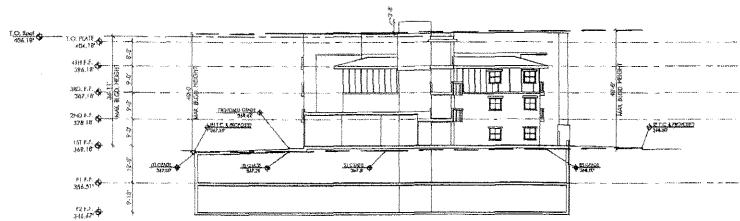
1 SECTION  
Scale: 1/16" = 1'-0"



-4 SECTION AT PARKING RAMP  
Scale: 1/16" = 1'-0"



3 SECTION  
Scale: 1/16" = 1'-0"



2 SECTION  
Scale: 1/16" = 1'-0"

Maple Dell + McClelland  
ARCHITECTS, LLP  
ARCHITECTS • PLANNERS • INTERIOR DESIGN  
1000 BROADWAY, SUITE 2000  
NEW YORK, NY 10018  
TEL: 212 693 8800  
WWW.MAPLEDELLMCCLELLAND.COM

|         |            |
|---------|------------|
| PROJECT | CONTRACTOR |
|         |            |

La Jolla Canyon  
9515 Genesee Ave.  
San Diego, CA 92121

| NO. | DESCRIPTION | DATE |
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SHEET TITLE  
CONCEPT BUILDING SECTIONS

Drawn By: [Name]  
Checked By: [Name]  
Scale: [Scale]  
Date: 01.12.09

**CITY NOTES**

- Prior to issuance of any construction permits for grading, the Permittee or Subsequent Owner shall submit landscape construction documents for the revegetation 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.
- 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 the approved Landscape Plans on file in the office of the Development Services Department.
- 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 all street trees.
- 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.
- 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.
- The Permittee or Subsequent Owner shall be responsible for the maintenance of all landscape improvements on the subject property and in the right-of-way along Genesee Avenue and Eastgate Mall adjacent to the subject site. All landscape improvements shall be consistent with the Land Development Manual, Landscape Standards.

**LANDSCAPE DESIGN STATEMENT**

The landscape design is intended to both complement and enhance the architecture and the site while providing aesthetically pleasing and usable pleasing and usable landscape spaces. The entry courtyard will serve as open space for the residents.

The proposed Landscape Development Plan has been designed to meet or exceed the requirements set forth in the City of San Diego's Land Development Code, Landscape Regulations and the Land Development Manual, Landscape Standards.

The existing Pinus canariensis along Eastgate Mall will remain and be protected in place, except for those located too close to the proposed garage. The three existing Eucalyptus polyanthemos are very mature and will be removed, in anticipation of infestation of the bark beetle attacking and killing mature eucalyptus. The existing lawn areas along Eastgate Mall and Genesee will be re-sodded as part of this project.

**ABBREVIATION LEGEND**

|                                 |  |
|---------------------------------|--|
| FTE = Finished Floor Elevation  | <b>DISTANCE</b>  |
| FS = Finished Surface Elevation | Improvement/Minimum Distance to Street Tree                    |
| EG = Existing Grade Elevation   | Traffic signals (stop sign)- 20 feet                           |
| FG = Finished Grade Elevation   | Underground utility lines-5 feet                               |
| TC = Top of Curb Elevation      | Above ground utility structures-10 feet                        |
| TW = Top of Wall Elevation      | Driveway (entire)- 10 feet                                     |
| OC = On Center Spacing          | Intersections (intersecting curb lines of two streets)-25 feet |
|                                 | Sewer Lines- 10 ft   |

**LANDSCAPE PLAN NOTES:**

- 1.1: Site Development Features: There are existing street trees on-site to be retained as part of the final Landscape development.
- 1.2: Street trees: Existing street trees are shown diagrammatically on the landscape plan. All utilities, including gas, water, sewer, electric and telephone, will be planned to not be in conflict with any additional street tree placement.
- 1.3: Legend:
  - A. Symbols for all proposed trees are delineated on the plans. Refer to the planting legend for preliminary tree planting palettes. The planting list is preliminary and subject to change.
  - B. Changes to the plant legends are subject to review and approval by City of San Diego Landscape Review. Shrub spacing will be provided at a later date.
  - C. Plant material will be provided at the following percentages:
    - Trees:
      - 64% at a size of 24" box or smaller (minimum tree size will be 1.5 gallon)
      - 16% at a size of 36" box or larger
    - Shrubs:
      - 38% at a size of 1 gallon or smaller
      - 37% at a size of 5 gallon
      - 4% at a size of 1.5 gallon
      - 1% at a size of 24" box
    - Ground Covers:
      - 100% flat size, at 10' o.c.
- 1.4: All planting areas shall be mulched to minimum depth of 2 inches. All exposed soil areas without vegetation shall be mulched. (LDC 142.0413(B))
- 1.5: All landscape and irrigation shall conform to standards of the City Landscape Regulations and the City of San Diego Land Development Manual Landscape Standards and all other landscape related City and Regional Standards.

**IRRIGATION & MAINTENANCE NOTES:**

- 2.1: Irrigation and Maintenance: Irrigation system shall be operated automatically. The irrigation shall be maintained by the Owner.
- 2.2: An irrigation system shall be provided as required for proper irrigation and maintenance of the vegetation. The design of the system shall provide adequate support for the vegetation selected.
- 2.3: Required landscape areas shall be maintained by the 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.
- 2.4: All irrigation zones shall be separated by sun/shade exposures and plant material types.
- 2.5: All landscape areas shall be maintained by the Owner.

**PAVING TYPES**

- 3.1: Drives abutting the structural slab podium over the subterranean garage shall be A.C. paving. The paving over the subterranean garage will be concrete topping or deck coating.
- 3.2: Sidewalks shall be natural concrete, Coarse broom finish.
- 3.3: Courtyard paving shall be textured to delineate the patterns.

**Sheet Index**

|  |           |
|--|-----------|
| Title Sheet                            | Sheet No. |
| Title Sheet, Legend, Notes             | 1.0.0     |
| And Sheet Index                        |           |
| Existing Trees                         | 1.1.0     |
| Site Plan                              |           |
| Overall Landscape                      | 1.2.0     |
| Construction Plan                      | 1.2.1     |
| Landscape Sections                     | 1.2.2     |
| Overall Landscape Plan                 | 1.3.0     |
| Isometric Views of the Entry Courtyard | 1.4.0     |
| Landscape Calculations                 | 1.5.0     |

**LEGENDS** QUANTITIES SHOWN ARE FOR GENERAL COUNT, ONLY. CONTRACTOR IS RESPONSIBLE FOR QUANTITIES AS SHOWN ON THE DRAWINGS.

**TREE LEGEND**

| SYMBOL | BOTANICAL NAME   | COMMON NAME         | QUANTITY | SIZE          | DC. GROWN IN CONTAINER                 | HT. X SP.         | COMMENTS        |
|--------|--|---------------------|----------|---------------|--|-------------------|-----------------|
|        | CORDIA ALLIODORA                                       | ORANGE PLUM         | 2        | 1 1/2" B.T.H. | 30" BOX                                | 12'0" OVERALL HT. | NO B.P. ALLOWED |
|        | PRUNUS CALIFORNICA                                     | CHOCOLATE CHERRY    | 3        | 36" BOX       | STANDARD FORM, DOSE HEALTHY, VASCULOUS | 12' X 7'          |                 |
|        | CASSIA LEPTOPHYLLA                                     | GOLD MEDALLION TREE | 24       | 24" BOX       | STANDARD FORM, DOSE HEALTHY, VASCULOUS | 12' X 7'          |                 |
|        | PYRUS CALIFORNICA                                      | BRANDFORD PEAR      | 36       | 36" BOX       | STANDARD FORM, DOSE HEALTHY, VASCULOUS | 12' X 7'          |                 |
|        | COLUBERTARIA PANICULATA                                | GOLDENRAVE TREE     | 30       | 30" BOX       | STANDARD FORM, DOSE HEALTHY, VASCULOUS | 12' X 7'          |                 |
|        | ERYTHRINA HAEMATODES                                   | INDIAN HAWTHORN     | 34       | 24" BOX       | STANDARD FORM, DOSE HEALTHY, VASCULOUS | 10' X 4'          |                 |
|        | PROTEA FRAXINEA  | PROTEA              | 24       | 24" BOX       | STANDARD FORM, DOSE HEALTHY, VASCULOUS | 10' X 4'          |                 |
|        | EXISTING PALM TREES/SHRUBS AND BUCKINGHAM PALMS/SHRUBS | CANNY ISLAND PALM   |          |               |  |                   |                 |

ROOT BARBERS ARE REQUIRED ALONG ALL PAVING SURFACES WITHIN 7' OF TREE TRUNK AND FOR TREES WITHIN 7' OF PUBLIC SIDEWALKS, 9' EACH SIDE, TOTAL LENGTH IS 10'.

