



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: March 9, 2022 REPORT NO. HO-22-007

HEARING DATE: March 16, 2022

SUBJECT: MERGE 56 Planned Development Permit Amendment
Process Three Decision

PROJECT NUMBER: [693290](#)

OWNER/APPLICANT: Sea Breeze 56, LLC

SUMMARY

Issue: Should the Hearing Officer approve an amendment to an existing Planned Development Permit to include research and development as an allowed use consistent with the Torrey Highlands Subarea Plan located south of State Route 56 at Camino Del Sur and Carmel Mountain Road in the Torrey Highlands Community Plan area?

Staff Recommendations:

1. APPROVE Planned Development Permit (PDP) No. 2570887, amendment to Planned Development Permit No. 1266871.

Community Planning Group Recommendation: On October 6, 2021, the Rancho de los Peñasquitos Planning Board voted 13-0 to recommend approval of the proposed project without conditions (Attachment 8).

Environmental Review: The Development Services Department (DSD) completed a California Environmental Quality Act (CEQA) Section 15162 – Subsequent EIRs and Negative Declaration consistency evaluation for the proposed project (Attachment 6). This evaluation was performed to determine if conditions specified in CEQA Guidelines Section 15162 require preparation of a subsequent EIR or additional CEQA review for the proposed amendments. DSD determined that the proposed amendments are consistent with the previously certified Final Environmental Impact Report (SCH No. 2014071065; Project No. 360009 certified by the Council of the City of San Diego on May 22, 2018, Resolution No. R-311775); and would not result in new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts.

BACKGROUND

The Merge 56 Project (the original project) was approved by the San Diego City Council on May 22, 2018 and is located south of State Route 56 at Camino Del Sur and Carmel Mountain Road within the Torrey Highlands Subarea IV Plan (Subarea Plan) (Attachments 1-3,10). The original project was comprised of two project components, a mixed-use development and public roadway improvements. The original project on the 41-acre site would be comprised of approximately 525,000 square feet of commercial, office, theater and hotel uses and 242 residential dwelling units (both multi-family and single-family). The project would also construct associated site improvements (i.e. utilities (water, sewer, and electrical), storm drains/detention basins, internal private streets, hardscape, site walls, and landscaping). Various deviations were requested and approved from the CC-3-5 and RX-1-2 development regulations in connection with the original project.

DISCUSSION

Project Description:

The proposed project is an amendment to Planned Development Permit No. 1266871 to add a reference within the PDP permitted use list to include “research and development” to only Lots 1 through 6 and Lot E of Map No. 16433. The proposed project is in the Southern Local Mixed-Use (LMXU) center of the Subarea Plan. The Southern LMXU Center incorporates a mix of commercial and office uses – including scientific office – along with varying residential land uses, hotel, and automotive display. Providing these services is intended to serve both Torrey Highlands and the bordering Rancho Peñasquitos Community.

The proposed amendment to incorporate research and development(R&D) as an allowed use is consistent with the goals and policies of the General Plan, Subarea Plan, and the regulations of the San Diego Municipal Code (SDMC). The General Plan Economic Prosperity Element establishes goals for “a diversified economy with a focus on providing quality employment opportunities and self-sufficient wages for all San Diegans,” and ‘a city with sufficient land capacity for base sector industries to sustain a strong economic base.” The Economic Prosperity Element policy further emphasizes the importance of base sector employment, which includes research and development (EP-6), by guiding the inclusion of base sector uses appropriate to an office setting in Urban Village and Community Village Centers (EP-A.). The Southern LMXU Center is consistent with the General Plan Community Village land use, through its provision of residential and non-residential uses in a mixed-use setting. The proposed amendment to incorporate R&D uses within the LMXU would allow for base sector employment appropriate to an office setting, which is characteristic of the development identified on Lots 1 through 6 and Lot E of Map No. 16433.

No changes to the previously approved plan sets are proposed by the PDP application or amendment. Scientific office uses are allowed by the land use plan however, research and development uses are not allowed in the underlying CC-3-5 base zone Per SDMC Section 126.0602(a)(2), the PDP amendment is required to allow the use in the zone, revise the use description, and add an additional condition within the permit to ensure compatibility with surrounding uses.

Conclusion:

City staff reviewed the request for a Planned Development Permit Amendment and found the proposed project to be in conformance with the applicable sections of the San Diego Municipal Code with evidence provided to support the required findings (Attachment 4). Therefore, staff recommends the Hearing Officer approve Planned Development Permit No. 2570887, amendment to Planned Development Permit No. 1266871 (Project No. 360009).

ALTERNATIVES

1. Approve Planned Development Permit No. 2570887, with modifications.
2. Deny Planned Development Permit No. 2570887, amendment to Planned Development Permit No. 1266871 (Project No. 360009), if the findings required to approve the project cannot be affirmed.

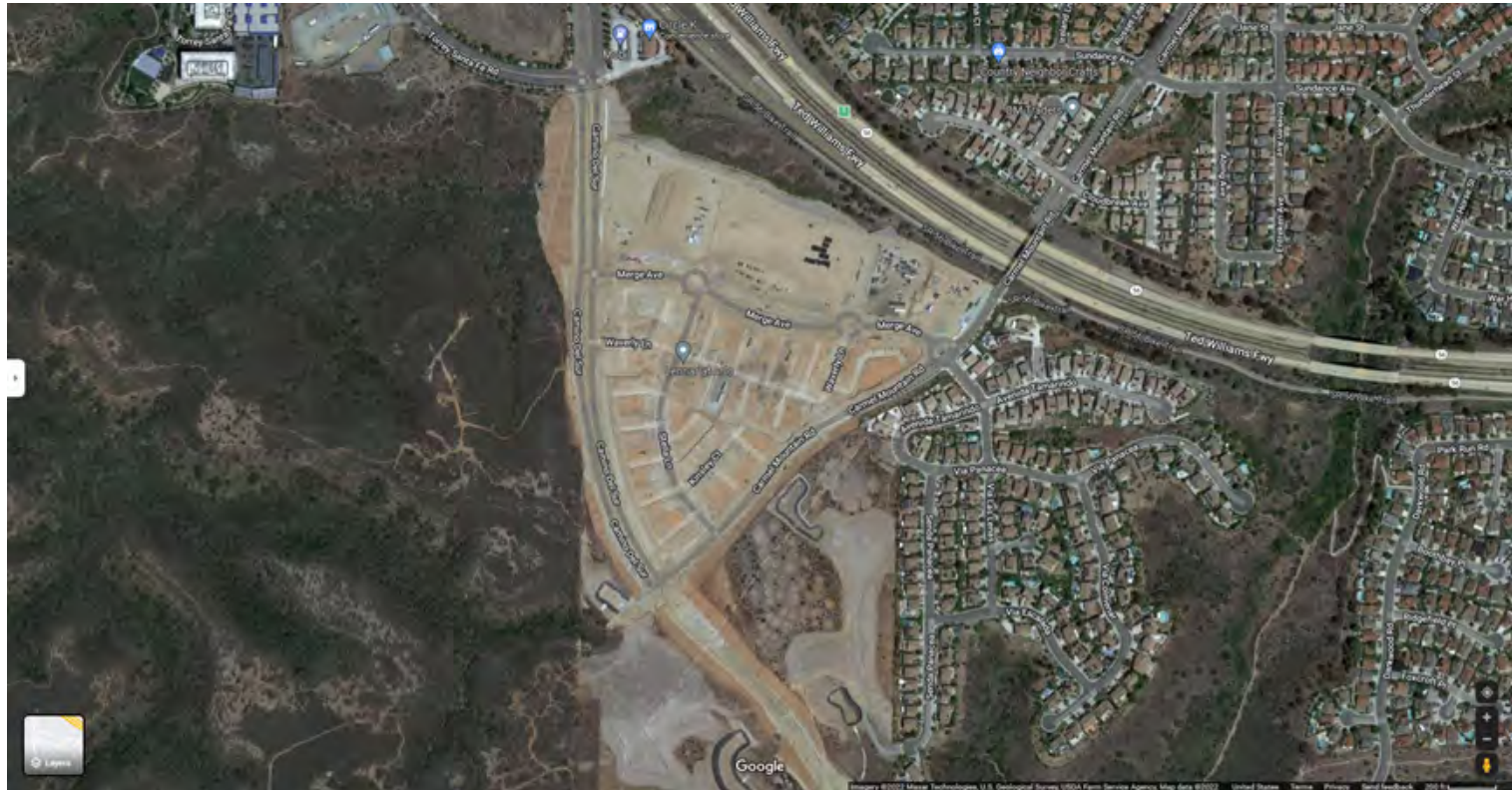
Respectfully submitted,

Oscar Galvez III

Oscar Galvez III, Development Project Manager

Attachments:

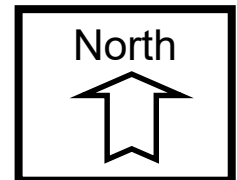
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. CEQA Section 15162 Memorandum
7. Copy of Recorded (existing) Permit(s)
8. Community Planning Group Recommendation
9. Ownership Disclosure Statement
10. Draft Exhibit "A"



Project Location Map

MERGE 56 PDP AMENDMENT

Project No. 693290 - South of SR-56 at Camino Del Sur
and Carmel Mountain Road





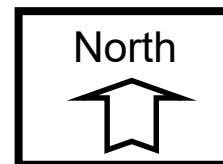
Land Use Map

MERGE 56 PDP AMENDMENT

Project No. 693290 - South of SR-56 at
Camino Del Sur and Carmel Mountain Road



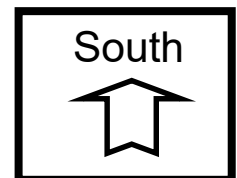
VLD	Very Low-Density (Less than 1 D.U./Gross Acre)
LD	Low-Density (2.5 D.U./Gross Acre)
	Future Low-Density
LMD	Low Medium-Density (5-10 D.U./Gross Acre)
MHD	Medium High-Density (20-40 D.U./Gross Acre)
LMXU	Local Mixed Use
NC	Commercial Neighborhood
CR	Commercial Regional
CL	Commercial Limited
U	Utilities
EC/TC	Employment Center/Transit Center
HS	High School*
MS	Middle School
ES	Elementary School*
P	Neighborhood Park
R	Resource (Proposed MSCP Preserve)
OS	Open Space
	25-Foot Contour





Aerial Photograph

MERGE 56 PDP AMENDMENT
Project No. 693290 - South of SR-56 at
Camino Del Sur and Carmel Mountain Road



DECISION MAKER HEARING OFFICER
RESOLUTION NO. [REDACTED]
PLANNED DEVELOPMENT PERMIT NO. 2570887
MERGE 56 PDP AMENDMENT - PROJECT NO. 693290
AMENDMENT TO PLANNED DEVELOPMENT PERMIT NO. 1266871 (PROJECT NO. 360009)

WHEREAS, SEA BREEZE 56, LLC, a Delaware Limited Liability Company, Owner/Permittee, filed an application with the City of San Diego for a permit to include research and development as a permitted use (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2570887), on portions of a 41-acre site;

WHEREAS, the project site is located in the CC-3-5 Zone of the Torrey Highlands Community Plan;

WHEREAS, the project site is legally described as Lots 1 through 7 and Lots A through F of Merge 56 Unit 1, in the City of San Diego, County of San Diego, State of California, according to Map thereof No 16433 filed In the Office of the County Recorder of San Diego County on December 10, 2020; and Lots 1 through 89, inclusive, and Lots A through G, inclusive, of Merge 56 Unit 2, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 16457, filed in the Office of the County Recorder of San Diego County on June 15, 2021;

WHEREAS, on March 16, 2022, the Hearing Officer of the City of San Diego considered Planned Development Permit No. 2570887, amendment to Planned Development Permit No. 1266871 pursuant to the Land Development Code of the City of San Diego; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Planned Development Permit No. 2570887:

1. **Findings for all Planned Development Permits SDMC Section 126.0605(a):**
 - a. **The proposed development will not adversely affect the applicable land use plan.**

The proposed project is to allow Research and Development (R&D) as a permitted use at the Merge 56 project to Lots 1 through 6 and Lot E of Map No. 16433. The Merge 56 project (original project) received approval for Planned Development Permit (PDP) No. 1266871 and an amendment to the Torrey Highlands Subarea IV Plan in May of 2018. The Subarea Plan Amendment redesignated the project site from Commercial-Regional (CR) and Medium High Density Residential to Local Mixed-Use (LMXU). The Torrey Highlands Subarea Plan for North City Future Urbanizing Area Subarea IV (Subarea Plan) includes three focused LMXU areas within the community (LMXU North A, LMXU North B, and LMXU South). The LMXU centers interaction among community residents by providing a mix of commercial, office and public uses within 1,000 feet of most of the residential population. The Northern LMXUs include two separate commercial areas and are located northwest of the intersection of Camino Ruiz and SR-56. The Southern LMXU center is located south of SR-56 and north of the intersection of Camino Ruiz (Camino Del Sur) and Carmel Mountain Road. Although located near the freeway, the LMXU will not be a freeway-oriented commercial development (Torrey Highlands Subarea Community Plan, Section 4.2.2). The proposed project is located in the Southern LMXU Center. The Southern LMXU Center incorporates a mix of commercial and office uses – including scientific office – along with varying residential land uses, hotel, and automotive display. Providing these services is intended to serve both Torrey Highlands and the bordering Rancho Peñasquitos Community.

Although the land use plan designates this site as LMXU, the subject site was rezoned CC-3-5 (O-20950) which does not allow R&D (SDMC Section 131.0522 and Table 131-05B). The Subarea Plan requires approval of Planned Development Permits (PDP) for specific areas of the Subarea Plan, including on this site. The purpose of the additional level of review is to facilitate development toward imaginative and innovative planning to implement the goals and objectives of the Subarea Plan. The Local Mixed-Use Center will require approval of PDP's concurrent with rezoning of the property, unless a citywide mixed-use zone is established that will effectively guide the desired mix of development. SDMC Section 126.0602(a)(2) allows development that complies with the applicable land use plan but contains uses that are not permitted in the underlying base zone, with a PDP. Accordingly, this application for a PDP amendment requests that the City make explicit that the PDP allows R&D uses on the project site. R&D use, which may include life science laboratories, technology office/electronic laboratories and similar uses, is a significant and critical employment use in the City, providing quality, high-paying job opportunities.

The proposed amendment to incorporate research and development (R&D) as an allowed use is consistent with the goals and policies of the General Plan, Subarea Plan, and the regulations of the San Diego Municipal Code (SDMC). The General Plan Economic Prosperity Element establishes goals for "a diversified economy with a focus on providing quality employment opportunities and self-sufficient wages for all San Diegans," and "a city with sufficient land capacity for base sector industries to sustain a strong economic base." The Economic Prosperity Element policy further emphasizes the importance of base sector employment by guiding the inclusion of

base sector uses appropriate to an office setting in Urban Village and Community Village Centers. The Southern LMXU Center is consistent with the General Plan Community Village land use, through its provision of residential and non-residential uses in a mixed-use setting. The proposed amendment to incorporate R&D uses within the LMXU would allow for base sector employment appropriate to an office setting, which is characteristic of the development identified on Lots 1 through 6 and Lot E of Map No. 16433.

An implementing principle of the Subarea Plan (Section 4.1) is to provide “an employment center as a means to create a balance between the provision of new housing and the creation of places where those residents may work.” As previously stated, the Southern LMXU Center incorporates a mix of commercial, professional, corporate, scientific, and medical office, varying residential land uses, hotel, and automotive display. Providing these services is intended to serve both Torrey Highlands and the bordering Rancho Peñasquitos Community. Per Section 4.3.1 of the Subarea Plan, “To achieve a fine-grained development pattern which will implement these planning principles, Torrey Highlands is divided into four distinct planning areas as shown in Figure 4-3. The proposed project is located in the “Subregional Area comprising the Employment Center and Commercial uses within a Local Mixed-Use Center near SR-56.” The proximity of the Employment Center to the Local Mixed-Use Center and residential areas will decrease the dependency on private automobiles for residents of Torrey Highlands.