**SHRUB LEGEND**

| SYMBOL | BOTANICAL NAME  | COMMON NAME              | QUANTITY | SIZE     | DC. GROWN IN CONTAINER | HT. X SP.     | COMMENTS      |
|--------|-----------------|--------------------------|----------|----------|------------------------|---------------|---------------|
|        | PROTEA FRAXINEA | PROTEA                   | 5        | 1.5 GAL. | FILL AND BERRY         | 7' X 9'       | PLANT IN POTS |
|        | LOBELIA SP.     | TEXAS PRUNT              | 15       | 1.5 GAL. | FILL AND BERRY         | 7' X 9'       | PLANT IN POTS |
|        | HIBISCUS SP.    | DAYLILY                  | 32       | 1 GAL.   | FILL                   | 12" X 12"     |               |
|        | AGAPANTHUS SP.  | EMERALD LEAF OF THE BIRD | 1        | 1 GAL.   | FILL                   | 12" X 12"     |               |
|        | LOBELIA SP.     | TEXAS PRUNT              | 106      | 5 GAL.   | FILL AND BERRY         | 2'-0" X 2'    |               |
|        | ANEMONE SP.     | HEAVENLY BAMBINO         | 7        | 5 GAL.   | HEALTHY, DOSE          | 2'-0" X 2'    |               |
|        | PELARGONIUM SP. | ROY OCEANIC GARDEN       | 164      | 1 GAL.   | HEALTHY, DOSE          | 6" X 6"       |               |
|        | CONVOLVULUS SP. | INDIAN MORNING GLORY     | 1        | 1 GAL.   | HEALTHY, DOSE          | 6" X 6"       |               |
|        | PROTEA SP.      | FRUIT DATE PALM          | 8        | 8" BOX   | HEALTHY, DOSE          | 8" B.T.H.     |               |
|        | ERYTHRINA SP.   | INDIA HAWTHORN           | 25       | 5 GAL.   | HEALTHY, DOSE          | 11'0" X 11'0" |               |
|        | ERYTHRINA SP.   | INDIA HAWTHORN           | 5        | 5 GAL.   | HEALTHY, DOSE          | 11'0" X 11'0" |               |
|        | ERYTHRINA SP.   | INDIA HAWTHORN           | 5        | 5 GAL.   | HEALTHY, DOSE          | 11'0" X 11'0" |               |

**GROUND COVER LEGEND**

| SYMBOL | BOTANICAL NAME | COMMON NAME                            | SPACING      | SIZE  | COMMENTS   |
|--------|----------------|--|--------------|-------|--|
|        | PASPALUM SP.   | FLAT                                   | 12" O.C.     | FLATS | ROOTED CUTTINGS MATCH W/ 1" DIA. OF SHREDDED PINEBAK |
|        | MEDICAGO SP.   | TURF                                   |              |       | FRESH CUT, GOOD LAWN                                 |
|        | MARCH SP.      | ALL SHRUBS MUST BE GULCH/DOVEY COVERED | 2" DEEP LAWN |       | RIP PRODUCTS, CUCUMBERGA, CA PARTY LAWN              |



**La Jolla Canyon**  
 8515 Genesee Ave  
 San Diego, CA 92121

| NO. | DESCRIPTION | DATE |
|-----|-------------|------|
|     |             |      |
|     |             |      |
|     |             |      |

**LEGENDS AND NOTES**

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

Drawn by: [Name]

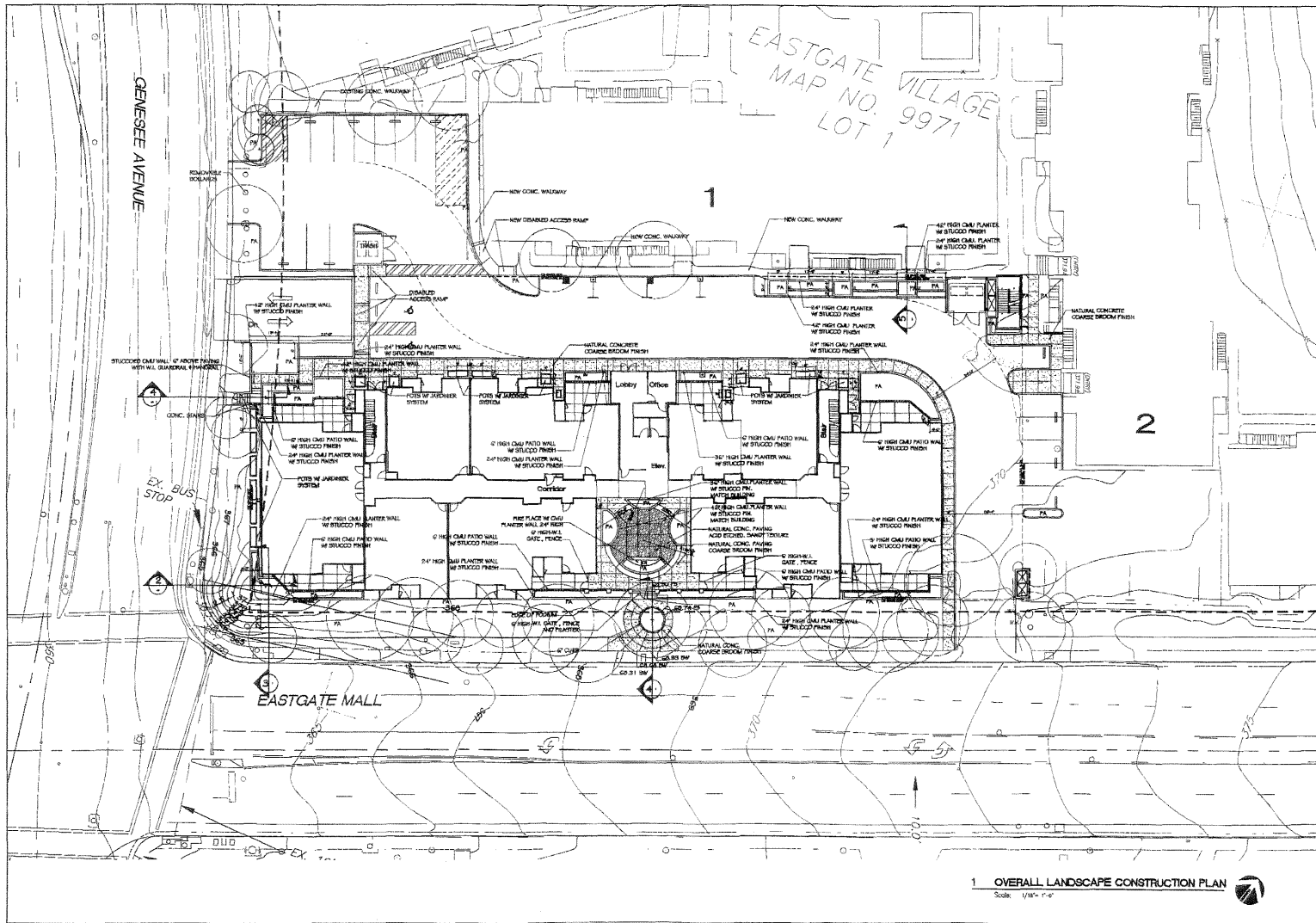
Checked by: [Name]

Project No: 080000

Date: 01.11.08







STUDY  
**PAVALO**  
 ARCHITECTS  
 300 S. GARDNER ST., SUITE 100  
 SAN ANTONIO, TEXAS 78207  
 TEL: 512.444.0000  
 FAX: 512.444.0001



Project: **La Jolla Canyon**  
 9515 Genesee Ave  
 San Antonio, TX 78217

| NO. | DESCRIPTION | DATE |
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SHEET TITLE  
**OVERALL LANDSCAPE CONSTRUCTION PLAN**

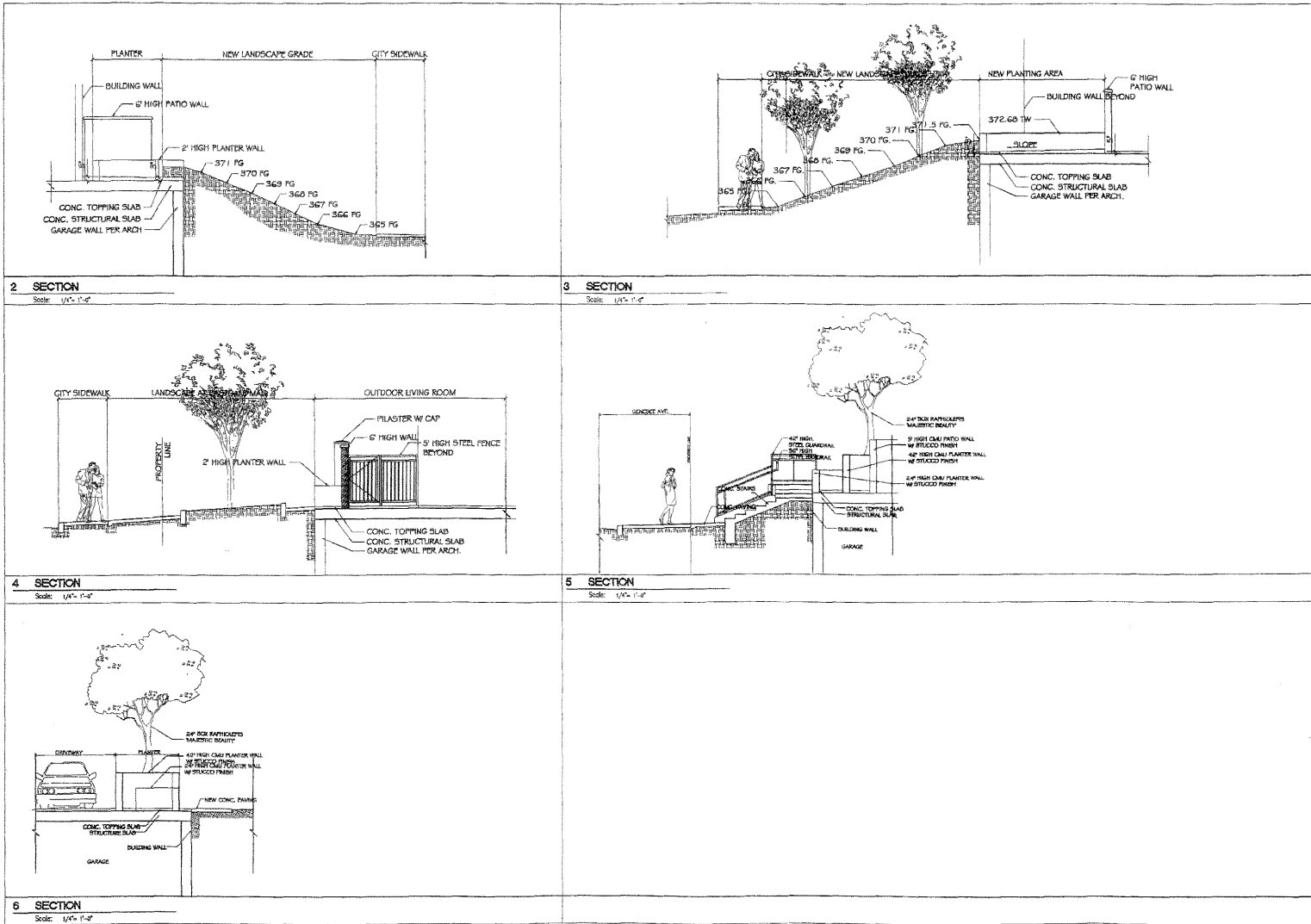
Client Approval: \_\_\_\_\_  
 Prepared By: \_\_\_\_\_  
 Checked By: \_\_\_\_\_  
 Date: 08/22/11