The Subarea Plan Land Use Designations and Uses (Table 4-1) identifies “professional corporate, scientific, and medical offices” as recommended uses within the non-residential areas of the LMXU Center. Although the Subarea Plan mentions research and development, scientific research, and scientific office in the description of recommended uses within each land use designation, these uses are not separated in the SDMC use category. Section 131.0112 of the SDMC defines R&D as “Uses engaged in scientific research including computational modeling, bio-informatics, and testing leading to the development of new products and processes.” The R&D Use category is the appropriate category to implement the recommended scientific office use identified for the Southern LMXU Center. The proposed project meets all applicable regulations and policy documents and the proposed project will not adversely affect the applicable land use plan.

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

The proposed project is to allow Research and Development (R&D) as a permitted use at the Merge 56 project to Lots 1 through 6 and Lot E of Map No. 16433. The original project has been designed to conform to the City of San Diego’s codes, policies, and regulations whose primary focus is the protection of the public’s health, safety, and welfare. The project is consistent with the Torrey Highlands Community Plan, the California Environmental Quality Act and the City’s environmental regulations, the Multiple Habitat Planning Area principles, and guidelines, landscaping and brush management policies, the Fire Departments fire protection

policies, water and sewer recommendations, and the requirements for a healthy pedestrian environment. In addition, prior to construction on the site, construction permit drawings will be reviewed to achieve conformance with the California Buildings Standards to assure that structural, mechanical, electrical, plumbing, and access components of the project are designed to protect the public's health, safety and welfare.

A consistency evaluation was performed to determine if conditions specified in CEQA Guidelines Sections 15162 would require preparation of a subsequent EIR or require additional CEQA review for the proposed amendment. The Development Services Department has determined that the proposed project to amend the PDP to include a use allowed by the land use plan would not result in new impacts and is consistent with the Merge 56 Development Project Final Environmental Impact Report SCH No. 2014071065/Project No. 360009 certified by the Council of the City of San Diego on May 22, 2018, Resolution No. R-311775.

The proposed project will comply with City regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of the public. Per conditions 16 and 17 of the PDP, all laboratory equipment and related operations associated with Research & Development (R&D) uses shall comply with all applicable rules and regulations relating to emission standards and the use of any hazardous materials associated with such equipment or operations including, without limitation, San Diego County Air Pollution Control District (SDAPCD) Regulation II, Rule 11. Rule 11 generally exempts such equipment and operations from SDAPCD permitting requirements provided specified criteria are met. Any emission control devices or systems installed as necessary to meet SDAPCD standards for the exemption shall be shown on applicable plans. Therefore, for the foregoing reasons, the proposed project will not be detrimental to the public health, safety, and welfare.

- c. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that 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, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.**

The proposed Merge 56 development has been designed to comply with the Land Development Code and regulations of the San Diego Municipal Code, including all of the development criteria for the CC-3-5 zone, with the exception of the R&D use. The R&D use may include life science laboratories, technology office/electronic laboratories and similar uses, provide a significant and critical employment use in the City, provide quality, high-paying job opportunities, encourage a strong economic base and the proximity of important employment uses to housing. The use is appropriate to the LMXU Center South 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. In addition, PDP No. 1266871 included approval of deviations to setbacks, ground floor restrictions and maximum retaining wall height. This PDP amendment proposes to carry forward those same previously approved deviations and does not propose or request any additional deviations beyond those already approved for this site.

BE IT FURTHER RESOLVED that, based on the foregoing findings adopted by the Hearing Officer, Planned Development Permit No. 2570887, amendment to Planned Development Permit No. 1266871 is hereby GRANTED by the Hearing Officer, to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2570887, a copy of which is attached hereto and made a part hereof.

Oscar Galvez III
Development Project Manager
Development Services

Adopted on: March 16, 2022

IO#: 24008955

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

INTERNAL ORDER NUMBER: 24008955

SPACE ABOVE THIS LINE FOR RECORDER'S USE

PLANNED DEVELOPMENT PERMIT NO. 2570887

MERGE 56 PDP AMENDMENT - PROJECT NO. 693290

AMENDMENT TO PLANNED DEVELOPMENT PERMIT NO. 1266871 (PROJECT NO. 360009)

HEARING OFFICER

This Planned Development Permit No. 2570887, amendment to Planned Development Permit No. 1266871, is granted by the Hearing Officer of the City of San Diego to SEA BREEZE 56, LLC, a Delaware Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0602(a), 143.0403(a)(1), and Table 143-04A. The 41-acre site is located in the CC-3-5 Zone of the Torrey Highlands Community Plan. The project site is legally described as: Lots 1 through 7 and Lots A through F of Merge 56 Unit 1, in the City of San Diego, County of San Diego, State of California, according to Map thereof No 16433 filed In the Office of the County Recorder of San Diego County on December 10, 2020; and Lots 1 through 89, inclusive, and Lots A through G, inclusive, of Merge 56 Unit 2, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 16457, filed in the Office of the County Recorder of San Diego County on June 15, 2021.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to amend Planned Development Permit No. 1266871 (Project No. 360009) to include research and development as an allowed use as described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 16, 2022, on file in the Development Services Department.

The project shall include:

- a. Amend the previously approved Planned Development Permit No. 1266871 (Project No. 360009) to allow Research and Development as an allowed use consistent with the Torrey Highlands Subarea Plan to only Lots 1 through 6 and Lot E, within the CC-3-5 zone of Map No. 16433.
- b. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by April 1, 2025.
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. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
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 building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited 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 were determined necessary to make the findings required for approval of this Permit. The Permit holder is required

to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If 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. Planned Development Permit No. 1266871 shall remain in force and effect except where amended by this Permit.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

11. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program (MMRP) shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

12. The mitigation measures specified in the MMRP and outlined in Merge 56 Development Project Final Environmental Impact Report SCH No. 2014071065, Project No. 360009 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in Merge 56 Development Project Final Environmental Impact Report SCH No. 2014071065, Project No. 360009, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

14. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the San Diego Municipal Code (SDMC). 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 appropriate City decision maker in accordance with the SDMC.

15. 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.

16. All laboratory equipment and related operations associated with Research & Development (R&D) uses shall comply with all applicable rules and regulations relating to emission standards and the use of any hazardous materials associated with such equipment or operations including, without limitation, San Diego County Air Pollution Control District (SDAPCD) Regulation II, Rule 11. Rule 11 generally exempts such equipment and operations from SDAPCD permitting requirements provided specified criteria are met. Any emission control devices or systems installed as necessary to meet SDAPCD standards for the exemption shall be shown on applicable plans.

17. In conjunction with any future Substantial Conformance Review (SCR) or amendments to this permit for new R&D buildings, the plans for such R&D buildings shall generally identify the proposed use and any hazardous materials or emissions that may be present and shall identify any emission control devices or systems that are installed to control or contain any potential hazards. An updated Exhibit "A" will be provided with any future SCR or amendment submittal; including the following information/ tables: development summary, unit acreage summary, parking, and unit construction type/occupancy summary.

18. 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.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on March 16, 2022 and [Approved Resolution Number].

ATTACHMENT 5

Planned Development Permit No. 2570887

Date of Approval: March 16, 2022

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Oscar Galvez III
Development Project Manager

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

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

SEA BREEZE 56, LLC, a Delaware Limited Liability Company
Owner/Permittee

By _____
NAME
TITLE

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



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: February 23, 2022

TO: Oscar Galvez III, Development Project Manager, Development Services Department

FROM: Sara Osborn, Senior Planner, Development Services Department

SUBJECT: Merge 56 PDP Amend (Project No. 693290) California Environmental Quality Act – Section 15162 Evaluation

The Development Services Department (DSD) has completed a California Environmental Quality Act (CEQA) Section 15162 – Subsequent EIRs and Negative Declaration consistency evaluation for the proposed Merge 56 PDP Amend (Project No. 693290.)

This evaluation was performed to determine if conditions specified in CEQA Guidelines Sections 15162 would require preparation of additional CEQA review for the proposed amendments. As outlined in the evaluation matrix attached, DSD has determined that the proposed amendments are consistent with the original Merge 56 Development Project Environmental Impact Report Sch No. 2014071065; Project No. 360009 certified by the Council of the City of San Diego on May 22, 2018, Resolution No. R-311775; and would not result in new impacts.

BACKGROUND

The proposed project is an amendment to PLANNED DEVELOPMENT PERMIT No. 1266871 to add a reference on the PDP permitted use list to include “research and development” to the 41-acre Unit 10 Lots 1-7. No changes to the previously approved plan sets are proposed by the PDP application. Scientific Research uses are allowed by the land use plan and a PDP amendment is required to allow the use in the zone and to revise the PDP No. 1266871 use description.

EVALUATION

Merge 56 Development Project EIR

The original project was comprised of two project components, a mixed-use development and public roadway improvements. The Mixed Use Development Component required a GENERAL PLAN AMENDMENT from Commercial Employment, Retail and Services; Residential; and Parks, Open Space and Recreation to Multiple Use; a COMMUNITY PLAN AMENDMENT

(CPA) to redesignate the site from Commercial Regional (CR) and Medium High Density Residential to Local Mixed Use (LMXU) within the Torrey Highlands Subarea Plan; a REZONE from Regional Commercial (CR-2-1) and Multi-family Residential (RM-3-9) to Community Commercial (CC-3-5) and Residential Small Lot (RX-1-2); a PLANNED DEVELOPMENT PERMIT (PDP) to amend PDP No. 53203; a SITE DEVELOPMENT PERMIT (SDP) to amend SDP No. 53204; a CONDITIONAL USE PERMIT (CUP) to allow a cinema/theater greater than 5,000 square feet in size; and a VESTING TENTATIVE MAP (VTM) to amend VTM No. 7938 to resubdivide from 3 lots to 107 lots (84 Residential Small Lot zoned lots, 12 Community Commercial zoned lots, seven open space lots, and four lots for private drives) for construction of a 41.34-acre mixed use development project. The mixed-use development would be comprised of approximately 525,000 square feet of commercial, office, theater and hotel uses and 242 residential dwelling units (both multi-family and single-family). The project would also construct associated site improvements (i.e. utilities (water, sewer, and electrical), storm drains/detention basins, internal private streets, hardscape, site walls, and landscaping). Various deviations are being requested from the CC-3-5 and RX-1-2 development regulations.

The analysis conducted identified that the project could result in significant impacts to the following issue area(s): Land Use, Transportation/Circulation, Biological Resources, Historical Resources (archaeology), Noise, Paleontological Resources, Greenhouse Gas Emissions. And Visual Effects/Neighborhood Character (landform alteration). Of these issues, the analysis concluded that the project could result in direct or cumulatively significant impacts with respect to Land Use, Transportation/Circulation, Biological Resources, Historical Resources (archaeology), Paleontological Resources, and Visual Effects/Neighborhood. All significant impacts would be mitigated to below a level of significance except for direct impacts to Visual Effects/Neighborhood Character (landform alteration), and cumulative impacts to Transportation/Circulation, which would be significant and unmitigated.

CEQA 15162 CONSISTENCY EVALUATION

DSD reviewed the proposed amendments and conducted an 15162 consistency evaluation with the previously certified Environmental Impact Report. A transportation access analysis concluded that the proposed site plan land use and circulation proposals are expected to operate at acceptable levels of service. The PDP was revised to include research and development uses and an additional condition was added to ensure that the use will be compatible with surrounding uses. The evaluation substantiates the conclusion that supports a determination that no subsequent document is required.

CONCLUSION

Overall, it is not anticipated that the implementation of the proposed amendments would result in any significant direct, indirect or cumulative impacts over and above those disclosed in the previously certified Environmental Impact Report. The project would not result in new impacts or changed circumstances that would require a new environmental document.

Section 15162 of the CEQA Guidelines states:

When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

DSD finds that none of the three criteria listed above has occurred. In addition, this evaluation supports the use of the certified Environmental Impact Report for the proposed project pursuant to CEQA Guidelines Section 15162.

Therefore, the certified Environmental Impact Report adequately covers the Merge 56 PDP Amend being proposed.

Sara Osborn
Senior Planner

Reference:

1. Merge 56 Development Project Environmental Impact Report Sch No. 2014071065/Project No. 360009 (Under Separate Cover)

DOC# 2018-0266517



Jun 29, 2018 11:22 AM

OFFICIAL RECORDS

Ernest J. Dronenburg, Jr.,

SAN DIEGO COUNTY RECORDER

FEES: \$506.00 (SB2 Atkins: \$0.00)

PAGES: 165

RECORDING REQUESTED**BY**CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL
STATION 501**WHEN RECORDED MAIL TO****CITY CLERK
MAIL STATION 2A**

INTERNAL ORDER NUMBER: 24004023 SPACE ABOVE THIS LINE FOR RECORDER'S USE

PLANNED DEVELOPMENT PERMIT NO. 1266871

SITE DEVELOPMENT PERMIT NO. 1266883

CONDITIONAL USE PERMIT NO. 1266881

MERGE 56 PROJECT NO. 360009 [MMRP](AMENDING PLANNED DEVELOPMENT PERMIT NO. 53203, SITE
DEVELOPMENT PERMIT NOS. 53204, 3278 AND 40-0386, CONDITIONAL
USE PERMIT NO. 53205)
CITY COUNCIL

This Planned Development Permit No. 1266871, Site Development Permit No. 1266883, and Conditional Use Permit No. 1266881, amendment to Planned Development Permit No. 53203 Site Development Permit Nos. 53204, 3278 and 40-0386, and Conditional Use Permit No. 53205, is granted by the City Council of the City of San Diego to SEA BREEZE 56, LLC, a Delaware Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code (SDMC) sections 126.0604, 126.0504 and 126.0305. The combined 72.34-acre site is located south of State Route 56, between Camino Del Sur and Black Mountain Road in the CR-2-1 (Commercial-Regional) and RM-3-9 (Residential-Multiple Unit) zones which are proposed to be rezoned to the CC-3-5 (Commercial-Community) and RX-1-2 (Residential-Small Lot) zones of the Torrey Highlands Subarea Plan area. The project site is legally described as Lots 4, 5 and 10 of Rhodes Crossing, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 15578, filed in the Office of the County Recorder of San Diego County, July 11, 2007.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a mixed-use development and public roadway improvements as further described below and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated MAY 22 2018, on file in the Development Services Department.