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

**L2.0**

1 OVERALL LANDSCAPE CONSTRUCTION PLAN

ATTACHMENT 8



**2 SECTION**  
Scale: 1/4" = 1'-0"

**3 SECTION**  
Scale: 1/4" = 1'-0"

**4 SECTION**  
Scale: 1/4" = 1'-0"

**5 SECTION**  
Scale: 1/4" = 1'-0"

**6 SECTION**  
Scale: 1/4" = 1'-0"

SEROVI  
 LANDSCAPE ARCHITECTS  
 1000 N. GARDEN ST. SUITE 100  
 ANAHEIM, CA 92805  
 TEL: 714.771.2200  
 FAX: 714.771.2201  
 WWW.SEROVI.COM



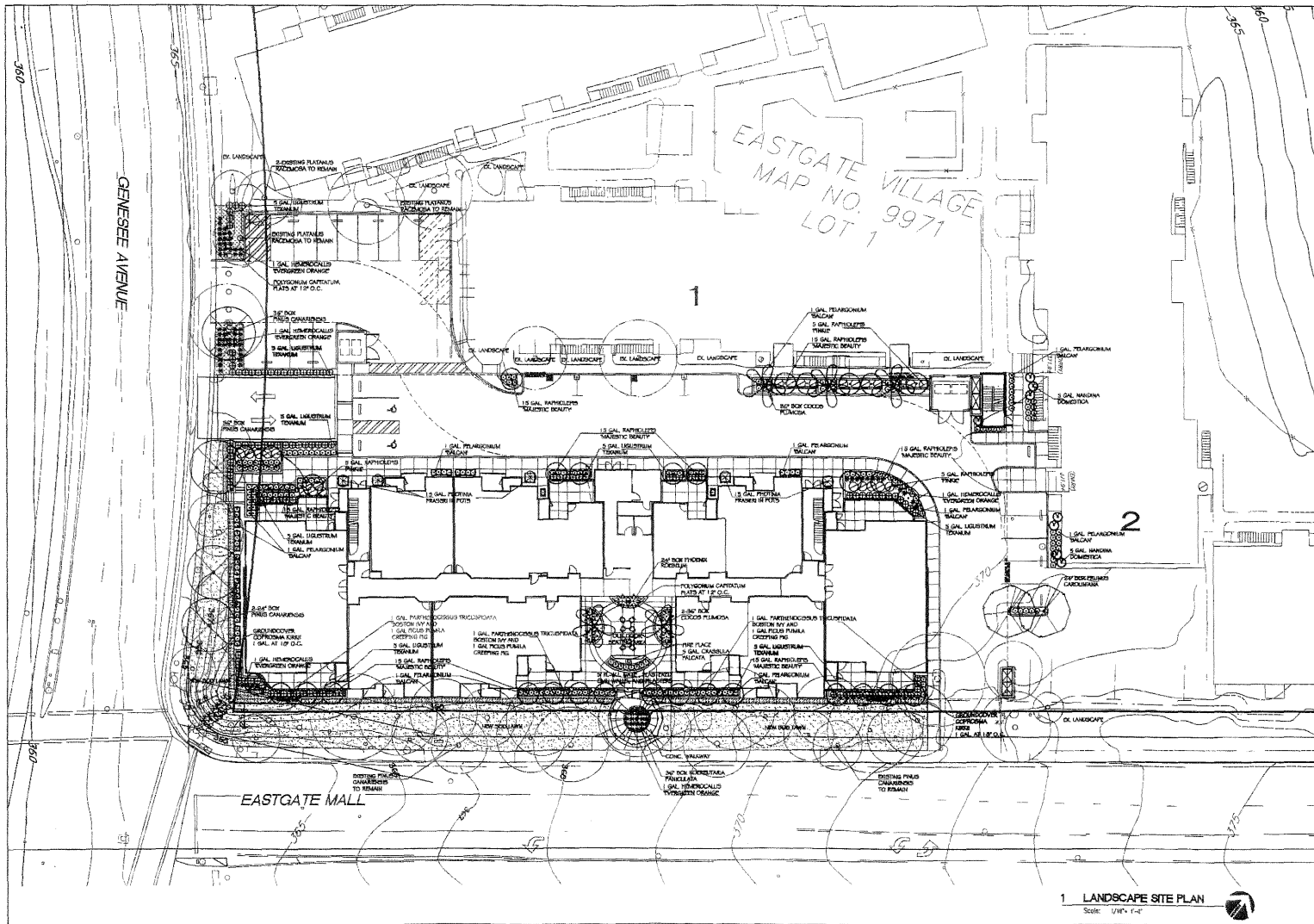
**La Jolla Canyon**  
 8515 GARDEN AVE  
 SAN DIEGO, CA 92121

| NO. | DESCRIPTION | DATE |
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**LANDSCAPE SECTIONS**

|                  |          |       |      |
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| Client Approval: | AS SHOWN | DATE: | 12.1 |
| Prepared By:     |          | DATE: |      |
| Checked By:      |          | DATE: |      |
| Project No.:     | 0208020  | DATE: |      |
| Scale:           | AS SHOWN | DATE: |      |
| Drawn By:        |          | DATE: |      |
| Checked By:      |          | DATE: |      |
| Project No.:     | 0208020  | DATE: |      |

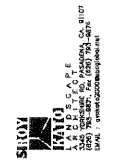




EASTGATE VILLAGE  
MAP NO. 9971  
LOT 1

GENESEE AVENUE

EASTGATE MALL



PROJECT  
**La Jolla Canyon**  
9515 Genesee Ave  
Saint Paul, MN 55121

| NO. | DESCRIPTION | DATE |
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|     |             |      |
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DRAWN BY  
**LANDSCAPE SITE PLAN**

Client Approval: \_\_\_\_\_  
 Professional Seal: \_\_\_\_\_  
 Project Approval: \_\_\_\_\_  
 Project Title: \_\_\_\_\_

Scale: 1/8" = 1'-0"  
 Drawing No: 2019  
 Date: 04/11/19

# GOVERNMENT CODE

## SECTION 66459

66459. (a) If a final map has been approved for a condominium project, community apartment project, or stock cooperative project, and the subdivider or subsequent owner of the project, on or after January 1, 1993, rents a dwelling in that project, he or she shall, prior to offering the separate interest for sale to the general public, deliver the following notice, printed in at least 14-point bold print, prior to the execution of the rental agreement:

TO THE PROSPECTIVE TENANTS OF

---

(address)

THE UNIT YOU MAY RENT HAS BEEN APPROVED FOR SALE TO THE PUBLIC AS A CONDOMINIUM PROJECT, COMMUNITY APARTMENT PROJECT, OR STOCK COOPERATIVE PROJECT (WHICHEVER APPLIES). THE RENTAL UNIT MAY BE SOLD TO THE PUBLIC, AND, IF IT IS OFFERED FOR SALE, YOUR LEASE MAY BE TERMINATED. YOU WILL BE NOTIFIED AT LEAST 90 DAYS PRIOR TO ANY OFFERING TO SELL. IF YOU STILL LAWFULLY RESIDE IN THE UNIT, YOU WILL BE GIVEN A RIGHT OF FIRST REFUSAL TO PURCHASE THE UNIT.

---

(signature of owner or owner's agent)

---

(dated)

(b) The condominium project, community apartment project, or stock cooperative project shall not be referred to in a lease or rental agreement as an "apartment" or "apartments" on or after the date of the approval by the local agency of the final map for the condominium project, community apartment project, or stock cooperative project in which the final map was approved on or after January 1, 1993.

(c) Any tenant of a condominium project, community apartment project, or stock cooperative project pursuant to this section shall be given at least 90 days' written notice of the intention to sell the rental unit to the general public. This subdivision shall not alter or abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or other obligations imposed by Sections 1941, 1941.1, and 1941.2 of the Civil Code.

(d) Any tenant who lawfully resides in a condominium project, community apartment project, or stock cooperative project pursuant to this section shall be given a right of first refusal by the subdivider or subsequent owner of the project for the purchase of his or her rental unit upon the same terms and conditions that the unit will be initially offered to the general public or terms and conditions more favorable to the tenant. This right to purchase shall run for a period of 90 days from the date of the notice, unless the tenant gives written notice within the 90-day period of his or her

intention not to exercise that right.

(e) Failure to comply with this section shall not invalidate the transfer of title to real property.

(f) Failure by a subdivider or his or her agent to give the notice required in subdivision (a) shall not be grounds to deny the conversion. However, if the subdivider or his or her agent fails to give notice pursuant to this section, he or she shall pay to each prospective tenant who becomes a tenant and who was entitled to that notice, and who does not purchase his or her unit pursuant to subparagraph (F) of paragraph (2) of subdivision (a) of Section 66427.1, an amount equal to the sum of the following:

(1) Actual moving expenses incurred when moving from the subject property, but not to exceed one thousand one hundred dollars (\$1,100).

(2) The first month's rent on the tenant's new rental unit, if any, immediately after moving from the subject property, but not to exceed one thousand one hundred dollars (\$1,100).

(g) This section shall not apply to any of the following:

(1) An owner of four dwelling units or less.

(2) Transfers pursuant to court order, including, but not limited to, transfers ordered by a probate court in the administration of an estate, transfers by any foreclosure sale after default, transfers by any foreclosure sale after default in an obligation secured by a mortgage, or transfers by a sale under a power of sale after a default in an obligation secured by a deed of trust or secured by any other instrument containing a power of sale, and any subsequent transfer by a mortgagor or beneficiary of a deed of trust who accepts a deed in lieu of foreclosure or purchases the property at a foreclosure sale.

(3) Transfers by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust. For purposes of this paragraph, a "fiduciary" means a state- or federally chartered bank, trust company, savings association, savings bank, credit union, or industrial loan company.



SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY

ATTACHMENT 10

P.O. BOX 82776, SAN DIEGO, CA 92138-2776  
619.400.2400 WWW.SAN.ORG

September 15, 2008

City of San Diego  
Mr. Jeff Peterson  
Development Services Dept.  
1222 First Avenue, MS 501  
San Diego, CA 92101

Re: *San Diego County Regional Airport Authority, Airport Land Use Commission Determination – 9515 Genesee Avenue, City of San Diego; Construction of 48 Multi Family Residential Units; APN# 343-140-24-00; MCAS Miramar Airport Land Use Compatibility Plan – MIR-08-0012; Resolution No. 2008-0097 ALUC*

Dear Mr. Peterson:

This letter is to notify the City of San Diego (“City”) of the September 4, 2008, consistency determination that was made by the San Diego County Regional Airport Authority (“Authority” or “SDCRAA”), acting in its capacity as the San Diego County Airport Land Use Commission (“ALUC”), for the referenced project. The ALUC has determined that the proposed project is **consistent** with the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan (“ALUCP”). A copy of Resolution 2008-0097 ALUC, approved by the ALUC on September 4, 2008, and memorializing the consistency determination, is enclosed for your information.

The ALUC’s determination that the 9515 Genesee Avenue project is **consistent** with the MCAS Miramar ALUCP was made consistent with the ALUC Policies and the State Aeronautics Act provisions (Cal. Pub. Util. Code §21670-21679.5), and was based on numerous facts and findings, including those summarized below:

- (1) The proposed project involves the construction of 48 multifamily residential units.
- (2) The proposed project is located outside the 60 dB CNEL noise contour, and the ALUCP identifies residential uses located outside the 60 dB CNEL noise contour as compatible with airport uses.
- (3) The proposed project is in compliance with the ALUCP height limitations because it does not require an obstruction evaluation from the FAA.
- (4) The proposed project is located outside the APZs of MCAS Miramar.
- (5) Therefore, the proposed project is consistent with the adopted MCAS Miramar ALUCP.
- (6) This Board action is not a “project” as defined by the California Environmental Quality Act (CEQA) Pub. Res. Code Section 21065; and is not a “development” as defined by the California Coastal Act Pub. Res. Code Section 30106.



SAN DIEGO  
INTERNATIONAL  
AIRPORT

Mr. Peterson  
Page 2

Please contact Ms. Sandi Sawa at (619) 400-2464 if you have any questions regarding the issues addressed in this letter.

Very truly yours,



Thella F. Bowers  
President/CEO

TFB/SS/sdkm

Enclosures: Resolution 2008-0097 ALUC

cc: Amy Gonzalez, SDCRAA – General Counsel  
Gary Cathey, Caltrans – Division of Aeronautics  
C. Laura Thornton, MCAS Miramar  
Tait Galloway, City of San Diego, Planning & Community Investment

RESOLUTION NO. 2008-0097 ALUC

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY MAKING A DETERMINATION THAT THE PROPOSED PROJECT: CONSTRUCTION OF 48 MULTIFAMILY RESIDENTIAL UNITS AT 9515 GENESEE AVENUE, CITY OF SAN DIEGO, IS CONSISTENT WITH THE MARINE CORPS AIR STATION MIRAMAR AIRPORT LAND USE COMPATIBILITY PLAN.

WHEREAS, the Board of the San Diego County Regional Airport Authority, acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, was requested by the City of San Diego to determine the consistency of a proposed development project: Construction of 48 Multifamily Residential Units at 9515 Genesee Avenue, City of San Diego, which is located within the Airport Influence Area (AIA) for the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan (ALUCP), originally adopted in 1977 and amended in 1990, 1992 and 2004; and

WHEREAS, the plans submitted to the ALUC for the proposed project indicate that it would involve the construction of 48 multifamily residential units; and

WHEREAS, the proposed project would be located outside the 60 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour, and the ALUCP identifies residential uses located outside the 60 dB CNEL as compatible with airport uses; and

WHEREAS, the proposed project is in compliance with the ALUCP height limitations because it does not require an obstruction evaluation from the Federal Aviation Administration (FAA); and

WHEREAS, the proposed project is located outside the Accident Potential Zones (APZs) for MCAS Miramar; and

WHEREAS, the Board has considered the information provided by staff, including information in the staff report and other relevant material regarding the project; and

WHEREAS, the Board has provided an opportunity for the City of San Diego, the U.S. Marine Corps, and interested members of the public to present information regarding this matter;



Resolution No. 2008-0097 ALUC  
Page 2 of 3

NOW, THEREFORE, BE IT RESOLVED that the Board, acting as the ALUC for San Diego County, pursuant to Section 21670.3 of the Public Utilities Code, determines that the proposed project: Construction of 48 Multifamily Residential Units at 9515 Genesee Avenue, City of San Diego, is consistent with the MCAS Miramar ALUCP, which was adopted in 1977 and amended in 1990, 1992 and 2004, based upon the following facts and findings:

- (1) The proposed project involves the construction of 48 multifamily residential units.
- (2) The proposed project is located outside the 60 dB CNEL noise contour, and the ALUCP identifies residential uses located outside the 60 dB CNEL noise contour as compatible with airport uses.
- (3) The proposed project is in compliance with the ALUCP height limitations because it does not require an obstruction evaluation from the FAA.
- (4) The proposed project is located outside the APZs of MCAS Miramar.
- (5) Therefore, the proposed project is consistent with the adopted MCAS Miramar ALUCP.

BE IT FUTHER RESOLVED that this Board action is not a "project" as defined by the California Environmental Quality Act (CEQA), Pub. Res. Code Section 21065.

Resolution No. 2008-0097 ALUC  
Page 3 of 3


PASSED, ADOPTED AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 4<sup>th</sup> day of September, 2008, by the following vote:

AYES: Board Members: Bersin, Boland, Desmond, Finnila, Panknin, Young, Zettel

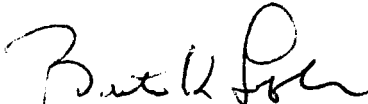
NOES: Board Members: None

ABSENT: Board Members: Miller, Watkins

ATTEST:

  
\_\_\_\_\_  
TONY R. RUSSELL  
DIRECTOR, CORPORATE SERVICES/  
AUTHORITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
BRETON K. LOBNER  
GENERAL COUNSEL

PLANNING COMMISSION RESOLUTION NO. \_\_\_\_\_  
 SITE DEVELOPMENT PERMIT NO. 548209  
**LA JOLLA CANYON - PROJECT NO. 154476 [MMRP]**  
**DRAFT**

WHEREAS, LA JOLLA CANYON GARDENS, LLC, a California Limited Liability Company, Owner/Permittee, filed an application with the City of San Diego for a permit to construct 48 additional residential condominium units on a site which contains 157 existing residential condominiums (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 548029), on portions of a 4.69-acre site;

WHEREAS, the project site is located at 9501-9539 Genesee Avenue, on the northeastern corner of Genesee Avenue and Eastgate Mall, between Fez Street and Eastgate Mall in the RM-3-7 Zone within the University Community Planning Area, Airport Influence Area for the Marine Corps Air Station (MCAS) Miramar, Federal Aviation Administration (FAA) Part 77 Noticing Area for the MCAS Miramar, Community Plan Implementation Overlay Area A, and the Campus Impact Area of the Parking Impact Overlay Zone;

WHEREAS, the project site is legally described as Lot 1 of Eastgate Village, according to Map Thereof No. 9971, filed in the Office of the County Recorder of the San Diego County on January 16, 1981;

WHEREAS, on July 16, 2009, the Planning Commission of the City of San Diego considered Site Development Permit No. 548029 pursuant to the Land Development Code (LDC) of the City of San Diego; NOW, THEREFORE,

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

That the Planning Commission adopts the following written Findings, dated July 16, 2009.

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 project proposes to construct 48 additional residential condominium units on a site which contains 157 existing residential condominiums for a total of 205 units. The project site is located at 9501-9539 Genesee Avenue, on the northeastern corner of Genesee Avenue and Eastgate Mall, between Fez Street and Eastgate Mall in the RM-3-7 Zone within the University Community Planning Area. The University Community Plan (UCP) designates the site for Medium-High Density Residential, 30-45 dwelling units per acre (du/ac). The proposed project site, occupying 4.69-acres, could accommodate 205 dwelling units based on the underlying RM-3-7 Zone and 141- 211 dwelling units based on the community plan. Other than the one deviation for the elevator tower to exceed the maximum 40 foot height, the proposed development meets all applicable regulations and policy documents, and the project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the LDC, the



adopted UCP, and the General Plan. 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 project proposes to construct 48 additional residential condominium units on a site which contains 157 existing residential condominiums for a total of 205 units. The project site is located at 9501-9539 Genesee Avenue, on the northeastern corner of Genesee Avenue and Eastgate Mall, between Fez Street and Eastgate Mall. Mitigated Negative Declaration (MND) No. 154476 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) guidelines, which addresses potential impacts to Parking and Paleontological Resources. A Mitigation, Monitoring, and Reporting Program (MMRP) would be implemented with this project to reduce the potential impacts to a level below significance.