The project shall include:

- a. Construction of a mixed-use development comprised of approximately 525,000 square feet of commercial, office, theater, hotel uses and 242 residential units, as follows:

ORIGINAL

- 47 affordable apartment units
 - 19 market rate apartment units
 - 92 townhomes
 - 84 single-family dwelling units
- b. Public roadway improvements for Camino Del Sur and Carmel Mountain Road, and the extension of Camino Del Sur Road;
- c. Construction of associated site improvements including storm drains/detention basins, internal private streets, hardscape, site walls, landscaped common areas, private alleys accessible from internal private drives, and common area; and
- d. Deviations from San Diego Municipal Code (SDMC):
- 1) CC Zone Front Yard Setback: A deviation from San Diego Municipal Code (SDMC) Section 131.0531 Table 131-05E (Development Regulations of CC Zones) for front yard setbacks. Unit 10 Lots 1-5 and 7 front yard setback varies from 11-25 feet where a maximum front 10-foot setback is allowed. Unit 4 Lots 1, 2 and 5 front yard setback varies from 15-29 feet where a maximum 10 foot setback is allowed.
 - 2) CC Zone Side Yard Setback: A deviation from SDMC Section 131.0531 Table 131-05E (Development Regulations of CC Zones) for side yard setbacks. Unit 10 Lot 1-5 and 7 side yard setback varies from 6.5-35 feet where a minimum 10 foot or 0 foot side setback is required. Unit 4 Lots 1, 2 and 5 side yard setback varies from 10-15 feet where a minimum 10 foot or 0 foot side setback is required.
 - 3) RX Zone Front Yard Setback: A deviation from SDMC Section 131.0431 Table 131-04E (Development Regulations of RX Zones) for front yard setbacks. Unit 5 Lots 27, 32, 33, 35, 36, 38, 42, 43, 48, 49, 54, 55, 61 front yard setback varies from 7-26 feet where a minimum 15 foot setback is required.
 - 4) RX Zone Rear Yard Setback: A deviation from SDMC Section 131.0431 Table 131-04E (Development Regulations of RX Zones) for rear yard setbacks. Unit 5 Lots 8, 9, 14, 15, 20, 21, 26, 27, 32, 33, 38, 42, 43, 48, 49, 54, 55, 61 rear yard setback varies from 4 to 21 feet where a minimum 10 foot setback is required.
 - 5) Ground Floor Restriction: A deviation request from SDMC Section 131.0540(c) Ground Floor Restriction for Unit 4 Lots 2, 4 and 5 and Unit 10 Lot 7 to allow residential uses and residential parking within the front 30-feet, where the regulation residential uses and residential parking are prohibited on the ground floor in the front 30 feet of the lot is requested.

- 6) Retaining Wall Height: A deviation request from SDMC Section 142.0340(e) Retaining Wall Height Outside of Required Yards for Retaining Wall No. 21, 22, 27, 31, and 32 that varies from 14-25 feet, where a maximum 12-foot retaining wall is allowed.
- e. Landscaping (planting, irrigation and landscape related improvements);
- f. Off-street parking;
- g. Sustainable development features, including solar canopies installed on all parking decks; Centralized parking structures and walkable streets and plazas to encourage a "park once" strategy; Neighborhood-serving retail placed in close proximity to residences; Mixed-use live/work/play concept incorporated into site planning; Pedestrian-oriented development with multiple walkways linking commercial and residential areas; Bike racks provided in commercial and residential areas; electrical vehicle charging stations, Trail connections and bike lanes provided along public roads; Sustainable building design, including use of local building materials, low-flow fixtures (toilets and showers), and porous surfaces; Recycling receptacles placed throughout the site; Low-water use, native landscaping materials installed to minimize turf and irrigation demands; and State-of-the-art, low precipitation sprinkler equipment used in the mixed-use development, and utilization of reclaimed water;
- h. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by MAY 22 2021.
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. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
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. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service (USFWS) pursuant to Section 10(a) of the federal Endangered Species Act (ESA) and by the California Department of Fish and Wildlife (CDFW) pursuant to California Fish and Wildlife Code section 2835 as part of the Multiple Species Conservation Program (MSCP), the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement (IA), executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFW, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, in accordance with Section 17.1D of the IA.
8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
9. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

11. 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.

12. Planned Development Permit No. 53203 Site Development Permit Nos. 53204, 3278 and 40-0386, and Conditional Use Permit No. 53205 shall remain in force and effect except where amended by this Permit.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

13. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program (MMRP) shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

14. The mitigation measures specified in the MMRP and outlined in Environmental Impact Report No. 360009, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the MMRP as specified in Environmental Impact Report No. 360009, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

- Land Use
- Transportation/Circulation
- Biological Resources
- Historical Resources (Archaeology)
- Paleontological Resources

CLIMATE ACTION PLAN REQUIREMENTS:

16. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

WASTE MANAGEMENT PLAN REQUIREMENTS:

17. Owner/Permittee shall comply with the Waste Management Plan dated March 2015, and shall be enforced and implemented to the satisfaction of the Environmental Services Department.

AFFORDABLE HOUSING REQUIREMENTS:

18. Prior to the issuance of any building permits, the Owner/Permittee shall enter into an affordable housing agreement with the San Diego Housing Commission to provide affordable housing units in compliance with the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.).

19. The Project is subject to the Rhodes Crossing Project Affordable Housing Program, as conditioned within Planned Development Permit No. 53203, Site Development Permit Nos. 53204, and Conditional Use Permit No. 53205, to provide 20-percent of the 242 housing units as affordable housing units (47 pre-density bonus units) at 65-percent Area Median Income (AMI).

AIRPORT REQUIREMENTS:

20. Prior to issuance of any construction permit, the Owner/Permittee shall provide a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration (FAA).

ENGINEERING REQUIREMENTS:

21. This Planned Development Permit No. 1266871, Site Development Permit No. 1266883, and Conditional Use Permit No. 1266881 shall comply with all Conditions of the Final Map for the Vesting Tentative Map No. 1266780.
22. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
23. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, full improvement of the deceleration lane on Camino Del Sur adjacent to Lot 3 of Map 15578, per current City Standards, satisfactory to the City Engineer.
24. The drainage system for this project will be subject to approval by the City Engineer.
25. Prior to the issuance of any building permit, the Owner/Permittee shall enter into an agreement to indemnify, protect and hold harmless the City, its officials and employees from any and all claims, demands, causes or action, liability or loss because of, or arising out of surface drainage entering into the property from the Right-of-Way.
26. Prior to the issuance of any construction permit, the Owner/Permittee shall grant to the City of San Diego Public Storm Drain Easements for all public storm drains located on private properties satisfactory to the City Engineer.
27. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for all private connections to public storm drain systems.
28. Prior to the issuance of any construction permit, the applicant shall incorporate any construction Best Management Practices (BMP) necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.
29. Prior to the issuance of any construction permit, the applicant shall submit a Technical report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.
30. Prior to the issuance of any construction permit, the applicant shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
31. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance

with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.

32. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

LANDSCAPE REQUIREMENTS:

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

34. Prior to issuance of any engineering permits for 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 show, label, and dimension a forty square foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

35. Prior to issuance of any construction permits for structures (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A." Construction plans shall provide a forty square foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per LDC 142.0403(b)(5).

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

37. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.

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

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

MULTIPLE SPECIES CONSERVATION PROGRAM:

40. Prior to the issuance of any grading permit, the Owner/Permittee shall record a Covenant of Easement over Lot "Z" as shown on the Vesting Tentative Map.

PLANNING/DESIGN REQUIREMENTS:

41. 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.

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

43. 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:

44. Prior to the issuance of the first building permit, the Owner/Permittee shall dedicate and shall assure by permit and bond the construction of Camino del Sur along the project frontage as a four-lane major with 78 to 100 feet of pavement curb to curb with a 4- to 24-foot raised median in 113- to 135-foot right-of-way including 15- and 20-foot parkways with noncontiguous sidewalks, DG path, curb and gutter, satisfactory to the City Engineer. These improvements shall be completed and accepted by the City Engineer prior to the first occupancy.

45. Prior to the issuance of the first building permit, the Owner/Permittee shall dedicate and shall assure by permit and bond the construction of Camino del Sur from the project site south to the existing Camino del Sur as a two-lane mod collector with 50 to 78 feet of pavement curb to curb with a 10- to 16-foot raised median in 75- to 103-foot right-of-way including 10- to 17-foot parkways with noncontiguous sidewalks, DG path, curb and gutter, satisfactory to the City Engineer. These improvements shall be completed and accepted by the City Engineer prior to the first occupancy.

46. Prior to the issuance of the first building permit, the Owner/Permittee shall dedicate and shall assure by permit and bond the construction of Carmel Mountain Road along the project site frontage as a two-lane modified collector with 40 to 54 feet of pavement curb to curb with up to 14-foot raised median in 52- to 78-foot right-of-way including 10- and 14-foot parkways with noncontiguous sidewalks, DG path, curb and gutter, satisfactory to the City Engineer. These improvements shall be completed and accepted by the City Engineer prior to the first occupancy.

47. Prior to the issuance of the first building permit, the Owner/Permittee shall assure by permit and bond the restriping of Carmel Mountain Road over SR-56 as a two-lane modified collector with two 11-foot lanes, two 5-foot bike lanes and the construction of a raised 5-foot sidewalk on the west side of the bridge satisfactory to the City Engineer. These improvements shall be completed and accepted by the City Engineer prior to the first occupancy.

48. Prior to the issuance of the first building permit, the Owner/Permittee shall dedicate and shall assure by permit and bond the construction of a one-lane roundabout on Carmel Mountain Rd at Private Drive "M"/Via Panacea with noncontiguous sidewalks, curb and gutter, satisfactory to the City Engineer. These improvements shall be completed and accepted by the City Engineer prior to the first occupancy.

49. Prior to the issuance of the first building permit, the Owner/Permittee shall assure by permit and bond the construction of a City standard 26-foot wide driveway on Camino del Sur at Private Drive "T" restricted to right in/right out only, satisfactory to the City Engineer. These improvements shall be completed and accepted by the City Engineer prior to the first occupancy.

50. Prior to the issuance of the first building permit, the Owner/Permittee shall assure by permit and bond the construction of Camino del Sur/Private Drive "M" intersection with one bike lane, three through lanes and two left turn lanes southbound, one left, one through, one through/right turn and one bike lane northbound, one left, one through/right and one right turn lane westbound and install a traffic signal, to the satisfaction of the City Engineer. This work shall be completed and accepted by the City prior to the first occupancy.

51. Prior to the issuance of the first building permit, the Owner/Permittee shall assure by permit and bond the construction of a 30-foot wide City Standard driveway on Camino del Sur at Private Drive "N" restricted to right in/right out only by the raised median on Camino Del Sur, satisfactory to the City Engineer. These improvements shall be completed and accepted by the City Engineer prior to the first occupancy.

52. Prior to the issuance of the first building permit, the Owner/Permittee shall assure by permit and bond the construction of Camino del Sur/Carmel Mountain Road intersection with one bike lane, two through lane and one left turn lanes southbound, one left, one through, one through/right turn and one bike lane northbound, one left, one through/right westbound, a 20-foot wide driveway with bollards and install a traffic signal, to the satisfaction of the City Engineer. This work shall be completed and accepted by the City prior to the first occupancy.

53. Prior to the issuance of the first building permit, the Owner/Permittee shall assure by permit and bond the construction of a 20-foot wide City standard driveway on Camino del Sur at

Basin 'C' Maintenance Access Driveway Entrance with bollards restricted to right in/right out only, satisfactory to the City Engineer. These improvements shall be completed and accepted by the City Engineer prior to the first occupancy.

54. The Owner/Permittee shall relinquish abutter's rights onto State Route 56, Camino del Sur and Carmel Mountain Road except at approved intersections as shown on Exhibit "A" to the satisfaction of the City Engineer.

55. Prior to the issuing of any building permit, the Owner/Permittee shall record a shared parking agreement in favor of all appropriate parcels within the project site, to the satisfaction of the City Engineer.

56. All automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. The minimum required parking must be provided on site at all times during the construction and phasing of this project. 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 appropriate City decision maker in accordance with the SDMC.

57. Prior to the issuance of any building permit, the Owner/Permittee shall provide a copy of a recorded mutual access agreement between all parcels/lots affected, satisfactory to the City Engineer.

58. Prior to issuance of the first certificate of occupancy, to the satisfaction of the City Engineer the Owner/Permittee shall provide and maintain all elements of the Transportation Demand Management (TDM) Plan listed in the CAP checklist including:

- Partially subsidized transit passes;
- Transportation information kiosks;
- Program to encourage office tenants to provide and maintain a telework program and flexible or alternative work schedules;
- Bicycle parking spaces in excess of Code minimum requirements;
- Lockers and on-site shower facilities for office and commercial employees;
- Electric vehicle charging stations in excess of Code minimum requirements;
- Preferential carpool/vanpool parking for office employees.

In order to ensure the proposed TDM strategies are implemented and maintained, the Owner/Permittee shall conduct a TDM Monitoring and Reporting Program to include parking occupancy counts each year for a five year period. The TDM Monitoring Report must be prepared and submitted to the City Engineer on the first anniversary of the issuance of a certificate of occupancy for the project and on such date each year thereafter during the five year monitoring period.

59. Prior to the issuance of the first building permit, the Owner/Permittee shall assure by permit and bond the construction of a traffic signal or equivalent (such as a roundabout) at the intersection of Camino del Sur/Dormouse Road, to the satisfaction of the City Engineer.

Owner/Permittee shall also install median fencing on Camino del Sur between Dormouse Road and Park Village Drive. These improvements shall be completed and accepted by the City Engineer prior to the first occupancy.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

60. Prior to the issuance of any engineering permits for right-of-way improvements or building permits, the Owner/Permittee shall assure, by permit and bond the design and construction of all public water and sewer facilities as shown on the approved Exhibit "A," in a manner satisfactory to the Public Utilities Director and the City Engineer.

61. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer services outside of any driveway or drive aisle, in a manner satisfactory to the Public Utilities Director and the City Engineer.

62. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. Back flow prevention device(s) shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

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

64. The Owner/Permittee shall design and construct all proposed public water and sewer facilities in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

GEOLOGY REQUIREMENTS:

65. Prior to the issuance of any construction permit, the Owner/ Permittee shall submit a geotechnical investigation report or update letter, including additional percolation field testing as recommended by the project' geotechnical consultant, that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

PARK AND RECREATION DEPARTMENT REQUIREMENTS:

66. Prior to the issuance of any engineering permit for public improvements for road construction, public improvement plans, grading, irrigation and planting plans shall submitted for review and approval, to the satisfaction of the Park and Recreation Department.

67. The Owner/Permittee shall ensure that there will be separate irrigation control clocks and meters for each MAD and City fee-owned property.

68. Maintenance and repair of all retaining walls within Maintenance Assessment District maintained slopes shall be responsibility of the adjacent private property owner.

69. The Owner/Permittee shall ensure that all downhill slopes within City fee-owned open space shall be landscaped with native vegetation endemic to the area and on a temporary irrigation system for establishment of plant material and such irrigation system shall be removed upon plant establishment, to the satisfaction of the Park and Recreation Department.

70. The Owner/Permittee shall provide access from the existing open space east of Camino del Sur Road to the Camino del Sur public right-of-way, to the satisfaction of the Park & Recreation Department, Open Space Division.

71. The Owner/Permittee shall provide access from the existing open space west of Camino del Sur Road to the Camino del Sur public right-of-way, to the satisfaction of the Park & Recreation Department, Open Space Division.

72. The Owner/Permittee shall ensure that all trails are built to City standards identified in City of San Diego Park & Recreation Department Consultant's Guide to Park Design and Development, to the satisfaction of the Park & Recreation Department, Open Space Division.

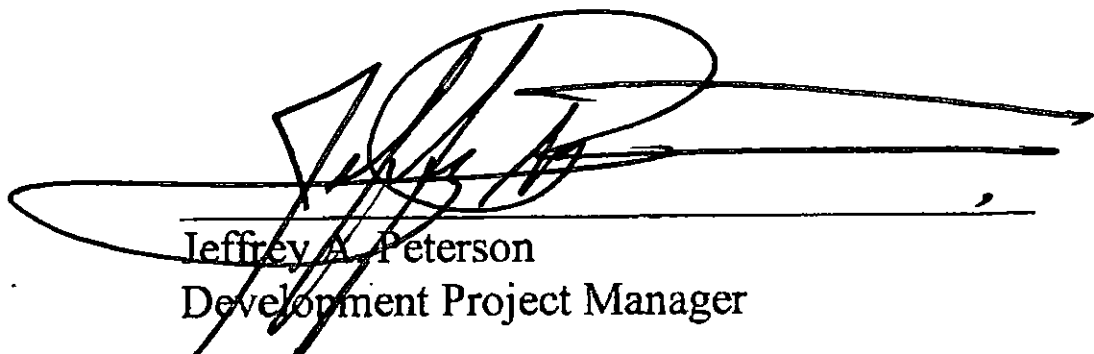
INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the City Council of the City of San Diego on MAY 22 2018 by
Resolution No. R-311777.