The permit for the development includes various conditions and referenced exhibits of approval relevant to achieving compliance with the applicable regulations of the LDC in effect for this subdivision and improvements. Such conditions have been determined by the decision maker as necessary to avoid adverse impacts upon the public health, safety, and welfare of persons residing or working in the surrounding area. The project will comply with the development conditions as described in Vesting Tentative Map No. 548028 and Site Development Permit No. 548029, and other regulations and guidelines pertaining to the subject property per the LDC. 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 project proposes to construct 48 additional residential condominium units on a site which contains 157 existing residential condominiums for a total of 205 units. The site is located in the University Community Planning Area and is designated Medium-High Density Residential, 30-45 du/ac. The proposed project site, occupying 4.69-acres, could accommodate 205 dwelling units based on the underlying RM-3-7 Zone and 141- 211 dwelling units based on the community plan. Other than the one deviation for the elevator tower to exceed the maximum 40 foot height, the proposed development meets all applicable regulations and policy documents, and the project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the LDC, the adopted UCP, and the General Plan.

**M. Supplemental Findings--Deviations for Affordable/In-Fill Housing Projects and Sustainable Buildings.**

**1. The proposed development will materially assist in accomplishing the goal of providing affordable housing opportunities in economically balanced communities throughout the City, and/or the proposed development will materially assist in reducing impacts associated with fossil fuel energy use by utilizing alternative energy resources, self-generation and other renewable technologies (e.g. photovoltaic, wind, and/or fuel cells) to generate electricity needed by the building and its occupants;**

The project proposes to construct 48 additional residential condominium units on a site which contains 157 existing residential condominiums for a total of 205 units. The project site is located at 9501-9539 Genesee Avenue, on the northeastern corner of Genesee Avenue and Eastgate Mall, between Fez Street and Eastgate Mall in the RM-3-7 Zone within the University Community Planning Area. The UCP designates the site for Medium-High Density Residential, 30-45 dwelling units per acre (du/ac). The proposed project site, occupying 4.69-acres, could accommodate 205 dwelling units based on the underlying RM-3-7 Zone and 141- 211 dwelling units based on the community plan. The project would conform to the Inclusionary Housing Ordinance by setting aside at least 10 percent (five units) of the total new condominium units on-site for households with an income at or below 65 percent area median income (AMI) for rental units, or at or below 100 percent AMI for for-sale units. Therefore, the proposed development will materially assist in accomplishing the City's goal of providing affordable housing opportunities in economically balanced communities.

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

The project proposes to construct 48 additional residential condominium units on a site which contains 157 existing residential condominiums for a total of 205 units. The project site is located at 9501-9539 Genesee Avenue, on the northeastern corner of Genesee Avenue and Eastgate Mall, between Fez Street and Eastgate Mall in the RM-3-7 Zone within the University Community Planning Area. The UCP designates the site for Medium-High Density Residential, 30-45 du/ac. The proposed project site, occupying 4.69-acres, could accommodate 205 dwelling units based on the underlying RM-3-7 Zone and 141- 211 dwelling units based on the community plan. Other than the one deviation for the elevator tower to exceed the maximum 40 foot height, the proposed development meets all applicable regulations and policy documents, and the project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the LDC, the adopted UCP, and the General Plan.

**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 project proposes to construct 48 additional residential condominium units on a site which contains 157 existing residential condominiums for a total of 205 units. The proposed project would conform to the Inclusionary Housing Ordinance by setting aside at least 10 percent (five units) of the total new condominium units on-site for households with an income at or below 65 percent area median income (AMI) for rental units, or at or below 100 percent AMI for for-sale units. The project proposal includes a request for a four (4) foot height deviation to the 40 foot height requirement of the RM-3-7 Zone (Table 131-04G of the Land Development Code). The requested deviation would allow for a 10 foot wide by 10 foot 6 inch long elevator tower to exceed the 40 foot height requirement by four (4) feet. This requested deviation would allow for the overhead elevator equipment and the required overrun clearance for the elevator, which is enclosed within the elevator tower. The proposed elevator tower is located within the center of the complex and stepped back from both the north and south elevations, and will be screened from the public right-of-way by the proposed and existing mature trees along Eastgate Mall.

This deviation for the elevator tower can be supported based on the fact that the structure is a vital element for providing accessible access for disabled persons. The elevator provides for a

reasonable accommodation to afford disabled persons the equal opportunity to use and enjoy a dwelling unit within the structure, and is in compliance with the California Building Code for accessible access. If designed in strict conformance with the development regulations of the applicable zone, the accessibility and the number of units may be affected; therefore, may reduce the number of proposed units and impact the number of affordable units.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Site Development Permit No. 548029 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 548029, a copy of which is attached hereto and made a part hereof.

---

Jeffrey A. Peterson  
Development Project Manager  
Development Services

Adopted on: July 16, 2009

Job Order No. 43-0749

cc: Legislative Recorder, Development Services Department



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

**WHEN RECORDED MAIL TO**  
**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION 501**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 43-0749

SITE DEVELOPMENT PERMIT NO. 548029  
**LA JOLLA CANYON - PROJECT NO. 154476 [MMRP]**  
PLANNING COMMISSION

**DRAFT**

This Site Development Permit No. 548029 is granted by the Planning Commission of the City of San Diego to LA JOLLA CANYON GARDENS, LLC, a California Limited Liability Company, Owner/ Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0504. The 4.69-acre site is located at 9501-9539 Genesee Avenue, on the northeastern corner of Genesee Avenue and Eastgate Mall, between Fez Street and Eastgate Mall in the RM-3-7 Zone within the University Community Planning Area, Airport Influence Area for the Marine Corps Air Station (MCAS) Miramar, Federal Aviation Administration (FAA) Part 77 Noticing Area for the MCAS Miramar, Community Plan Implementation Overlay Area A, and the Campus Impact Area of the Parking Impact Overlay Zone. The project site is legally described as Lot 1 of Eastgate Village, according to Map Thereof No. 9971, filed in the Office of the County Recorder of the San Diego County on January 16, 1981.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct 48 additional residential condominium units on a 4.69-acre site which contains 157 existing residential condominiums, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated July 16, 2009, on file in the Development Services Department.

The project shall include:

- a. The demolition of one parking lot containing nine (9) carports with approximately 147 parking spaces located on the southwest corner of the existing condominium complex for the construction of 48 unit condominium units over a two level subterranean parking garage containing 205 parking spaces. The 64,128 square foot development would consist of two, four-story buildings containing 12 one-bedroom units and 36 two-bedroom units;

- b. The proposed development includes a four (4) foot height deviation to the 40 foot height requirement of the RM-3-7 Zone (Table 131-04G of the Land Development Code) to allow for a 10 foot wide by 10 foot 6 inch long elevator tower to exceed the 40 foot height requirement by four (4) foot;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking; and
- e. 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 Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, 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 Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

11. This Site Development Permit shall comply with the conditions of Vesting Tentative Map No. 548028.

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

12. 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

13. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in Mitigated Negative Declaration (MND) No. 154476 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Mitigated Negative Declaration (MND) No. 154476, 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:

Parking  
Paleontological Resources

15. 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:**

16. Prior to receiving the first residential building permit, the Owner/Permittee 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). To meet these requirements, the applicant is required to restrict the rental of 10% of the units (5 units) at rents affordable to households earning no more than 65% AMI. Prior to issuance of the first residential building permit, the applicant shall enter into an agreement with the San Diego Housing Commission.

**ENGINEERING REQUIREMENTS:**

17. Prior to the issuance of any building permits, the Owner/Permittee shall dedicate an additional 3 feet on Genesee Avenue to provide a 10 foot curb-to-property-line distance, satisfactory to the City Engineer.

18. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the Owner/Permittee to provide the right-of-way free and clear of all encumbrances and prior easements. The Owner/Permittee must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.



19. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
20. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
21. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.
22. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, consistent with the approved Water Quality Technical Report.
23. The project proposes to export 27,501 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2003 edition and Regional Supplement Amendments adopted by Regional Standards Committee.
24. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
25. The Owner/Permittee shall reconstruct the existing curb ramp at the southeast corner of Genesee Avenue and Fez Street, with current City standard curb ramp Standard Drawing SDG-130 and SDG-132 with truncated domes.
26. The Owner/Permittee shall reconstruct the damaged sidewalk, preserving any contractor's stamp, adjacent to the site on Eastgate Mall.
27. The Owner/Permittee shall reconstruct the existing driveways to current City Standards adjacent to the site on Genesee Avenue, Eastgate Mall and Fez Street.
28. The Owner/Permittee shall close the non-utilized portions of the existing driveways, with current City Standard curb, gutter and sidewalk, adjacent to the site on Genesee Avenue.
29. The Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the private storm drain within the Eastgate Mall Right-of-way.
30. Pursuant to City Council Policy 600-20, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.
31. The Subdivider shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This will require installation of: a new street light on Genesee Ave; a new street light on Eastgate Mall; and upgrading the wattage of

the existing street light to 250 Watt HPS at the northeast corner of Genesee Ave and Eastgate Mall, per Exhibit 'A.'

**LANDSCAPE REQUIREMENTS:**

32. Prior to issuance of construction permits for public right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall 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.
33. In the event that a foundation only permit is requested by the Owner/Permittee, a site plan or staking layout plan shall be submitted identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as "landscaping area."
34. Prior to issuance of any construction permits for buildings; the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Land Development Manual, Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department.
35. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.
36. The Owner/Permittee shall maintain all landscape in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.
37. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual, Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.
38. 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 Owner/Permittee is responsible to repair and/or replace any landscape in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to a issuance of a Certificate of Occupancy.