Permit Type/PTS Approval No.: PDP No. 1266871, SDP No. 1266883, and CUP No. 1266881
Date of Approval: MAY 22 2018

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT



Jeffrey A. Peterson
Development Project Manager

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

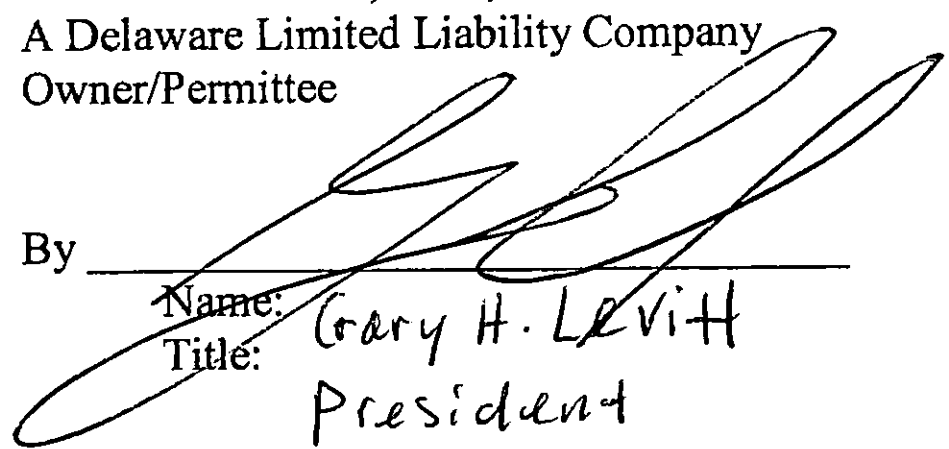
**The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.**

SEA BREEZE 56, LLC,
A Delaware Limited Liability Company
Owner/Permittee

By _____

Name:

Title:



Gary H. Levitt
President

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
 County of San Diego)

On June 28, 2018 before me, Saira Nunez, Notary Public,
Date Here Insert Name and Title of the Officer
 personally appeared Jeffrey A. Peterson
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Planned Development Permit No. 1266871
 Document Date: _____ Number of Pages: _____
 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____

ORIGINAL

ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of San Diego)

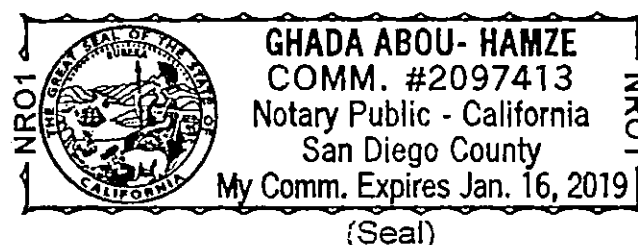
On June 26, 2018 before me, Ghada Abou-hamze, Notary Public,
(Here insert name and title of the officer)
personally appeared

Gary H. Levitt

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Ghada Abou-Hamze
Signature of Notary Public



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Plan Development permit
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 15 Document Date _____

ORIGINAL

INSTRUCTIONS

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e.) he/she/they, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible.
- Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
- Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
- Securely attach this document to the signed document with a staple.

Passed by the Council of The City of San Diego on MAY 22 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 22 2018.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

(Seal)

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 311777

ORIGINAL

Passed by the Council of The City of San Diego on May 22, 2018, by the following vote:

YEAS: **BRY, ZAPF, WARD, COLE, KERSEY, CATE, SHERMAN,**
ALVAREZ, GÓMEZ.

NAYS: **NONE.**

NOT PRESENT: **NONE.**

RECUSED: **NONE.**

AUTHENTICATED BY:

KEVIN L. FAULCONER

Mayor of The City of San Diego, California

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California

(Seal)

By: *Linda Bruen*, Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of
RESOLUTION NO. **R-311777**, approved on **May 22, 2018**. The date of final passage is
May 22, 2018.

ELIZABETH S. MALAND

City Clerk of the City of San Diego, California

(Seal)

By: *Linda Bruen*, Deputy

ORIGINAL

RESOLUTION NUMBER R- 311777

DATE OF FINAL PASSAGE MAY 22 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ADOPTING PLANNED DEVELOPMENT PERMIT NO. 1266871, SITE DEVELOPMENT PERMIT NO. 1266883, AND CONDITIONAL USE PERMIT NO. 1266881 FOR MERGE 56 – PROJECT NO. 360009. (AMENDING PLANNED DEVELOPMENT PERMIT NO. 53203, SITE DEVELOPMENT PERMIT NOS. 53204, 3278 AND 40-0386, CONDITIONAL USE PERMIT NO. 53205).

WHEREAS, SEA BREEZE 56, LLC, a Delaware Limited Liability Company, Owner/Permittee, filed an application with the City of San Diego for a Planned Development Permit, Site Development Permit and Conditional Use Permit to develop a mixed-use development and construct public roadway improvements known as the Merge 56 project. The combined 72.34-acre site is located south of State Route 56, between Camino Del Sur and Black Mountain Road in the CR-2-1 (Commercial-Regional) and RM-3-9 (Residential-Multiple Unit) zones which are proposed to be rezoned to the CC-3-5 (Commercial-Community) and RX-1-2 (Residential-Small Lot) zones of the Torrey Highlands Subarea Plan area. The project site is legally described as Lots 4, 5 and 10 of Rhodes Crossing, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 15578, filed in the Office of the County Recorder of San Diego County, July 11, 2007; and

WHEREAS, on February 22, 2018, the Planning Commission of the City of San Diego considered Planned Development Permit No. 1266871, Site Development Permit No. 1266883, and Conditional Use Permit No. 1266881, and pursuant to Resolution No. 4926-PC voted to recommend City Council approval of the Permit; and

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

WHEREAS, the matter was set for public hearing on MAY 22 2018, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Planned Development Permit No. 1266871, Site Development Permit No. 1266883, and Conditional Use Permit No. 1266881:

A. PLANNED DEVELOPMENT PERMIT – SAN DIEGO MUNICIPAL CODE (SDMC) SECTION 126.0605

1. Findings for all Planned Development Permits:

a. The proposed development will not adversely affect the applicable land use plan. The Merge 56 development site is located in the north-central portion of the City. The property is situated in the communities of Del Mar Mesa, Torrey Highlands, and Rancho Peñasquitos, immediately adjacent to the State Route 56 (SR-56) right-of-way. The Merge 56 development project (Project) consists of two components, a mixed-use development and the public roads that adjoin the proposal. The Project would implement a General Plan Amendment (GPA) to redesignate portions the development site to a Multiple Use designation, and a Community Plan Amendment (CPA) to redesignate portions the development site to a local mixed-use center (LMXU) designation. The Project includes a Rezone for portions of the development site to Community Commercial (CC-3-5) and Residential Small Lot (RX-1-2) to make the project site consistent with its proposed land use designation.

The development component of the project would consist of a LMXU containing commercial, office, hotel and residential uses on the 41.34-acre, triangular-shaped property. The project would allow for construction of 525,000 square feet (sf) of commercial, office, theater/cinema, and hotel uses and 242 residences (i.e., 158 multi-family and 84 single-family). According to the Torrey Highlands Subarea Plan, the LMXU designation is intended for major grocery and drug stores, and pedestrian-oriented shops and stores including restaurants and civic uses.

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The residential component of this project provides a portion of the housing needs within the community with 242 multi-family units concentrated in the heart of the LMXU center. The higher density units situated in the core of the community, and combined with the commercial retail and office uses, form a mixed-use and pedestrian-oriented development located along the regional transit system. The project utilizes design components that facilitate pedestrian orientation, such as a modified grid system, diagonal and parallel street-side parking, a pedestrian village green and market square.

Multi-family housing and mixed-use residential units shall be interspersed with ground floor commercial as envisioned in the Torrey Highlands Subarea Plan. Residential density should decrease as the distance from the commercial center increases. Trails and pedestrian links to residential areas are required to be integrated with the commercial center. Although located near the freeway, the LMXU is not intended to be a freeway-oriented commercial development with dedicated freeway access. The existing LMXU in the Torrey Highlands Subarea Planning area, Torrey Highlands Village Center, is situated northwest of the SR-56/Camino Del Sur interchange and the project site. The Merge 56 Development Project would create a second mixed use center in the vicinity of SR-56.

Furthermore, the project includes two important major roadway elements which will serve the area. Camino Del Sur and Carmel Mountain Road will be extended as planned with the approval of this Project. Design of the roadways include a bus transit and bike lane that would provide local and regional access to the surrounding properties and local community.

The Project has been designed to comply with the regulations of the Land Development Code (LDC); however, to implement the Project will require deviations. The deviations are necessary to allow the site to be developed with commercial, townhomes, and single-family dwelling units consistent with the intent of the Torrey Highlands Subarea Plan as outlined within Planned Development Permit Finding (A)(1)(c), listed below. Each of the requested deviations has been reviewed as they relate to the proposed design of the project, the property configuration, and the surrounding development. The deviations are appropriate and will result in a more desirable project that efficiently utilizes the site, provide a more cohesive community appearance, allow for adequate site circulation and overall functionality of the project, avoid impacts to federal jurisdictional waters while providing adequate conveyance and discharge of stormwater runoff from the public roadways. Other than the requested deviations, the project meets all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the LDC. Therefore, with the adoption of the GPA, CPA, and Rezone, the proposed development will not adversely affect the applicable land use plan.

b. The proposed development will not be detrimental to the public health, safety, and welfare. An Environmental Impact Report (EIR) No. 360009/SCH No. 2014071065, has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring, and Reporting Program (MMRP) would be implemented with this project, which would reduce some of the potential impacts to below a level of significance. The applicant has provided Draft Candidate Findings and Statement of Overriding Considerations to allow the decision-maker to approve the project with significant and unmitigated direct impacts related to Visual Effects/Neighborhood

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Character (Landform Alteration) and cumulative impacts which would be significant and unmitigated related to Transportation/Circulation.

The Project has been designed to comply with the regulations of the LDC; however, to implement the Project will require deviations. The deviations are necessary to allow the site to be developed with commercial, townhomes, and single-family dwelling units consistent with the intent of the Torrey Highlands Subarea Plan as outlined within Planned Development Permit Finding (A)(1)(c), listed below. Each of the requested deviations has been reviewed as they relate to the proposed design of the project, the property configuration, and the surrounding development. The deviations are appropriate and would not be detrimental to the public health, safety, and welfare.

The permit for the Project includes various conditions and referenced exhibits relevant to achieving project compliance with the applicable regulations of the San Diego Municipal Code (SDMC) in effect for this project. Such conditions are necessary to avoid adverse impacts to the health, safety and general welfare of persons residing or working in the surrounding area. The project will comply with the development conditions in effect for the subject property as described in Planned Development Permit No. 1266871, Site Development Permit No. 1266883, and Conditional Use Permit No. 1266881 amendment to Planned Development Permit No. 53203 Site Development Permit Nos. 53204, 3278 and 40-0386, and Conditional Use Permit No. 53205, and other regulations and guidelines pertaining to the subject property per the SDMC. Prior to issuance of any building permits for the proposed development, the plans will be reviewed for compliance with all Building, Electrical, Mechanical, Plumbing and Fire Code requirements, and the Owner/Permittee will be required to obtain a grading and public improvement permit. Therefore, the proposed development would not be detrimental to the public health, safety and welfare.

c. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that 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, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code. The Project consists of two components, a mixed-use development and the public roads that adjoin the proposal. The Project would implement a GPA to redesignate portions the development site to a Multiple Use designation, and a CPA to redesignate portions the development site to a LMXU designation. The Project includes a Rezone for portions of the development site to Community Commercial (CC-3-5) and Residential Small Lot (RX-1-2) to make the project site consistent with its proposed land use designation.

The Project has been designed to comply with the regulations of the LDC; however, to implement the Project will require deviations. The deviations are necessary to allow the site to be developed with commercial, townhomes, and single-family dwelling units consistent with the intent of the Torrey Highlands Subarea Plan. The following table is a matrix of the proposed deviations:

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Deviations Summary			
Deviation Description	Deviation from SDMC	Required	Proposed
CC Zone Front Yard Setback for Unit 10 Lots 1-5 and 7	<u>Section 131.0531 and Table 131-05E</u>	Maximum 10 feet	Varies from 11-25 feet
CC Zone Front Yard Setback for Unit 4 Lots 1, 2 and 5	<u>Section 131.0531 and Table 131-05E</u>	Maximum 10 feet	Varies from 15-29 feet
CC Zone Side Yard Setback for Unit 10 Lot 1-5 and 7	<u>Section 131.0531 and Table 131-05E</u>	Minimum 10 feet or 0 feet	Varies from 6.5-35 feet
CC Zone Side Yard Setback for Unit 4 Lots 1, 2 and 5	<u>Section 131.0531 and Table 131-05E</u>	Minimum 10 feet or 0 feet	Varies from 10-15 feet
RX Zone Front Yard Setback for Unit 5 Lots 27, 32, 33, 35, 36, 38, 42, 43, 48, 49, 54, 55, 61	<u>Section 131.0431 and Table 131-04E</u>	Minimum 15 feet	Varies from 7-26 feet
RX Zone Rear Yard Setback for Unit 5 Lots 8, 9, 14, 15, 20, 21, 26, 27, 32, 33, 38, 42, 43, 48, 49, 54, 55, 61	<u>Section 131.0431 and Table 131-04E</u>	Minimum 10 feet	Varies from 4-21 feet
Ground Floor Restriction for Unit 4 Lots 2, 4 and 5 and Unit 10 Lot 7	<u>Section 131.0540(c)</u>	Residential uses and residential parking not allowed within the front 30-feet	Allow residential uses and residential parking within the front 30-feet
Retaining Wall Height Outside of Required Yards for Retaining Wall No. 21, 22, 27, 31, and 32	<u>Section 142.0340(e)</u>	Maximum 12-foot retaining wall allowed	Varies from 14-25 feet

Each of the requested deviations has been reviewed as they relate to the proposed design of the project, the property configuration, and the surrounding development. The deviations are appropriate and will result in a more desirable project that efficiently utilizes the site, provide a more cohesive community appearance, allow for adequate site circulation and overall functionality of the project, avoid impacts to federal jurisdictional waters while providing adequate conveyance and discharge of stormwater runoff from the public roadways. Other than the requested deviations, the project meets all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the LDC.

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**B. SITE DEVELOPMENT PERMIT – SAN DIEGO MUNICIPAL CODE (SDMC)
SECTION 126.0505**

1. Findings for all Site Development Permits:

a. The proposed development will not adversely affect the applicable land use plan. As outlined within Planned Development Permit Finding (A)(1)(a), listed above, with the adoption of the GPA, CPA, and Rezone, the proposed development, including any potential impacts to environmentally sensitive lands (ESL) as outlined in Site Development Permit (SDP) Findings (B)(2)(a-f) below, would not adversely affect the applicable land use plan.

b. The proposed development will not be detrimental to the public health, safety, and welfare. As outlined within Planned Development Permit Finding (A)(1)(b), listed above, the proposed development, including any potential impacts to ESL as outlined in SDP Findings (B)(2)(a-f) below, would not be detrimental to the public health, safety and welfare.

c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code. As outlined within Planned Development Permit Finding (A)(1)(c), listed above, with the approval of the requested deviations, the proposed development, including any potential impacts to ESL as outlined in SDP Findings (B)(2)(a-f) below, is in conformance with the applicable regulations of the LDC.

2. Supplemental Findings--Environmentally Sensitive Lands

a. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands. The Project site, including the rights-of-way (ROW) for two Circulation Element roads, contains ESL in the form of sensitive biological resources and steep slopes (only along the Camino Del Sur ROW). No coastal beaches, sensitive coastal bluffs, or 100-year floodplains exist or will be affected by the project. In accordance with the ESL Regulations, an Site Development Permit is required due to project impacts to sensitive biological resources and steep slopes.

EIR No. 360009/SCH No. 2014071065, has been prepared for the project in accordance with CEQA Guidelines. An MMRP would be implemented with this project, which would reduce some of the potential impacts to below a level of significance. The applicant has provided Draft Candidate Findings and Statement of Overriding Considerations to allow the decision-maker to approve the project with significant and unmitigated direct impacts related to Visual Effects/Neighborhood Character (Landform Alteration) and cumulative impacts which would be significant and unmitigated related to Transportation/Circulation.

Regarding sensitive biological resources, the Project will provide mitigation for any indirect or direct impacts to ESL. The Project involves wetland impacts that would be mitigated in-kind and achieve a no net loss of wetland function and value, as required in the City Biology

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Guidelines. The Project further will comply with the following mitigation ratios from the Biology Guidelines: Tier I: mitigation ratios range from 1:1 to 2:1; Tier II: (1:1 to 1.5:1); Tier IIIA: (0.5:1 to 1:1); Tier IIIB: (0.5:1 to 1:1); Tier IV: Disturbed, agricultural, and eucalyptus (0:1) Mitigation for direct impacts to upland vegetation communities shall be accomplished through acquisition of suitable habit, purchase of mitigation credits in an approved mitigation bank, or a combination thereof.

Deviations from the ESL Regulations are required due to unavoidable impacts to wetlands. The project will qualify for deviations under the Biologically Superior Option (BSO) for the Mixed-Use Development component and under the Essential Public Project (EPP) Option for the public roads component of the project. The Mixed-Use Development component of the project will qualify for ESL deviations under the BSO because it would result in a biologically superior resource once mitigation is complete. The public roads component will qualify for deviations under the EPP Option because all direct and indirect impacts will be minimized, to the extent feasible, through project design features, compliance with City regulations and/or mitigated through measures.

Within the Project area, the public ROW area consists of approximately 8.7-acres that contains slopes that have a gradient of 25 percent or more. To minimize grading, retaining walls will be used throughout the project site to reduce hillside grading and the horizontal extent of manufactured slopes; however, the construction of Camino Del Sur will encroach into 100 percent of the steep slopes contained on site and would change the elevation of the existing steep hillsides by more than five feet. This encroachment would be greater than the encroachment allowance outlined in the ESL Regulations for projects outside the Multiple Habitat Planning Area (MHPA) and Coastal Zone. However, as a Circulation Element road, this encroachment is exempted under SDMC Section 143.0142(a). Therefore, the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to ESL.

b. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards. The Torrey Highlands Subarea and Rancho Penasquitos Community Plans were designed to minimize alterations to natural landforms. Overall, the project would result in substantially more than 2,000 cubic yards (cy) of cut or fill per graded acre and will exceed the 10-foot high significance threshold for manufactured slopes. The public roads component of the project will also result in the disturbance of steep slopes by changing the elevation of steep hillsides by more than five feet. These impacts will be reduced to the extent feasible through the construction of a series of retaining walls. Even with these minimization measures, the impact on existing natural landforms would be considered significant and unavoidable due to the Camino Del Sur extension through hillside terrain along the planned alignment for the road. However, as a Circulation Element road, this encroachment is exempted under SDMC Section 143.0142(a).

The Project's development footprints have been located to minimize erosion, flood, and fire hazards. No floodplains exist on site and proper design features have been incorporated into the site plan, including observance of required setbacks and integration of brush management, to

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prevent fire hazards. Development will comply with the region-wide erosion control plan, which requires pre- and post-construction measures to prevent erosion and sedimentation of downstream areas. The project will enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMPs) maintenance; will comply with all requirements of the State Water Resources Control Board and Municipal Storm Water Permit, Waste Discharge Requirements for Discharges of Storm Water Runoff Associate with Construction Activity. Therefore, the Project has been designed to minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

c. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands. Approximately 2.2 acres of the western edge of the Camino Del Sur ROW occur within the MHPA and will be impacted by the road ROW. ESL outside the MHPA occur adjacent to other elements of the project. The Project contains design features, such as the use of non-invasive plants, water quality BMPs, shielded architectural/overhead lighting, fencing and signage, to protect the adjacent environmentally sensitive lands and will be required through conditions of approval to comply with all MHPA Land Use Adjacency Guidelines as identified in the approved Biological Technical Report and EIR No. 360009/SCH No. 2014071065. No utility lines will intrude upon the MHPA or adjacent ESL; all lines will be within the proposed roadway improvements. In addition, the project is a compatible use within the MHPA as an essential public facility designed in accordance with the roads and utilities guidelines in the Multiple Species Conservation Program (MSCP) Subarea Plan.

d. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan. Approximately 2.2 acres of the western edge of the Camino Del Sur ROW occur within the MHPA and will be impacted by the road ROW, and impacts to the biological resources within the MHPA. Camino Del Sur has a defined alignment for which no feasible alternative exists to avoid the MHPA because of the fixed end points of the roadway and engineering safety standards. However, this project component avoids canyon bottoms in the MHPA and does not substantially interfere with wildlife movement. Section 1.4.2 of the City's MSCP Subarea Plan includes general planning policies and design guidelines that have been applied in the review and approval of development projects within or adjacent to the MHPA. In this case, Camino Del Sur is the only project component within or adjacent to the MHPA and is considered a compatible use within the MHPA. Mitigation will comply with the ratios specified in the City's Biology Guidelines for impacts to sensitive biological resources in the MHPA. The proposed project will be required through conditions of approval to comply with all MHPA Land Use Adjacency Guidelines as identified in the approved Biological Technical Report and EIR No. 360009/SCH No. 2014071065. Therefore, the project is consistent with the MSCP Subarea Plan.

e. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply. The Project site is located nine miles away from the public beaches and local shoreline, and includes Best Management Practices (BMPs) appropriate for the site. A Storm Water Quality Management Plan would be implemented with the project. EIR No. 360009/SCH No. 2014071065, has been prepared for the

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project in accordance with CEQA Guidelines. An MMRP would be implemented with this project, which would reduce some of the potential impacts to below a level of significance. The applicant has provided Draft Candidate Findings and Statement of Overriding Considerations to allow the decision-maker to approve the project with significant and unmitigated direct impacts related to Visual Effects/Neighborhood Character (Landform Alteration) and cumulative impacts which would be significant and unmitigated related to Transportation/Circulation. Therefore, the project would not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

f. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development. EIR No. 360009/SCH No. 2014071065, has been prepared for the project in accordance with CEQA Guidelines. An MMRP would be implemented with this project, which would reduce some of the potential impacts to below a level of significance. The applicant has provided Draft Candidate Findings and Statement of Overriding Considerations to allow the decision-maker to approve the project with significant and unmitigated direct impacts related to Visual Effects/Neighborhood Character (Landform Alteration) and cumulative impacts which would be significant and unmitigated related to Transportation/Circulation.

The Project will provide mitigation for any indirect or direct impacts to sensitive biological resources considered environmentally sensitive lands. The proposed project proposed wetland impacts mitigated in-kind and achieve a no net loss of wetland function and value. The project further will comply with the following mitigation ratios (as specified in the City Biology Guidelines): Tier I: mitigation ratios range from 1:1 to 2:1; Tier II: (1:1 to 1.5:1); Tier IIIA: (0.5:1 to 1:1); Tier IIIB: (0.5:1 to 1:1); Tier IV: Disturbed, agricultural, and eucalyptus (0:1). Mitigation for direct impacts to upland vegetation communities shall be accomplished through preservation of suitable habit, purchase of mitigation credits in an approved mitigation bank, or a combination thereof. To minimize grading, retaining walls will be used throughout the project site to reduce steep hillside grading and the horizontal extent of manufactured slopes; however, Camino Del Sur will encroach into 100 percent of the steep hillsides contained on site and change the elevation of the existing steep hillsides by more than five feet. This encroachment will be greater than the encroachment allowance outlined in the ESL Regulations for projects outside the MHPA and Coastal Zone. However, as a Circulation Element road, this encroachment is exempted under SDMC Section 143.0142(a). Therefore, the nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

3. Supplemental Findings--Environmentally Sensitive Lands Deviations

a. There are no feasible measures that can further minimize the potential adverse effects on environmentally sensitive lands. The proposed alignment of Camino Del Sur is pre-determined by the existing terminal points on the north and south ends of the site and consistent with the planned alignment in the Torrey Highlands Subarea Plan and Rancho Penaquitos Community Plan, making it infeasible to shift the alignment to avoid impacts to ESL. The width of the roadway has been reduced from the previously approved design and is the minimum necessary to ensure successful construction and operation of the Circulation

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Element roadway. In addition, the alignment for the extension of Carmel Mountain Road has been shifted in the project design to avoid existing vernal pool complexes located on the Rhodes Crossing project site.

The Project's mixed use component is located between SR-56 and the proposed Camino Del Sur and Carmel Mountain Road extensions. Impacts to ELS (with the exception of two vernal pools) were addressed in the certified EIR No. 3230/SCH No. 2002121089 for Rhodes Crossing. A change between the Rhodes Crossing project and the current project is that the two vernal pools would now be impacted. If they remained, these pools would be completely surrounded by development (e.g., residential buildings, roads, and commercial development) and would have minimal buffers. Additionally, the City's Vernal Pool Habitat Conservation Plan has not included these isolated pools within its proposed preserve area as it has been recognized by the City and the USFWS that these pools, if preserved, would provide little biological value. Given the small size of the pools and their minimal biological value if preserved within a larger development project. The Project incorporates all feasible mitigation, and avoidance in the current plan would not significantly protect ESL.

b. The proposed deviation is the minimum necessary to afford relief from special circumstances or conditions of the land, not of the applicant's making. The project would impact wetlands and would, therefore, require deviations from the ESL Regulations. The project qualifies under two of the three options: the Essential Public Projects Option for the Public Roads (i.e., Camino Del Sur) and the Biologically Superior Option for the Mixed-Use Development. The project qualifies for deviations under two of the options in the ESL Regulations: the Essential Public Projects Option for the Public Roads and the Biologically Superior Option for the private, Mixed-Use Development. The Project would qualify for deviations under the Essential Public Projects Option because it meets the criteria specified in the ESL Regulations, and all direct and indirect impacts would be minimized, to the extent feasible, through project design features, compliance with City regulations, and/or mitigated through measures identified in EIR No. 360009/SCH No. 2014071065.

The public roads improvements would implement the City Circulation Elements that have fixed endpoints and must comply with standard road design requirements in the City Street Design Manual; the improvements would create connections between existing road termini where they do not presently exist. The roadways have been designed to meet vehicular demand and community plan road capacity requirements and current engineering safety standards (e.g., vertical elevation, minimum curve radii and roadway slopes), while providing the minimum road capacity necessary to handle future projected traffic. The road footprints have been designed to avoid direct impacts to off-site vernal pool resources and have been minimized, to the extent feasible, by narrowing the roads to two lanes.

**C. CONDITIONAL USE PERMIT- SAN DIEGO MUNICIPAL CODE (SDMC)
SECTION 126.0305**

1. Findings for all Conditional Use Permits:

a. The proposed development will not adversely affect the applicable land use plan. As outlined within Planned Development Permit Finding (A)(1)(a), listed above,

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with the adoption of the GPA, CPA, and Rezone, the proposed development will not adversely affect the applicable land use plan. The proposed cinema/theater is over 5,000 sf and requires approval of a Conditional Use Permit. The Conditional Use Permit approval process analyzed the project's consistency with the goals, policies and objectives of the City's General Plan and Torrey Highlands Subarea Plan and it would not adversely affect the applicable land use plan.

b. The proposed development will not be detrimental to the public health, safety, and welfare. As outlined within Planned Development Permit Finding (A)(1)(b), listed above, the proposed cinema/theater as part of the development would not be detrimental to the public health, safety and welfare.

c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code. As outlined within Planned Development Permit Finding (A)(1)(c), listed above, with the approval of the requested deviations, the proposed cinema/theater as part of the development is in conformance with the applicable regulations of the LDC.

d. The proposed use is appropriate at the proposed location. The Project has been designated as a pedestrian oriented residential, commercial center with office, retail, and restaurant where it is appropriate to locate a cinema in such a location that is freeway and neighborhood close. In addition, Camino Del Sur and Carmel Mountain Road extensions would provide new regional access to the cinema which would allow the existing community to utilize the new cinema, in addition to the new residents. According to the Torrey Highlands Subarea Plan, the LMXU designation is intended for major grocery and drug stores, and pedestrian-oriented shops and stores including restaurants and civic uses, which includes the proposed cinema; therefore, the use is appropriate at the proposed location.

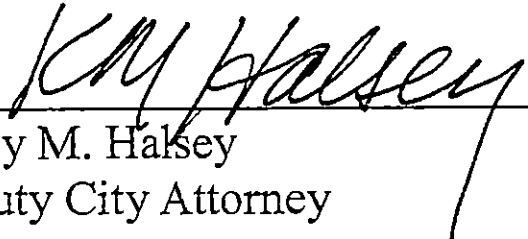
The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED, that Planned Development Permit No. 1266871, Site Development Permit No. 1266883, and Conditional Use Permit No. 1266881 is granted to SEA

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BREEZE 56, LLC, a Delaware Limited Liability Company, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Keely M. Halsey
Deputy City Attorney

KMH:als
05/02/18
Or.Dept:DSD
Doc. No.: 1683258

331-A

(R-2018-540) 5/22/18

RESOLUTION NUMBER R- **311775**ADOPTED ON **MAY 22 2018**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 360009/SCH NO. 2014071065, ADOPTING THE FINDINGS, STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING THE MITIGATION, MONITORING, AND REPORTING PROGRAM FOR MERGE 56 – PROJECT NO. 360009.

WHEREAS, on July 21, 2014, SEA BREEZE 56, LLC, a Delaware Limited Liability Company, submitted an application to Development Services Department for an Amendment to the General Plan and the Torrey Highlands - Subarea IV and the Rancho Peñasquitos Community Plans, Rezone, Planned Development Permit, Site Development Permit, Conditional Use Permit, Vesting Tentative Map, Easement Vacation, and Public Right-of-way Vacation, for the Merge 56 (Project); and

WHEREAS, the matter was set for a public hearing to be conducted by the Council of the City of San Diego; and

WHEREAS, the issue was heard by the City Council on **MAY 22 2018** and

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

WHEREAS, the City Council considered the issues discussed in Environmental Impact Report No. 360009/SCH No. 2014071065 (Report) prepared for this Project; NOW,
THEREFORE,

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BE IT RESOLVED, by the City Council that it is certified that the Report has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, 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 City Council in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081 and State CEQA Guidelines Section 15091, the City Council hereby adopts the Findings made with respect to the Project, and that pursuant to State CEQA Guidelines Section 15093, the City Council hereby adopts the Statement of Overriding Considerations with respect to the Project, which is attached hereto as Exhibit A.

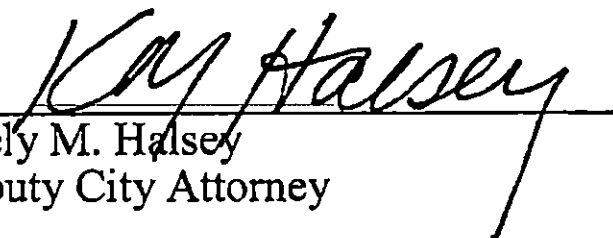
BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this City Council in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit B.

BE IT FURTHER RESOLVED, that the Report and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the City Clerk, 202 C Street, San Diego, CA 92101.