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

41. The Owner/Permittee shall post a copy of the approved discretionary permit or Tentative Map in the sales office for consideration by each prospective buyer.

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 288 parking spaces (288 required, 7 disabled accessible spaces per CBC Chapter 11A, Section 1118A, 9 motorcycle (5 required) and 24 bicycle spaces (23 required) and minimum of 1 off-street loading space shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department. Further, all on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Director of Development Services Department.

44. The northernmost driveway on Genesee Ave shall be protected with a rolling gate, which shall be closed at all times except to provide access to a trash truck or emergency vehicles, and shall be maintained in good working conditioning to the satisfaction of the City Engineer.

45. The Owner/Permittee shall construct the parking structure ramps with a driveway slope of 9% transition for at least 8 feet, 18% ramp and a 9% transition for at least 8 feet, to the satisfaction of the City Engineer.

46. Prior to the issuance of any construction permits, the Owner/Permittee shall provide a shared parking agreement with the Costa Verde Hotel, LLC, for a minimum of 155 parking spaces. Said agreement shall be in force until the final occupancy permit is issued for the project. The Subdivider shall provide a shuttle service from the project site to the Costa Verde Hotel, LLC, site's surface parking lot on a 7/24/365 basis. All the above to the satisfaction of the Director of Development Services Department.

**WASTEWATER REQUIREMENTS:**

47. The Owner/Permittee shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's sewer design guide. Proposed facilities that do not meet the current standards shall be private or re-designed.

48. The Owner/Permittee shall install all sewer facilities required by the accepted sewer study, necessary to serve this development. Sewer facilities as shown on the approved tentative map will require modification based on the accepted sewer study.

49. The Owner/Permittee shall provide evidence, satisfactory to the Metropolitan Wastewater Department Director, indicating that each lot/condominium will have its own sewer lateral or provide CC&R's for the operation and maintenance of on-site private sewer mains that serve more than one lot/condominium.

50. The Owner/Permittee shall design and construct all proposed private sewer facilities serving more than one lot to the most current edition of the City of San Diego's sewer design guide. Improvement drawings are required for private sewer facilities serving more than one lot.

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

52. All on-site sewer facilities shall be private.

**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), if required, outside of any driveway or drive aisle and the removal of any existing unused water services within all rights-of-way adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

54. All on-site water facilities shall be private including domestic, fire and irrigation systems.

55. The Owner/Permittee shall provide a letter to the Development Project Manager, agreeing to prepare CC&Rs for the operation and maintenance of all private water facilities that serve or traverse more than a single condominium unit or lot.

56. It is the sole responsibility of the Owner/Permittee for any damage caused to or by public water facilities, adjacent to the project site, due to the construction activities associated with this development. In the event any such facility loses integrity then, prior to the issuance of any certificates of occupancy, the Owner/Permittee shall reconstruct any damaged public water facility in a manner satisfactory to the Director of Public Utilities and the City Engineer.

57. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public water facilities and associated easements, as shown on approved Exhibit "A," will require modification based on standards at final engineering.

**INFORMATION ONLY:**

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

APPROVED by the Planning Commission of the City of San Diego on July 16, 2009  
[date and resolution number] .



Permit Type/PTS Approval No.: SDP/548029  
Date of Approval: July 16, 2009

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

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Jeffrey A. Peterson  
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.

La Jolla Canyon Gardens, LLC  
Owner/Permittee

By \_\_\_\_\_  
Stuart Posnack  
Manager/Member

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

RESOLUTION NO. \_\_\_\_\_  
DATE OF FINAL PASSAGE \_\_\_\_\_  
VESTING TENTATIVE MAP NO. 548028  
**LA JOLLA CANYON - PROJECT NO. 154476**  
**DRAFT**

WHEREAS, LA JOLLA CANYON GARDENS, LLC, a California Limited Liability Company, Subdivider, and LEPPERT ENGINEERING CORPORATION, Engineer, submitted an application with the City of San Diego for a Vesting Tentative Map, No. 548028, for the construction of 48 additional residential condominium units on a 4.69-acre site which contains 157 existing residential condominiums. The project site is located 9501-9539 Genesee Avenue, on the northeastern corner of Genesee Avenue and Eastgate Mall, between Fez Street and Eastgate Mall in the RM-3-7 Zone within the University Community Planning Area, Airport Influence Area for the Marine Corps Air Station (MCAS) Miramar, Federal Aviation Administration (FAA) Part 77 Noticing Area for the MCAS Miramar, Community Plan Implementation Overlay Area A, and the Campus Impact Area of the Parking Impact Overlay Zone. The property is legally described as Lot 1 of Eastgate Village, according to Map Thereof No. 9971, filed in the Office of the County Recorder of the San Diego County on January 16, 1981; and

WHEREAS, the Map proposes the subdivision of a 4.69-acre site into one (1) lot for a 205 unit condominium development; 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 San Diego Municipal Code (SDMC) of the City of San Diego; and

WHEREAS, the subdivision is a condominium project as defined in Section 1351 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 205; and

WHEREAS, on July 16, 2009, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 548028, and pursuant to Section 125.0440 (tentative map), of the SDMC 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 Planning Commission having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 548028:

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

The project proposes to construct 48 additional residential condominium units on a site which contains 157 existing residential condominiums for a total of 205 units. The site is located in the University Community Planning Area and is designated Medium-High Density Residential, 30-45 dwelling units per acre (du/ac). The proposed project site, occupying 4.69-acres, could accommodate 205 dwelling units based on the underlying RM-3-7 Zone and 141- 211 dwelling units based on the community plan. Other than the one deviation for the elevator tower to exceed the maximum 40 foot height, the proposed development meets all applicable regulations and policy documents, and the project consistent with the recommended land use, design guidelines, and development standards in effect for this site per the SDMC, the adopted University Community Plan, and the General Plan.

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

The project proposes to construct 48 additional residential condominium units on a site which contains 157 existing residential condominiums for a total of 205 units. The site is located in the University Community Planning Area and is designated Medium-High Density Residential, 30-45 du/ac. The proposed project site, occupying 4.69-acres, could accommodate 205 dwelling units based on the underlying RM-3-7 Zone and 141- 211 dwelling units based on the community plan. Other than the one deviation for the elevator tower to exceed the maximum 40 foot height, the proposed development meets all applicable regulations and policy documents, and the project consistent with the recommended land use, design guidelines, and development standards in effect for this site per the SDMC, the adopted University Community Plan, and the General Plan.

3. The site is physically suitable for the type and density of development (SDMC 125.0440(c) and Subdivision Map Act Sections 66474(c) and 66474(d)).

The site is located in the University Community Planning Area and is designated Medium-High Density Residential, 30-45 du/ac. The proposed project site, occupying 4.69-acres, could accommodate 205 dwelling units based on the underlying RM-3-7 Zone and 141- 211 dwelling units based on the community plan. Therefore, the site is physically suitable for the type and density of development.

4. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (SDMC 125.0440(d) and Subdivision Map Act Section 66474(e)).

A Mitigated Negative Declaration (MND) No. 154476 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA)

guidelines, which addresses potential impacts to Parking and Paleontological Resources. A Mitigation, Monitoring, and Reporting Program (MMRP) would be implemented with this project to reduce the potential impacts to a level below significance.

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

The project proposes to construct 48 additional residential condominium units on a site which contains 157 existing residential condominiums for a total of 205 units. The permit for the development includes various conditions and referenced exhibits of approval relevant to achieving compliance with the applicable regulations of the SDMC in effect for this subdivision and improvements. Such conditions have been determined by the decision maker as necessary to avoid adverse impacts upon 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 (SDMC 125.0440(f) and Subdivision Map Act Section 66474(g)).

The project proposes to construct 48 additional residential condominium units on a site which contains 157 existing residential condominiums for a total of 205 units. The subject property is a corner lot and does not contain any easements by the public at large for access through or use of the 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 (SDMC 125.0440(g) and Subdivision Map Act Section 66473.1).

Other than the one deviation for the elevator tower to exceed the maximum 40 foot height, the proposed development meets all applicable regulations and policy documents, and the project consistent with the recommended land use, design guidelines, and development standards in effect for this site per the SDMC, the adopted University Community Plan, and the General Plan. The proposed development has been designed to not impact 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 (SDMC 125.0440(h) and Subdivision Map Act Section 66412.3).

The project proposes to construct 48 additional residential condominium units on a site which contains 157 existing residential condominiums for a total of 205 units. The site is located in the University Community Planning Area and is designated Medium-High Density Residential, 30-45 dwelling units per acre (du/ac). The proposed project site, occupying 4.69-acres, could accommodate 205 dwelling units based on the underlying RM-3-7 Zone and 141- 211 dwelling units based on the community plan.

The proposed project would conform to the Inclusionary Housing Ordinance and Council Policy 600-27(A) criteria for the Affordable/In-Fill Housing Expedite Program by setting aside at least 10 percent (five units) of the total new condominium units on-site for households with an income at or below 65 percent area median income (AMI) for rental units, or at or below 100 percent AMI for for-sale units. Therefore, the decision maker has determined that the proposed development is a balanced project in regards to the housing needs, and would not impact the public services and the available fiscal and environmental resources.

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

BE IT FUTHER RESOLVED, that based on the Findings hereinbefore adopted by the Planning Commission, Vesting Tentative Map No. 548208 is hereby granted to LA JOLLA CANYON GARDENS, LLC, a California Limited Liability Company, subject to the attached conditions which are made a part of this resolution by this reference.