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BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

APPROVED: MARA W. ELLIOTT, City Attorney

By: 
Keely M. Halsey
Deputy City Attorney

KMH:als
05/02/18
Or.Dept: DSD
Doc. No. 1684867

ATTACHMENT(S): Exhibit A, Findings/Statement of Overriding Considerations
Exhibit B, Mitigation, Monitoring, and Reporting Program

EXHIBIT A**FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS
REGARDING THE ENVIRONMENTAL IMPACT REPORT
FOR THE MERGE 56 PROJECT**

**Project No. 360009
SCH No. 2014071065
May 2018**

SECTION 1: THE PROJECT**I. PROJECT DESCRIPTION**

The Merge 56 Project (project) is comprised of two project components, a mixed-use development and public road improvements to complete undeveloped segments of Camino Del Sur and Carmel Mountain Road, Circulation Element roads. The Merge 56 site (sometimes referred to herein as the "site" or "project site") is located in the north-central portion of the City of San Diego (City). The site is situated in the communities of Torrey Highlands and Rancho Peñasquitos, immediately south of the State Route 56 (SR-56) right-of-way (ROW) near the SR-56/Camino Del Sur interchange. Regional access to the site is from SR-56, Interstate 5 and Interstate 15; local access to the site is from the southern termini of Camino Del Sur and Carmel Mountain Road, as well as from the existing section of Camino Del Sur between Dormouse Road and Park Village Road.

The mixed-use development would be comprised of approximately 525,000 square feet of commercial, office, theater and hotel uses and 242 residential dwelling units (both multi-family and single-family) on a 41.34-acre project site. The project would also construct associated site improvements (i.e. water, sewer, electrical, storm drains/detention basins, internal private drives, hardscape, site walls, and landscaping) and dedicate ROW for adjacent public roads. The second component of the project is comprised of 31 acres of public road and other infrastructure improvements to complete undeveloped segments of Camino Del Sur and Carmel Mountain Road, Circulation Element roads. Those improvements include the approximately 0.93-mile long Camino Del Sur extension which would be constructed from its current terminus south of SR-56 and Torrey Santa Fe Road to its intersection with its current terminus north of Dormouse Road and Park Village Road. The existing paved portion of Carmel Mountain Road would be realigned north of its current location and extended approximately 0.38 mile south from SR-56 ROW to its planned intersection with Camino Del Sur. Both public roads front the Merge 56 property and intersect at its southern project boundary.

Impacts of implementing elements of the project have been previously evaluated in three certified or adopted CEQA documents: Rhodes Crossing Environmental Impact Report (EIR; Project No. 3230; SCH No. 2002121089), Camino Ruiz North Roadway Mitigated Negative Declaration (LDR No. 40-0386; SCH No. 2000121031), and Camino Del Sur Project EIR (LDR No. 41-0248; SCH NO. 2001121109). These previous analyses are incorporated by reference into the project EIR; however, the current EIR is an entirely new, stand alone, project-level analysis of the Merge 56 Project.

Various state and federal permits would also be required from agencies other than the City and may include: an encroachment permit from California Department of Transportation; National Pollutant Discharge Elimination System permit compliance and General Construction Activity Permit from the Regional Water Quality Control Board and the State Water Resources Control Board; a Streambed Alteration Agreement (SAA) from the California Department of Fish and Wildlife (CDFW) Section 1602; a Federal Clean Water Act Section 404 Permit from the Army Corps of Engineers (Corps) for impacts to "Waters of the U.S.;" an Incidental Take Permit for vernal pools obtained through Section 7 of the Endangered Species Act (ESA); and a Federal Clean Water Act Section 401 Water Quality Certification from the California Regional Water Quality Control Board.

II. PROJECT OBJECTIVES

The primary purposes, goals, and objectives of the project are:

- Develop a project that is consistent with the primary goals and objectives of the General Plan, Subarea Plan, Community Plan, applicable City regulations, and existing and planned surrounding land uses;
- Develop a mixed-use center wherein community-serving retail, office and residential uses are constructed instead of the standard commercial center, self-storage facility and medium high-density residential development envisioned in the Community Plan;
- Develop a project that places larger structures and more intensive uses along the freeway frontage and sets back the lowest density residential as far as possible from the freeway;
- Provide a range of residential housing types to meet the needs of existing and future City residents;
- Develop affordable housing units to satisfy the City's housing needs identified in the Torrey Highlands Subarea Plan and Housing Element of the General Plan;
- Provide commercial and office uses to create professional/administrative employment opportunities with convenient freeway access, within walking distance of residential housing, as well as retail, restaurant and entertainment services;
- Use sustainable architectural, landscaping and site design elements and materials to create a pedestrian-oriented community featuring active retail spaces, public gathering places, and landscaped areas linked by pedestrian pathways and bicycle lanes;
- Locate uses and their parking fields to enable and encourage 'park once' solutions to people visiting more than one retail or office space, as well as minimize the amount of empty parking spaces at low demand times by sharing parking amongst compatible users;
- Minimize surface parking fields and integrate parking into structures to minimize their visibility from public vantage points within the community and improve the streetscape appearance;
- Implement the Circulation Element connections in the Torrey Highlands Subarea Plan and Rancho Peñasquitos Community Plan, in accordance with the adopted Public Facilities Financing Plan;

- Reclassify two Circulation Element Roads in the project area to balance the environmental impacts of road construction with the traffic capacity and circulation needs of the communities;
- Convey traffic volumes anticipated at buildout of surrounding development areas at acceptable levels of service; and,
- Provide for new trail connections that offer linkages with existing and future trails recognized in the applicable planning documents.

III. DISCRETIONARY ACTIONS

All discretionary approvals required from the City to implement the project have been subject to review and approval by the City's Planning Commission and City Council. The following discretionary actions are required for the Merge 56 project:

- A General Plan Amendment (GPA) to change the designated land uses in the General Plan from Commercial Employment, Retail and Services; Residential; and Parks, Open Space and Recreation to Multiple Use.
- A Community Plan Amendment (CPA) to change the land use designation of the project site in the Torrey Highlands Subarea Plan from Commercial Regional (CR) and Medium-High Density Residential (MHD) to Local Mixed-use Center (LMXU) South, to specify the planned land use intensity consistent with the project design (a maximum of 525,000 square feet of commercial type uses and 242 residential units), and to downgrade the classifications of on-site portions of Camino Del Sur and Carmel Mountain Road, Circulation Element roads in the Torrey Highlands Subarea Plan and Rancho Peñasquitos Community Plan.
- A Rezone to modify the entitled zoning of Commercial (CR-2-1) and Residential (RM-3-9) to Community Commercial (CC-3-5) and Residential Small Lot (RX 1-2).
- A Planned Development Permit (PDP) to amend PDP No. 53203 and to implement the Local Mixed-Use (LMXU) project on site and allowable deviations from the development regulations, in accordance with the Torrey Highlands Subarea Plan.
- A Site Development Permit (SDP) to amend SDP No. 53204, SDP No. 3278, and SDP No. 40-0386 for impacts to Environmentally Sensitive Lands (ESL) resources.
- A CUP is required for the construction and operation of the cinema/theater over 5,000 SF.
- A VTM to amend VTM No. 7938 is required to permit the re-subdivision of three lots to create 107 lots, consisting of 84 RX zoned lots, 12 CC zoned lots, seven open space lots, and four lots for private drives.

- A public ROW vacation for Camino Del Sur and Carmel Mountain Road to revise the ROW dedicated in VTM No. 7938 and to incorporate revisions attributable to the downgraded road classifications for both roads. A water easement vacation is also required.
- An amendment to the Public Facilities Financing Plans to revise the descriptions of the road improvements for Camino Del Sur and Carmel Mountain Road.

SECTION 2: ENVIRONMENTAL REVIEW PROCESS

The Lead Agency approving the project and conducting environmental review under the California Environmental Quality Act (CEQA; California Public Resources Code §§21000, et seq.), and the Guidelines promulgated thereunder in California Code of Regulations, Title 14, §§15000 et seq. (CEQA Guidelines), hereinafter collectively, (CEQA) shall be the City. The City as Lead Agency shall be primarily responsible for carrying out the project. In compliance with §15082 of the CEQA Guidelines, the City published a Notice of Preparation (NOP) in July 2014, which began a 30-day period for comments on the appropriate scope of the project EIR. The City also conducted a public scoping meeting, in accordance with §21083.9 of CEQA, on August 6, 2014. The City received comment letters from the United States Fish and Wildlife Service (USFWS), Native American Heritage Commission, CDFW, California Department of Transportation (Caltrans), San Diego Archaeological Society, Rincon Band of Luiseño Indians, California Native Plant Society, and Viejas Tribal Government. Several emails from private citizens were also received in response to the NOP. A copy of the NOP, scoping meeting transcript, and public comment letters received on the NOP are provided in Appendix A of the Final EIR.

The Draft EIR for the project was then prepared and circulated for review and comment by the public, agencies, and organizations for a 45-day public review period that began on February 10, 2017 and concluded on March 27, 2017. A Notice of Completion of the Draft EIR was sent to the State Clearinghouse, and the Draft EIR was circulated to state agencies for review through the State Clearinghouse, Office of Planning and Research (SCH No. 2014071065). A Notice of Availability of the Draft EIR was filed with the County Clerk. Comments on the Draft EIR were received from the USFWS/CDFW (jointly), Caltrans, Native American Heritage Commission, San Diego Association of Governments (SANDAG), San Diego County Archaeological Society, Rincon Band of Luiseño Indians, Poway Unified School District, Golden State Environmental Justice Alliance, California Native Plant Society/Preserve Wild Santee/Environmental Center of San Diego/San Diego Audubon Society/California Chaparral Institute/Sierra Club (jointly), Environmental Center of San Diego, Los Peñasquitos Reserve Citizen Advisory Committee, Lozeau Drury, LLP, Rhodes Crossing (Keith Rhodes) and several individuals. After the close of the public review period, the City provided in the Final EIR responses in writing to all comments received on the Draft EIR.

The Final EIR has been prepared in accordance with CEQA and the State CEQA Guidelines. The City, acting as the Lead Agency, has reviewed and edited as necessary the submitted drafts and certified that the Final EIR reflects its own independent judgment and analysis under Guideline §15090(a)(3) and CEQA Statute §21082.1(a)-(c).

The Final EIR addresses the environmental effects associated with implementation of the project. The Final EIR is intended to serve as an informational document for public agency decision-makers and

the general public regarding the objectives and components of the project. The Final EIR addressed the potential significant adverse environmental impacts associated with the project, and identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts. The Final EIR is incorporated by reference into this CEQA Findings document.

The Final EIR is the primary reference document for the formulation and implementation of a mitigation monitoring program for the project. Environmental impacts cannot always be mitigated to a level that is considered less than significant. In accordance with CEQA, if a Lead Agency approves a project that has significant unavoidable impacts that cannot be mitigated to a level below significance, the agency must state in writing the specific reasons and overriding considerations for approving the project based on the final CEQA documents and any other information in the public record for the project. (CEQA Guidelines §15093).

I. Record of Proceedings

For purposes of CEQA and these Findings and Statement of Overriding Considerations (Statement), the Record of Proceedings for the project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation (NOP) and all other public notices issued by the City in conjunction with the project;
- All responses to the NOP received by the City;
- The Draft and Final EIRs;
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;
- All responses to the written comments included in the Final EIR;
- The reports and technical memoranda included or referenced in any responses to comments in the Final EIR;
- All written and oral public testimony presented during a noticed public hearing for the project at which such testimony was taken;
- The Mitigation Monitoring and Reporting Program;
- All documents, studies, EIRs, or other materials incorporated by reference in, or otherwise relied upon during the preparation of the Draft EIR and the Final EIR;
- Matters of common knowledge to the City, including, but not limited to, federal, state, and local laws and regulations;
- Any documents expressly cited in these Findings and Statement; and
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e)

II. Custodian and Location of Records

The documents and other materials which constitute the administrative record for the City's actions related to the project are located at the City of San Diego, Development Services Center, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. The City Development Services Center is the custodian of

the administrative record for the project. Copies of these documents, which constitute the Record of Proceedings, are and at all relevant times have been and will be available upon request at the offices of the City Development Services Center. This information is provided in compliance with Public Resources Code §21081.6(a)(2) and Guidelines §15091(e).

SECTION 3: SUMMARY OF IMPACTS

The Final EIR Sections 5.0, 6.0 and 7.0 demonstrate, and the City hereby finds, based on the Final EIR and the Record of Proceedings, that the project will have **less than significant impacts** and require no mitigation measures with respect to the following issues:

- Agriculture and Forestry Resources
- Air Quality
- Biological Resources (other than as addressed in Section 4(II) below)
- Energy
- Geologic Conditions
- Greenhouse Gas Emissions
- Health and Safety
- Historic Resources (Built Environment)
- Hydrology/Water Quality
- Land Use (other than as addressed in Section 4(II) below)
- Noise
- Mineral Resources
- Public Utilities
- Public Services and Facilities
- Transportation/Circulation (Direct)
- Visual Effects/Neighborhood Character (other than Landform Alteration)

Sections 5.0 and 6.0 of the Final EIR demonstrate, and Section 4(II) of these Findings includes the corresponding findings, that potentially **significant impacts of the project will be mitigated** to below a level of significance with respect to the following issues:

- Land Use (MSCP)
- Transportation/Circulation (Cumulative other than as addressed in Section 4.III.A below)
- Biological Resources
- Historical Resources (Archaeology)
- Paleontological Resources

Sections 5.0 and 6.0 of the Final EIR demonstrates, and Sections (4)III and (IV) of these Findings include the corresponding findings, that **no feasible mitigation measures** are available to the project to reduce impacts to below a level of significance for the following issues:

- Transportation/Circulation (Cumulative other than as addressed in Section 4.II.B below)
- Visual Effects/Neighborhood Character (Landform Alteration)

SECTION 4: FINDINGS OF FACT

I. INTRODUCTION

The CEQA Guidelines require that no public agency shall approve or carry out a project which identifies one or more significant environmental impacts of a project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The findings shall be supported by substantial evidence in the record. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

CEQA requires that the Lead Agency adopt mitigation measures or alternatives where feasible to avoid or mitigate significant environmental impacts that would otherwise occur with the implementation of the project. Project mitigation or alternatives are not required, however, where they are infeasible or where the responsibility for modifying the project lies with another agency (Guidelines §15091(a)(b)). For those significant impacts that cannot be mitigated to a less than significant level, the Lead Agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment (CEQA §21081(b) and Guidelines §15093). If such findings can be made, the Guidelines state in §15093 "the adverse environmental effects may be considered acceptable." CEQA also requires that findings made pursuant to §15091 be supported by substantial evidence in the record (State CEQA Guidelines, §15091(b)). Under CEQA, substantial evidence means enough relevant information has been provided (reasonable inferences from this information may be made) to support a conclusion, even though other conclusions might also be reached. Substantial evidence includes facts, reasonable assumptions predicated on facts, and expert opinion supported by facts (State CEQA Guidelines, §15384).

The findings reported in the following pages incorporate the facts and discussions in the Final EIR for the project as fully set forth therein. The CEQA Guidelines §15091 do not require findings to address environmental impacts that an EIR identifies as not significant or less than significant without mitigation. Section 3 above identifies those areas and includes the finding that the respective impacts are either not significant or less than significant without mitigation. The findings in subsections II, III and IV below are focused on the potentially significant effects of the project that can be reduced to a less than significant level with mitigation and those potentially significant effects of the project that would remain significant and unavoidable. Subsection V below includes findings regarding the reasonable range of alternatives analyzed in the Final EIR. For each of the significant impacts associated with the project, the following sections are provided:

Description of Potentially Significant Impacts: A description of the potentially significant environmental impacts identified in the Final EIR. If unavoidable, impact is so noted.

Facts in Support of the Finding: Identified feasible mitigation measures or actions that are required as part of the project to mitigate the project's impacts plus a description of the evidence that demonstrates that the impacts will be reduced to less than significant levels. If mitigation is infeasible, the reasons supporting the finding that the rejected mitigation is infeasible.

Reference: A notation on the specific section in the Final EIR which includes the factual evidence and discussion of the identified significant impact.

Having received, reviewed, and considered the Final EIR for the Merge 56, Project No. 360009, State Clearinghouse No. 2014071065 (Final EIR), as well as all other information in the record of proceedings on this matter, the following Findings are made, and Statement is adopted by the City in its capacity as the CEQA Lead Agency. These Findings and Statement set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the project.

II. FINDINGS REGARDING POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION

The City, having independently reviewed and considered the information contained in the Final EIR and the Record of Proceedings pursuant to Public Resource Code §21081(a)(1) and State CEQA Guidelines §15091(a)(1), adopts the following findings regarding the significant effects of the project described in this Subsection II, as follows:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant effects on the environment as identified in the Final EIR (Project No. 360009/SCH No. 2014071065) as described below:

A. Land Use (MSCP)

1. *Description of Potentially Significant Impacts:* The construction of Camino Del Sur on 2.2 acres of the MHPA would be consistent with the MSCP Subarea Plan, including Section 1.4.3 Land Use Adjacency Guidelines, as well as Section 1.4.1 Compatible Land Uses, Section 1.5.2 General Management Directives, and Section 1.4.2 General Planning Policies and Design Guidelines which includes Roads and Utilities Construction and Maintenance Policies, Fencing, Lighting and Signage Policies, and Materials Storage Policies. Section 5.1 provides an analysis of the project's consistency with the MSCP Subarea Plan as it relates to the potentially significant land use policy implications of locating the extension of Camino del Sur within and adjacent to the MHPA and the remainder of the project within proximity to the MHPA. Indirect impacts associated with the construction and operation of the road and the overall project could result in land use adjacency impacts due to the proximity to preserved sensitive biological resources protected by the MSCP Subarea Plan,

resulting in a potentially significant land use policy conflict with the MHPA requiring mitigation.

Facts in Support of the Finding: As described in the Final EIR, Camino Del Sur is a Circulation Element road and is considered a compatible land use within the MHPA under the policies of the MSCP Subarea Plan and less than significant impacts would occur; any direct biological resource impacts to the habitat in the preserve would be mitigated to below significance as disclosed in Section II.C.1 of these Findings. Section 5.1 explains how the project would comply with the City's Land Use Adjacency Guidelines related to public access, invasive plant species, and brush management, and no mitigation would be required. However, indirect edge effects would lead to potential land use adjacency impacts requiring mitigation related to grading/land development, drainage and toxics, lighting, and noise effects. These impacts have the potential to significantly degrade the habitat quality in the short-term and long-term due to its proximity to road development. Mitigation Measures Bio-1 and Bio-3, in Section 5.3, in addition to mitigating potentially significant biological resource impacts, would also mitigate direct and indirect land use impacts associated with proposed development adjacent to the MHPA by requiring the project to retain a qualified biologist to participate, monitor, supervise, educate about and document relevant activities in the pre, during and post construction aspects of the project, and establishing compensatory mitigation requirements consistent with the MSCP Subarea Plan for project impacts to upland vegetation communities in the MHPA. Mitigation Measure Lu-1 requires compliance with MSCP Land Use Adjacency Guidelines, and imposes performance criteria and other requirements, associated with grading/land development/MHPA boundaries, drainage, toxics/project staging areas/equipment storage, lighting, as well as noise/biological monitoring requirements for the coastal California gnatcatcher. Delineating the MHPA boundaries on the grading plans would ensure that all grading is confined to the approved development footprint. Installation of fencing and signage along the MHPA boundaries and San Diego National Wildlife Refuge would deter access into the preserve areas. The use of structural and non-structural features to control drainage would prevent erosion/sedimentation of downstream areas in the MHPA. Placing all potential sources of contamination within the limits of grading and monitoring those sources would prevent its intrusion into the MHPA. Controlling lighting would prevent unnecessary exposure of animals to night lighting which can hamper their survival. Pre-construction surveys and noise monitoring during the California gnatcatcher breeding season would minimize any impacts on the species' breeding activities and success. These measures address the potentially significant impacts disclosed in Section 5.1 with respect to the project's potential conflicts with the MSCP Subarea Plan and other local, regional or state habitat conservation plans.

The City finds that with implementation of Mitigation Measures Bio-1, Bio-3, and Lu-1, potentially significant land use adjacency impacts associated with potential project conflicts with the MSCP Subarea Plan and other local, regional or state habitat conservation plans will be reduced to a less than significant level.

Reference: Final EIR, pages 5.1-15 through 5.1-27 and 3.3-28 through 5.3-5.3-42

B. Transportation/Circulation

1. *Description of Potentially Significant Impacts:* Based on the City significance criteria, the project would contribute toward increased traffic delays and result in a significant cumulative impact at the intersection of Carmel Mountain Road/Black Mountain Road under Horizon Year 2035 conditions. The intersection is expected to operate at level of service (LOS) F in the AM peak hour without the project, and with the project those unacceptable conditions would worsen as delay would increase by more than 1.0 second, resulting in an exceedance of the City's significance threshold (noted in Table 5.2-5).

Facts in Support of the Findings: The Final EIR identifies Mitigation Measure Tra-3 which calls for restriping to provide for an additional northbound left-turn lane at the intersection of Carmel Mountain Road/Black Mountain Road within the existing curb-to-curb width and restripe the northbound receiving lanes and red curb by an additional 160 feet. Implementation of this measure would reduce intersection delays by 10.8 seconds in the AM peak hour, which achieves a reduction from LOS F under Horizon Year 2035 conditions with and without the project, to LOS E with the mitigation in place.

The City finds that with implementation of Mitigation Measure Tra-3, the project's potentially significant cumulative impact to the Carmel Mountain Road/Black Mountain Road intersection in Horizon Year 2035 will be mitigated to less than significant levels.

Reference: Final EIR, pages 5.2-16 through 5.2-32

C. Biological Resources

1. *Description of Potentially Significant Impacts:* As described in Section 5.3.2, the project would result in potentially significant direct, substantial and adverse impacts to candidate, sensitive, or special status species as defined in the City's CEQA significance thresholds, either directly, or through habitat modifications. Potentially significant impacts include direct impacts to sensitive vegetation communities, sensitive plant species, and sensitive wildlife species.

Sensitive vegetation communities that would be directly impacted include vernal pools, road pools, southern willow scrub, mule fat scrub, freshwater marsh, scrub oak chaparral, Diegan coastal sage scrub (including disturbed), Diegan coastal sage scrub-southern mixed chaparral ecotone, southern mixed chaparral, chamise chaparral (including disturbed), and non-native grassland. These impacts would be potentially significant because these communities are wetlands or Tier 1 through Tier IIIB habitats, as defined in the City's Biology Guidelines.

The project would have direct impacts to several sensitive plant species including Nuttall's scrub oak, summer holly, and spine shrub due to the number of individuals impacted and/or higher levels of sensitivity.

The project would result in direct impacts to several sensitive wildlife species, including San Diego fairy shrimp, coastal California gnatcatcher and its habitat inside of the MHPA, San Diego black-tailed jackrabbit, silvery legless lizard, Coronado skink, Bell's sage sparrow, California horned lark, Dulzura pocket mouse, and the northwestern San Diego pocket mouse. Direct impacts to non-native grassland would result in a loss of raptor foraging habitat outside of the MHPA, resulting in a potentially significant impact to raptors. Indirect impacts to sensitive species from grading/land development, drainage and toxics, lighting, and noise are addressed in Section II.A.1 of these findings.

Facts in Support of the Finding: Mitigation Measures Bio-1 through Bio-9 would reduce the project's direct and indirect impacts to sensitive vegetation communities and sensitive plant and wildlife species to below a level of significance. Mitigation Measure Bio-1 contains measures to be implemented for biological resource protection through the retention of a qualified biologist to participate, monitor, supervise, educate about and document relevant activities in the pre, during and post construction aspects of the project. Mitigation Measure Bio-2 imposes mitigation for impacts to sensitive natural communities. Bio-2 requires compensatory mitigation for impacts to vernal pools and road pools via off-site creation of vernal pool habitat at a 3:1 ratio and a five-year maintenance and monitoring period. Final compensatory mitigation for impacts to fairy shrimp would be determined through permits/authorizations to be issued by the Corps, USFWS, and City prior to issuance of project grading permits. Bio-2 also requires mitigation for impacts to 0.5 acre of wetland/riparian habitat (other than vernal pools) at a 3:1 ratio through off-site creation of wetland habitat and a five-year maintenance and monitoring period. Mitigation Measure Bio-3, would reduce potentially significant adverse impacts to 61.2 acres of sensitive upland vegetation communities and Nuttall's scrub oak, by requiring compensatory mitigation at a 1:1 ratio for Tier I impacts, at a 1:1 or 2:1 ratio for impacts to Tier II habitats, and at a 0.5:1 or 1:1 ratio for impacts to Tier IIIA and Tier IIIB habitats at appropriate locations consistent with the City's Biology Guidelines identified in the mitigation measure and the Final EIR. Mitigation Measure Bio-4 includes mitigation for direct impacts to San Diego fairy shrimp and designated critical habitat for that species. Compensatory mitigation for impacts to the San Diego fairy shrimp would be met through vernal pool habitat creation in accordance with the off-site mitigation ratios and criteria identified in Bio-2. Bio-4 contains additional performance standards, requirements and long term management and monitoring the project must implement to mitigate the project's potentially significant, adverse impacts to San Diego fairy shrimp and its habitat. Additional measures to protect San Diego fairy shrimp and its habitat in the off-site vernal pool preserves adjacent to the project are included in Mitigation Measure Bio-8 and Mitigation Measure Bio-9 (discussed in Section II.C.3). Mitigation Measure Bio-5 requires acquisition and preservation of Diegan coastal sage scrub habitat in accordance with the mitigation ratio and standards identified in Mitigation Measure Bio-3 to reduce potential

direct impacts to coastal California gnatcatcher. Mitigation Measure Bio-5 also incorporates Mitigation Measure Lu-1's performance standards and requirements to address potential indirect impacts to the coastal California gnatcatcher from construction noise. Mitigation Measure Bio-6 identifies mitigation for potential direct impacts to the San Diego black-tailed jackrabbit, silvery legless lizard, Coronado skink, Bell's sage sparrow, California horned lark, Dulzura pocket mouse, and northwestern San Diego pocket mouse. Mitigation Measure Bio-6 incorporates the protection for these species during construction, as required by Mitigation Measure Bio-1, and acquisition and preservation of habitat at the ratios and in the manner specified in Mitigation Measure Bio-3. Mitigation Measure Bio-7 identifies mitigation for impacts to raptor foraging habitat, which would be mitigated through acquisition and preservation of non-native grassland in accordance with the criteria established by Mitigation Measure Bio-3. With implementation of Mitigation Measures Bio-1 through Bio-7, as well as Mitigation Measures Bio-8 and Bio-9 that address the project's potential to have significant impacts on jurisdictional areas, the project would not have substantial adverse impacts, either directly or through habitat modifications, to any species identified as a candidate, sensitive or special status species in the MSCP or other local or regional plans, policies or regulations, or by the CDFW or USFWS.

The City finds that with implementation of Mitigation Measures Bio-1, Bio-2, Bio-3, Bio-4, Bio-5, Bio-6, Bio-7, Bio-8 and Bio-9, any potentially substantial adverse project impacts, either directly or through habitat modifications, to any species identified as a candidate, sensitive or special status species in the MSCP or other local or regional plans, policies or regulations, or by the CDFW or USFWS, will be reduced to a less than significant level.

Reference: Final EIR, pages 5.3-28 through 5.3-44

2. *Description of Potentially Significant Impacts:* As described in Section 5.3.2, including Tables 5.3-7 and 5.3-8, the project would result in direct impacts on Tier I, Tier II, Tier IIIA, and Tier IIIB habitats as identified in the Biology Guidelines of the LDC or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. Removal of 31.4 acres of sensitive uplands as part of the mixed-use development and 25.6 acres of sensitive uplands as part of the public roads would require mitigation to compensate for the project's impacts, in accordance with the Biology Guidelines and MSCP Subarea Plan.

Facts in Support of the Finding: Impacts to sensitive vegetation communities identified in the Biology Guidelines of the LDC or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS and MSCP Subarea Plan would be mitigated through implementation of Mitigation Measures Bio-1, Bio-2, and Bio-3 (discussed in Sections II.C.1 and II.C.2 of these findings). Substitution of the East Elliot land acquisition for the former mitigation option of acquiring credits from the Marron Valley Mitigation Bank, as stated in revised language for Mitigation Measure Bio-3, would

satisfy the project's upland mitigation requirements and comply with the City's Biology Guidelines with respect to impacts to Tier I, Tier II, Tier IIIA, and Tier IIIB habitats as all the mitigation sites referenced in the revised Mitigation Measure Bio-1 are viable sources of compensatory mitigation. Implementation of Mitigation Measures Bio-1, Bio-2, and Bio-3 would reduce impacts to below a level of significance as those measures require the project to retain a qualified biologist to participate, monitor, supervise, educate about and document relevant activities in the pre, during and post construction aspects of the project, establish compensatory mitigation requirements for the different tiers of habitat and imposing performance standards for the mitigation that addresses project impacts to the different vegetation communities.

The City finds that with implementation of Mitigation Measures Bio-1, Bio-2, and Bio-3, any potentially substantial adverse, direct project impacts on Tier I, Tier II, Tier IIIA, and Tier IIIB habitats as identified in the Biology Guidelines of the LDC or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS will be reduced to a less than significant level.

Reference: Final EIR, pages 5.3-28 through 5.3-44

3. *Description of Potentially Significant Impacts.* As described in Section 5.3.3, the project would result in potentially substantial adverse impacts on Waters of the United States, Waters of the State, and City Wetlands through direct removal, filling, hydrological interruption, or other means. The project would qualify for ESL Regulations Deviations for these impacts based on criteria outlined in the City Biology Guidelines. The public roads qualify for the deviations as an Essential Public Project (EPP), while the mixed-use development is the Biologically Superior Option (BSO) based on the criteria in the City Biology Guidelines. Potential indirect impacts could occur to vernal pools and their watersheds in the adjacent vernal pool preserves outside of the impact footprint.

Facts in Support of the Finding: Substantial adverse impacts to wetlands (including, but not limited to, marsh, vernal pools, riparian areas, etc.) through direct removal, filling, hydrological interruption, or other means would be mitigated as described below and in Section 5.3. Mitigation for project impacts to jurisdictional streambeds on the mixed-use development site were previously addressed in the Corps, CDFW, and Regional Water Quality Control Board permits and the Biological Opinion for the Rhodes Crossing Project and would occur in accordance with the Rhodes Crossing Project Mitigation Plan (Appendix C) in the vernal pool preserves adjacent to Carmel Mountain Road. Mitigation Measures Bio-2 and Bio-8, along with continued compliance with the prior permitting and the Rhodes Crossing Project Mitigation Plan described in the Final EIR, would mitigate the project's potentially substantial, adverse impacts on wetlands through direct removal, filling, hydrological interruption, or other means. Mitigation Measure Bio-2, which establishes mitigation ratios and performance standards for potential vernal pool/road pool impacts, is discussed in Sections III.B.1 and III.B.2 of these findings. Mitigation

Measure Bio-8 identifies mitigation requirements for the project's impacts to non-wetland, federal and state jurisdictional streambeds associated with Camino del Sur (0.05 acre at a 1:1 ratio) and discusses how the mitigation required for the project has already been met at the El Cuervo Norte Wetland Mitigation Site in Los Peñasquitos Canyon Preserve (a total of 0.08 acre of creation credits and 0.01 acre of enhancement credit). Mitigation Measure Bio-8 also contains a requirement for a pre-construction meeting with Mitigation Monitoring Coordination and the submittal of written documentation demonstrating implementation of the following: Compliance with the Corps Section 404 permit; compliance with the Regional Water Quality Control Board Section 401 Water Quality certification; and compliance with the CDFW Section 1601-1603 Streambed Alteration Agreement. Mitigation Measure Bio-9 imposes construction monitoring requirements to protect the off-site vernal pool preserve during and after the construction of the project's public roads.