By

\_\_\_\_\_  
Jeffrey A. Peterson  
Development Project Manager  
Development Services Department

Job Order No. 43-0749



**Attachment to Resolution for Vesting Tentative Map**

PLANNING COMMISSION  
CONDITIONS FOR VESTING TENTATIVE MAP NO. 548028  
**LA JOLLA CANYON - PROJECT NO. 154476 [MMRP]**  
ADOPTED BY RESOLUTION NO. R-\_\_\_\_\_ ON JULY 16, 2009  
**DRAFT**

**GENERAL**

1. This Vesting Tentative Map will expire July 16, 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 recordation 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.
4. The Final Map shall conform to the provisions of Site Development Permit No. 548029.
5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against 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**

6. Prior to the recordation of the Final Map, the Subdivider shall enter into an affordable housing agreement with the Housing Commission to provide affordable housing units in compliance with the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).

**ENGINEERING**

7. The Subdivider shall install appropriate private back flow prevention devices on all existing and proposed water services (domestic, irrigation, and fire) adjacent to the project site in a manner satisfactory to the Water Department Director.
8. The Subdivider shall provide a letter, agreeing to prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.
9. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
10. 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**

11. "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).
12. "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."
13. 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.

## **WASTEWATER**

14. The Subdivider shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's sewer design guide. Proposed facilities that do not meet the current standards shall be private or re- designed.
15. The Subdivider shall install all sewer facilities required by the accepted sewer study, necessary to serve this development. Sewer facilities as shown on the approved tentative map will require modification based on the accepted sewer study.
16. The Subdivider shall provide evidence, satisfactory to the Metropolitan Wastewater Department Director, indicating that each lot/condominium will have its own sewer lateral or provide CC&R's for the operation and maintenance of on-site private sewer mains that serve more than one lot/condominium.
17. The Subdivider shall design and construct all proposed private sewer facilities serving more than one lot to the most current edition of the City of San Diego's sewer design guide. Improvement drawings are required for private sewer facilities serving more than one lot.
18. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities.
19. All on-site sewer facilities shall be private.

## **WATER**

20. The Subdivider shall install fire hydrants at locations satisfactory to the Fire Department, the City Engineer and the Director of Public Utilities. If more than two (2) fire hydrants or thirty (30) equivalent dwelling units are located on a dead end main then the Subdivider shall install adequate facilities to provide a redundant water supply.
21. The Subdivider shall grant a 24-foot, fully paved, drivable water easement to incorporate the public water facilities, including the meters and fire hydrants located on the project site, to provide the City legal access to the proposed water facilities, in a manner satisfactory to the Director of Public Utilities and the City Engineer.
22. If the Subdivider makes any request for new water facilities (including services or fire hydrants), then the Subdivider shall design and construct such 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.

23. The Subdivider shall provide a letter, to the Development Project Manager, agreeing to prepare CC&Rs for the operation and maintenance of all private water facilities that serve or traverse more than a single condominium unit or lot.
24. 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. Water facilities, as shown on the approved tentative map may require modification to comply with standards.

## **TRANSPORTATION**

25. Prior to recording of the final map, the Subdivider shall assure by permit and bond the improvement of the project frontage along Eastgate Mall and Genesee Ave, with curb, gutter and sidewalks, install driveways consistent with Regional Standards drawing SDG-114 and close all unused driveways satisfactory to the City Engineer.
26. No fewer than 288 parking spaces (288 required) shall be permanently maintained on the site within the approximate location shown on the project's Exhibit 'A,' which includes 7 disabled accessible spaces per CBC Chapter 11A, Section 1118A. Additionally, a minimum of 9 motorcycle (5 required) and 24 bicycle spaces (23 required) shall be provided on site. Additionally, a minimum of 1 off-street loading space shall be provided on site. Further, all on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Director of Development Services Department.
27. The northernmost driveway on Genesee Ave shall be protected with a rolling gate, which shall be closed at all times except to provide access to a trash truck or emergency vehicles, and shall be maintained in good working conditioning to the satisfaction of the City Engineer.
28. The Subdivider shall construct the parking structure ramps with a driveway slope of 9% transition for at least 8 feet, 18% ramp and a 9% transition for at least 8 feet, to the satisfaction of the City Engineer.
29. Prior to the issuance of any construction permits, the Subdivider shall provide a shared parking agreement with the Costa Verde Hotel, LLC, for a minimum of 155 parking spaces. Said agreement shall be in force until the final occupancy permit is issued for the project. The Subdivider shall provide a shuttle service from the project site to the Costa Verde Hotel, LLC, site's surface parking lot on a 7/24/365

basis. All the above to the satisfaction of the Director of Development Services Department.

## **ENVIRONMENTAL**

30. 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.
31. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in Mitigated Negative Declaration No. 154476, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.
32. The Subdivider shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Mitigated Negative Declaration No. 154476, 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:
  - Parking
  - Paleontological Resources
33. Prior to issuance of any construction permit, the Subdivider 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.

## **INFORMATION:**

- The approval of this Tentative Map by the Planning Commission 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 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 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.

Job Order No. 43-0749

RESOLUTION NUMBER R- \_\_\_\_\_  
ADOPTED ON \_\_\_\_\_  
MITIGATED NEGATIVE DECLARATION NO. 154476  
**LA JOLLA CANYON - PROJECT NO. 154476**

WHEREAS, on July 8, 2008, LA JOLLA CANYON GARDENS, LLC, a California Limited Liability Company, submitted an application to the Development Services Department for a Vesting Tentative Map and Site Development Permit; and

WHEREAS, the permit was set for a public hearing to be conducted by the Planning Commission of the City of San Diego; and

WHEREAS, the issue was heard by the Planning Commission on July 16, 2009; and

WHEREAS, the Planning Commission of the City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 154476; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 154476 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.) as amended, and the State guidelines thereto (California Administration Code Section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is attached hereto and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED that pursuant to California Public Resources Code, Section 21081.6, the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

By: \_\_\_\_\_  
Jeffrey A. Peterson  
Development Project Manager

ATTACHMENT: Exhibit A, Mitigation Monitoring and Reporting Program

## EXHIBIT A

## MITIGATION MONITORING AND REPORTING PROGRAM

## SITE DEVELOPMENT PERMIT AND VESTING TENTATIVE MAP

PROJECT NO. 154476

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration (Project No. 154476) shall be made conditions of SITE DEVELOPMENT PERMIT AND VESTING TENTATIVE MAP as may be further described below.

GENERAL REQUIREMENTS

1. Prior to issuance of any construction permit the Assistant Deputy Director (ADD) Environmental Designee of the Entitlements Division shall verify that Mitigation Measures for **PARKING AND PALEONTOLOGICAL RESOURCES** have been included in entirety on the submitted construction documents and contract specifications, and included under the heading, "Environmental Mitigation Requirements." In addition, the requirements for a Preconstruction Meeting shall be noted on all construction documents.
2. Prior to the commencement of work, a Preconstruction Meeting (Pre-con) shall be conducted and include the City of San Diego's Mitigation Monitoring Coordination (MMC) Section, Resident Engineer, Building Inspector, Project Consultant (Biologist and Paleontologist), Applicant and other parties of interest.
3. Evidence of compliance with other permitting authorities is required, if applicable. Evidence shall include either copies of permits issued, letters of resolution issued by the Responsible Agency documenting compliance, or other evidence documenting compliance and deemed acceptable by the ADD Environmental Designee.

PARKING

Prior to the issuance of any construction permits, the applicant shall provide a shared parking agreement with the Costa Verde Hotel, LLC, located at 8995 Costa Verde Boulevard (Legal Description: Lot 12 of Costa Verde, Map 12045, APN No. 345-210-12-00), for a minimum of 155 parking spaces. Said agreement shall be in force until the final occupancy permit is issued for the La Jolla Canyon project. The applicant shall provide a shuttle service from the La Jolla Canyon project site to the Costa Verde Hotel site on a 7/24/365 basis.

PALEONTOLOGICAL RESOURCES**I. Prior to Permit Issuance**

- A. Entitlement Division Plan Check
  - 1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
- B. Letters of Qualification have been submitted to ADD
  - 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
  - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
  - 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

**II. Prior to Start of Construction**

- A. Verification of Records Search
  - 1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
  - 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
- B. PI Shall Attend Precon Meetings
  - 1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

- a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored  
Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
3. When Monitoring Will Occur
  - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
  - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

### III. During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
  1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
  2. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
  3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
- B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
  - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
  - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
  - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

**IV. Night and/or Weekend Work**

- A. If night and/or weekend work is included in the contract
  1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
  2. The following procedures shall be followed.
    - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSV and submit to MMC via fax by 8AM on the next business day.
    - b. Discoveries



All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.

- c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
  - d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
    - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
    - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
  - C. All other procedures described above shall apply, as appropriate.

## V. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
  - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
    - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with the San Diego Natural History Museum  
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
  - 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
  - 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
  - 4. MMC shall provide written verification to the PI of the approved report.
  - 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
  - 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.

2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
  2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
  2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

# UNIVERSITY COMMUNITY PLANNING GROUP

University Towne Center – Forum Hall

Executive Committee Monthly Meeting - Tuesday, May 12, 2009

Minutes (Draft)

**Directors Present:** Janay Kruger (Chair), Linda Colley (Vice-Chair), Doug Williamson (Secretary), Milt Phegley (Membership Secretary), Charles Herzfeld, Marilyn Dupree, Alice Tana, Deryl Adderson, Petr Krysl, Harry Walker, Tracie Hager, Mark Young, Pat Wilson, Wendy Peveri, Sherry Jones, William Beck, Peter Burch and Juan Ilas.

**Directors Absent:** George Lattimer

**Call Meeting to Order** – Janay Kruger (Chair) at 6:09 PM.

1. **Pledge of Allegiance.**

2. **Agenda Approval: Motion** – Motion to approve agenda without changes by Bill Beck and seconded by Harry Walker. **Motion passed**

**Vote: 16-0-0.**

3. **Approval of April Minutes – Motion:** Motion to approve without changes by Pat Wilson and seconded by Linda Colley. **Motion passed. Vote: 13-0-3. Bill Beck, Peter Burch, and Sherry Jones abstained due to absence.**

5. **Announcements** – Janay Kruger (Chair)

- Assessment letters and project information for Touchstone Investments and La Jolla Center 3 were distributed for review. For future consideration, the Proposed Implementation of the Adopted Airport Land Use Compatibility Plan for MCAS Miramar also distributed.
- The UCPG has been offered tours of UCSD and The Irvine Co. properties. The City Attorney has given an OK, if set up as a special meeting.
- Brown Act – Projects can be discussed in small groups 2-3 people only. Serial meetings not permitted.
- Sr. Planner, Dan Monroe, will attend UCPG meeting about once each quarter.
- U C Village did not ask to be on the agenda.
- The agenda will be posted at the North U. C. Library.
- Discussed how to best distribute documents for up-coming meetings.

6. **Reports**

**City Council Member Sherri Lightner's Office** – Jesse Mays

- Absent due to flu.
- **Congressman Brian Bilbray (50<sup>th</sup> District)** – Andrew Lund
- The budget was passed; Medicare will dry up by about 2017; there are \$36 trillion in unfunded mandates.

**Congresswoman Susan Davis Office (53<sup>rd</sup> District)** – Bill Cegelka

- Not present

**State Assembly Member Nathan Fletcher (75<sup>th</sup> District)** – Oscar Urteaga, Field Representative

- Nathan Fletcher is vice chair of the Bio-Tech committee. The voting process for military and people overseas is being reviewed. There is a pilot program to clear brush.

**Doug Williamson, UCPG Member** – Report on Torrey Pines City Park General Development Plan Advisory Board

- The City and the consultants have not signed a contract. There was a site tour in April.

**Juan Ilas, MCAS representative**

- The land use compatibility plan is being reviewed and updated.

**Dan Monroe – City of San Diego Planning Staff**

- **No updates. Kate Galloway will attend the next meeting.**

**Milt Phegley – Membership Secretary**

- Forms on hand to sign up as UCPG general member.
- List on hand to document meeting attendance.
- In order to be a candidate, a person must attend 1 meeting during the previous 12 months.
- There was discussion about the bylaws and rules about filling vacated spots prior to a regular election. This item may be on a future agenda.

**Milt Phegley – UCSD Representative**

- Project List distributed and also available on line at: <http://commplan.ucsd.edu>
- UCSD now has a Monthly Update and a Newsletter (published quarterly – broader topics). Can sign up via email.
- Student Rep? The A S President has been asked to help find one for the UCPG. Perhaps a Urban Studies and Planning student.

#### **7. Public Comment: Non-Agenda Items**

**General Comments: Our community is the only one with two separate fund sources. The South has not been updated. No update on Judicial Drive project.**

#### **8. Metropolitan Transit System (MTS) presentation by Mark Thomsen, Senior Transportation Planner**

- MTS services 75% of San Diego. 44% of the services are paid by riders, 33% paid by sales tax, and 21% paid by Federal Government. UTC is a regional center and riders can get to any destination from there. Harry Mathis serves as chair of a 15 member Board of Directors. Transit funding of \$14 million may be eliminated by the State and the impact will be service cuts and fare increases. The Super Loop will enhance the system.
- There were questions about bus transfers and day passes. The majority of the riders are 60 and older.

- 
- **9. La Jolla Canyon – Project 154476 -- Seeking a site development permit and vesting tentative map to construct 48 multi-dwelling units within two four-story structures totaling approximately 64,000 square feet with approximately 75,942 square-foot two-level subterranean garage. Presented by Jeff Leppert**

- **This project will need a four foot height deviation for an elevator shaft. Their goal is to save all but 4 of the 24 existing pines trees. This project will add housing units by building underground parking and better utilizing the land.**

•  
Comments: Questions about access to Genesee from the parking lot, egress to Eastgate Mall, water usage, temporary parking and timing of the shuttle were addressed.

**Motion:** Motion made by Linda Colley and seconded by Wendy Peveri to approve building 48 residential condominium units on a 4.69 acre site with 157 existing residential condos, with 10% affordable units (5 units), Process 4, Site Development Permit, Vesting tentative Map for condos, deviations for height, Campus Parking impact Zone, located at 9515 Genesee Ave., RM-3-7 zone, Airport Influence Area, FAA – Part 77 noticing area for MCAS. **Motion passed. Vote: 14-01-0. Peter Burch voted no.**

**A motion was made by Linda Colley and seconded by Harry Walker to have our Chair address in writing the above comments. Motion passed. Vote: 16-0-0.**

**12. Old/New Business:**

**Ad Hoc Committees**

- 1. Fire Station – Peter Krysl agreed to be chair and Bill Beck, Charles Herzfeld, Linda Colley, Peter Burch, Milt Phegley, and Eleanor Beck offered to be members.**
- 2. Community Beautification: purpose to develop a plan to help guide developers – Tracie Hager and Sherry Jones volunteered to chair the committee. Alice Tana, Charles Herzfeld, and Carol Pietras are members.**

**13. Adjourn – 8:17 PM**

Submitted by:

*Doug Williamson*

Doug Williamson, Secretary

University Community Planning Group

|  |   |
|--|---|
| <b>Project Title:</b><br>La Jolla Canyon | <b>Project No. (For City Use Only)</b><br><span style="font-size: 1.2em; font-family: cursive;">154476</span> |
|--|---|

**Part II - To be completed when property is held by a corporation or partnership**

**Legal Status (please check):**

Corporation  
  Limited Liability -or-  
  General) What State? CA  
 Corporate Identification No. 33-0924868  
 Partnership

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

Corporate/Partnership Name (type or print):  
 La Jolla Canyon Gardens, LLC

Owner    Tenant/Lessee

Street Address:  
 8530 Costa Verde Blvd.

City/State/Zip:  
 San Diego, CA 92122

Phone No: 858-320-0018   Fax No: 858-320-0319

Name of Corporate Officer/Partner (type or print):  
 Stuart Posnack

Title (type or print):  
 Trustee of S&L Posnack Living Trust - Manager/Member

Signature :    Date: \_\_\_\_\_

Corporate/Partnership Name (type or print):  
 La Jolla Canyon Gardens, LLC

Owner    Tenant/Lessee

Street Address:  
 8530 Costa Verde Blvd.

City/State/Zip:  
 San Diego, CA 92122

Phone No: 858-320-0018   Fax No: 858-320-0319

Name of Corporate Officer/Partner (type or print):  
 Zygmunt Wilf

Title (type or print):  
 Member

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

Corporate/Partnership Name (type or print):  
 La Jolla Canyon Gardens, LLC

Owner    Tenant/Lessee

Street Address:  
 8530 Costa Verde Blvd.

City/State/Zip:  
 San Diego, CA 92122

Phone No: 858-320-0018   Fax No: 858-320-0319

Name of Corporate Officer/Partner (type or print):  
 Leonard Wilf

Title (type or print):  
 Member

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

Corporate/Partnership Name (type or print):  
 La Jolla Canyon Gardens, LLC

Owner    Tenant/Lessee

Street Address:  
 8530 Costa Verde Blvd.

City/State/Zip:  
 San Diego, CA 92122

Phone No: 858-320-0018   Fax No: 858-320-0319

Name of Corporate Officer/Partner (type or print):  
 Mark Wilf

Title (type or print):  
 Member

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

Corporate/Partnership Name (type or print):

Owner    Tenant/Lessee

Street Address:

City/State/Zip:

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

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

Title (type or print):

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

Corporate/Partnership Name (type or print):

Owner    Tenant/Lessee

Street Address:

City/State/Zip:

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

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

Title (type or print):

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



DEVELOPMENT SERVICES DEPARTMENT  
**PROJECT CHRONOLOGY**  
 LA JOLLA CANYON – PROJECT NO. 154476

| <b>Date</b>                       | <b>Action</b>            | <b>Description</b>  | <b>City Review Time<br/>(Working Days)</b>      | <b>Applicant Response</b> |
|-----------------------------------|--------------------------|---|---|---------------------------|
| 7/8/08                            | First Submittal          | Project Deemed Complete   | -   | -                         |
| 7/31/08                           | First Assessment Letter  |   | 17 days   |                           |
| 12/1/08                           | Second Submittal         |   |   | 84 days                   |
| 12/15/08                          | Second Assessment Letter |   | 10 days   |                           |
| 1/20/09                           | Third Submittal          |   |   | 20 days                   |
| 2/3/09                            | Third Assessment Letter  |   | 10 days   |                           |
| 2/10/09                           | Fourth Submittal         |   |   | 5 days                    |
| 2/23/09                           | Fourth Assessment Letter |   | 8 days  |                           |
| 3/23/09                           | Fifth Submittal          |   |   | 20 days                   |
| 3/23/09                           | Fifth Review             | All review issues resolved, except for the community group vote.                        | 0 days  |                           |
| 5/12/09                           | Issued Resolved          | Community Group Voted   |   | 35 days                   |
| 7/16/09                           | Public Hearing           | <b>First available date (No hearings on 7/2/09 and 7/9/09) after MND was finalized.</b> | 47 days   |                           |
| <b>TOTAL STAFF TIME</b>           |                          | (Does not include City Holidays or City Furlough)                                       | <b>92 days</b>                                  |                           |
| <b>TOTAL APPLICANT TIME</b>       |                          | (Does not include City Holidays or City Furlough)                                       |   | <b>164 days</b>           |
| <b>TOTAL PROJECT RUNNING TIME</b> |                          | From Deemed Complete to Hearing   | <b>256 working days<br/>(373 calendar days)</b> |                           |