The City finds that with implementation of Mitigation Measures Bio-2, Bio-8, Bio-9 and the Rhodes Crossing Project Mitigation Plan, substantial, adverse, direct project impacts on wetlands (including, but not limited to, marsh, vernal pools, riparian areas, etc.) through direct removal, filling, hydrological interruption, or other means will be reduced to a less than significant level.

Reference: Final EIR, pages 5.3-44 through 5.3-54

4. *Description of Potentially Significant Impacts:* As described in Section 5.3.5, the project would result in impacts to sensitive vegetation communities within the MHPA, which would be unavoidable. Because the impacts would be caused by Camino Del Sur, a Circulation Element Road, the MSCP allows for those impacts as a result of a compatible land use within MHPA provided the proposal complies with the criteria evaluated in Section 5.3. As disclosed therein, project impacts within the MHPA would not conflict with the MSCP or its policies and the project would be consistent with the Area Specific Management Directives of the MSCP. Project impacts to sensitive habitat in the MHPA, as evaluated in Section 5.3, would still be considered significant and mitigation would be required.

Facts in Support of the Finding: Mitigation Measures Bio-1 through Bio-9, which are summarized in Section 5.3 and Sections II.C.1 through II.C.3 of these findings, would be required to mitigate a potential conflict with the provisions of an adopted Habitat HCP, NCCP, or other approved local, regional, or State HCP, either within the MSCP plan area or in the surrounding region.

The City finds that with implementation of Mitigation Measures Bio-1, Bio-2, Bio-3, Bio-4, Bio-5, Bio-6, Bio-7, Bio-8, and Bio-9, the project's potential to conflict with the provisions of an adopted Habitat HCP, NCCP, or other approved local, regional, or State HCP, either within the MSCP plan area or in the surrounding region will be reduced to a less than significant level.

Reference: Final EIR, pages 5.3-54 through 5.3-56

5. *Description of Potentially Significant Impacts:* As described in Section 5.3.6 R and Section III.A.1 of these findings, the project would introduce a land use within an area adjacent to the MHPA that would result in potential adverse edge effects related to grading/land development, drainage and toxics, lighting and noise. These impacts would be potentially significant and mitigation would be required.

Facts in Support of the Finding: As disclosed in Section III.A.1 of these findings, Mitigation Measure Lu-1 requires compliance with MSCP Land Use Adjacency Guidelines. That measure includes requirements that address grading/land development/MHPA boundaries, drainage, toxics/project staging areas/equipment storage, lighting, and noise impacts so as to mitigate the potential adverse edge effects to the MHPA resulting from introduction of the project land uses.

The City finds that with implementation of Mitigation Measure Lu-1 the project's potential to have the above described adverse edge effects due to the introduction of land uses within an area adjacent to the MHPA will be reduced to a less than significant level.

Reference: Final EIR, pages 5.3-56 through 5.3-58

D. Historical Resources

1. *Description of Potentially Significant Impacts:* The analysis contained in Section 5.4.2 demonstrates that neither the mixed-use development nor the public roads and related trail connections would result in the alteration or destruction of any prehistoric or historic buildings, structures, objects, or sites. However, there is a potential for occurrence of unknown subsurface archaeological resources associated with the mixed-use development, and the potential for unknown subsurface historic resources in the vicinity of one recorded and documented site near the Camino Del Sur extension and the eastern trail connection. This potential for impacts to unknown archaeological and/or historical resources is a potentially significant impact and mitigation is required.

Facts in Support of the Finding: Mitigation Measure Hist-1 would be required to mitigate the impacts of the project potentially resulting in an alteration, including the adverse physical or aesthetic effects and/or destruction of an unknown, subsurface prehistoric or historic building (including an architecturally significant building), structure, object or site. Mitigation Measure Hist-1 establishes performance standards and requirements with respect to the potential discovery of such an unknown, subsurface resource. The measures address matters such as the retention of qualified monitors prior to permit issuance, involvement of monitors in the pre-construction process, participation and authority of monitors during construction and reporting requirements post construction. The measure also contains requirements that would apply in the event of the discovery of human remains or the occurrence of night and/or weekend work.

The City finds that with implementation of Mitigation Measure Hist-1, the project's potential to result in an alteration, including the adverse physical or aesthetic effects

and/or destruction of a prehistoric or historic building (including an architecturally significant building), structure, object or site will be reduced to a less than significant level.

Reference: Final EIR, pages 5.4-4 through 5.4-14

2. *Description of Potentially Significant Impacts:* The analysis contained in Section 5.4.2 demonstrates that neither the mixed-use development nor the public roads and related trail connections would result in any impact to existing religious or sacred sites/uses within the potential project impact area. However, there is a potential for occurrence of unknown subsurface resources. As a result of this potential for unknown subsurface, existing religious or sacred sites/uses, the project would have a potentially significant impact, requiring mitigation.

Facts in Support of the Finding: As disclosed in Section III.C.1 of these findings, Mitigation Measure Hist-1 establishes protocols for project archaeological monitoring and reporting during construction. Those same measures, as they require the retention and involvement of appropriately qualified experts, would be required to mitigate the project's potential to impact existing, subsurface religious or sacred sites/uses within the project's potential impact area.

The City finds that with implementation of Mitigation Measure Hist-1, the project's potential to result in any impact to previously unidentified, subsurface, existing religious or sacred uses within the potential impact area will be reduced to a less than significant level.

Reference: Final EIR, pages 5.4-4 through 5.4-14

3. *Description of Potentially Significant Impacts:* The analysis contained in Section 5.4.2 demonstrates that neither the mixed use development nor the public roads and related trail connections would result in the disturbance of human remains, including those interred outside of formal cemeteries. However, there is a potential for occurrence of unknown subsurface resources. This potential for unknown subsurface human remains means the project would have a potentially significant impact, requiring mitigation.

Facts in Support of the Finding As disclosed in Section II.D.1 of these Findings, Mitigation Measure Hist-1 establishes protocols for project archaeological monitoring and reporting during construction. Those same measures, as they require the retention and involvement of appropriately qualified experts including a Native American monitor, would be required to mitigate potential project impacts resulting in the disturbance of any human remains, including those interred outside of formal cemeteries.

The City finds that with implementation of Mitigation Measure Hist-1, the potential for adverse effects on previously unidentified human remains, including those interred outside of formal cemeteries, will be reduced to a less than significant level.

Reference: Final EIR, pages 5.4-4 through 5.4-14

E. Paleontological Resources

1. *Description of Potentially Significant Impacts:* The analysis contained in Section 5.5.1 demonstrates that the project area contains three formations (Mission Valley, Stadium, and Friars formations) that have been assigned a designation of high paleontological resources sensitivity. Project implementation would require in excess of the threshold of 1,000 cubic yards of excavation to a depth of 10 feet or more within those formations with "High" sensitivity. Thus, the project would have a potentially significant impact on paleontological resources located in formations with "High" sensitivity that require mitigation.

Facts in Support of the Findings: Mitigation Measure Paleo-1 would be required to mitigate potential project impacts to paleontological resources located within formations with "High" paleontological sensitivity. The measure would ensure paleontological resources uncovered during grading activities are properly evaluated, and if appropriate, removed and subjected to laboratory procedures in accordance with the City's Paleontological Resource Guidelines. Specifically, Mitigation Measure Paleo-1 establishes protocols for project paleontological monitoring, including requirements prior to permit issuance, prior to the start of construction, and during construction. Mitigation Measure Paleo-1 also contains requirements associated with night/weekend work and post construction reporting requirements.

The City finds that with implementation of Mitigation Measure Paleo-1, the potential for adverse project impacts to paleontological resources in formations with "High" sensitivity will be reduced to a less than significant level.

Reference: Final EIR, pages 5.5-3 through 5.5-8

2. *Description of Potentially Significant Impacts:* As disclosed in Section 5.5.1, the project area includes the Lindavista Formation, which has been assigned a moderate paleontological resource sensitivity. Project implementation would require in excess of 2,000 cubic yards of excavation to a depth greater than 10 feet within that formation with "Moderate" sensitivity. Therefore, the project would have a potentially significant impact on paleontological resources with "Moderate" sensitivity that require mitigation.

Facts in Support of the Finding: Mitigation Measure Paleo-1 would be required to mitigate potential project impacts to paleontological resources located within formations with "Moderate" paleontological sensitivity. Mitigation Measure Paleo-1 would ensure paleontological resources uncovered during grading activities are properly evaluated, and if appropriate, removed and subjected to laboratory procedures in accordance with the City's Paleontological Resource Guidelines. Specifically, Mitigation Measure Paleo-1 establishes protocols for project paleontological monitoring, including requirements prior to permit issuance, prior to the start of construction, and during construction. Mitigation Measure Paleo-1 also contains requirements associated with night/weekend work and post construction reporting requirements.

The City finds that with implementation of Mitigation Measure Paleo-1, the potential for adverse project impacts to paleontological resources in areas with "Moderate" sensitivity will be reduced to a less than significant level.

Reference: Final EIR, pages 5.5-3 through 5.5-8

III. FINDINGS REGARDING IMPACTS THAT ARE FOUND TO BE SIGNIFICANT AND UNAVOIDABLE

The following environmental impacts to Transportation/Circulation and Visual Effects/Neighborhood Character are significant and unavoidable.

The City, having independently reviewed and considered the information contained in the Final EIR and the Record of Proceedings pursuant to Public Resource Code §21081(a)(2) and §21081(a)(3), and State CEQA Guidelines §15091(a)(2) and §15091(a)(3), finds that one or both of the following apply to the impacts more particularly described below:

Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR (Project No. 360009/SCH No. 2014071065) as described below.

A. Transportation/Circulation

1. *Description of Significant and Unavoidable Impacts:* As described in Section 5.2.2, the project would not result in any direct, significant adverse transportation/circulation impacts with respect to applicable intersections and street segments. However, the project would result in significant, cumulative and unavoidable traffic-related impacts:

Intersections

- Camino Del Sur/SR-56 Westbound Ramps (PM)
- Camino Del Sur/SR-56 Eastbound Ramps (PM)
- Black Mountain Road/SR-56 Westbound Ramps (AM)
- Black Mountain Road/SR-56 Eastbound Ramps (AM)
- Black Mountain Road/Park Village Road (AM/PM)

Street Segments

- Black Mountain Road from SR-56 Eastbound Ramps to Park Village Road
- Black Mountain Road from Park Village Road to Mercy Road

Facts in Support of the Findings: Mitigation Measures Tra-1, Tra-2, and Tra-4 through Tra-6 identify potential mitigation for significant cumulative impacts to the above referenced intersections along Black Mountain Road and Camino Del Sur, while Mitigation Measures Tra-7 and Tra-8 provide potential mitigation for significant cumulative impacts to the above referenced street segments of Black Mountain Road. Mitigation Measures Tra-1 and Tra-2 require payment of Facilities Benefit Assessment (FBA) fees toward the construction of *Torrey Highlands PFFP Project No. T-1.3* to provide improvements to the westbound and eastbound loop ramps at the Camino Del Sur/SR-56 interchange. Mitigation Measures Tra-4, Tra-5, Tra-6, Tra-7, and Tra-8 require fair share contributions toward the unfunded portion of *Rancho Peñasquitos PFFP Project No. T-2D* (corresponding to *Black Mountain Ranch PFFP Project No. T-57*, *Pacific Highlands Ranch PFFP Project No. T-11.1*) to widen Black Mountain Road from Twin Trails Drive to the Community Plan Boundary to its ultimate classification as a 6-Lane Primary Arterial. For Mitigation Measures Tra-4 and Tra-5, the improvement would also include the restriping of the temporary striping on Black Mountain Road overpass at SR-56 to provide three thru lanes in the northbound direction.

The Final EIR identifies that the improvements cited above, if timely implemented, would be sufficient to reduce the cumulative project impacts to a less than significant level. Thus, the Final EIR imposes the mitigation measures that obligate the project to cause implementation of or make fair share contributions toward the required improvements. However, certain factors preclude the City from being able to make a finding that imposition of the mitigation measures would reduce the project's cumulatively considerable impacts at the referenced intersections and street segments to less than significant levels.

Mitigation Measures Tra-1 and Tra-2 involve payment of FBA fees toward intersection improvements to the Camino Del Sur eastbound and westbound loop ramps with SR-56. However, timely completion of the Camino Del Sur/SR-56 ramp intersection improvements is outside of the City's control due to the fact that it is linked to the future widening of SR-56 by others. Further, the San Diego Association of Governments (SANDAG) Regional Transportation Plan (RTP) does not contemplate completion of the SR-56 widening, including the ramp intersection improvements required in Tra-1 and Tra-2, until Year 2040 (after the cumulative project impact would occur in Year 2035). Although the project is obligated to make its fair share payments to reduce its cumulative impacts to a less than significant level, neither the City nor the Owner/Permittee can assure the completion of these improvements within the requisite time frame to reduce project impacts to a less than significant level at the time the impacts are expected to occur. No other feasible mitigation measures are available that would avoid or further reduce the above referenced transportation/circulation impacts to a less than significant level. Therefore, the City accordingly finds that the project's cumulative impacts at those intersections will remain significant and unavoidable, despite imposition of all feasible mitigation.

Mitigation Measures Tra-4, Tra-5, Tra-6, Tra-7 and Tra-8 address improvements to intersections and street segments as part of the potential widening of Black Mountain Road to six lanes. Even with the project's fair share funding contribution required by the

above referenced mitigation measures, only partial funding has been identified for the widening of Black Mountain Road because the estimated costs in the Rancho Peñasquitos PFFP (Fiscal Year 2014) for the road widening do not include the cost of right-of-way acquisition. In addition, according to the PFFP approximately 80% of the funds for the widening improvements (identified as *Project No. T-2D* corresponding to *Black Mountain Ranch PFFP Project No. T-57*, *Pacific Highlands Ranch PFFP Project No. T-11.1*) are linked to undefined sources; thus, even with the project's fair share contribution of 37.4% of the unfunded cost, the required improvements would not have sufficient funding to allow the implementation of the required improvements. Beyond the funding uncertainty, the Black Mountain Ranch project applicant has initiated a Community Plan Amendment (CPA) to the Rancho Peñasquitos Community Plan to downgrade the roadway classification of Black Mountain Road from six lanes to four lanes. The reclassification is currently under review by the City. If the proposed CPA is approved, the planned road widening identified in Tra-4 through Tra-8 would not be implemented as the road would remain at four lanes as it exists today.

As demonstrated above and in the Final EIR, the project is obligated to make its fair share payments to improvements that would reduce its cumulative impacts to a less than significant level. No other feasible mitigation measures are available that would avoid or further reduce the above referenced transportation/circulation impacts to a less than significant level. As funding, timing, and policy uncertainty exist regarding the implementation of the requisite improvements to Black Mountain Road specified in Tra-4, Tra-5, Tra-6, Tra-7 and Tra-8, the City hereby finds that specific economic, legal, social, technological, or other considerations, make infeasible those mitigation measures. Therefore, the City finds that the project's cumulative impacts will remain significant and unavoidable with respect to the intersections of Black Mountain Road/Park Village Road and Black Mountain Road/SR-56 (eastbound and westbound ramps) and the street segments of Black Mountain Road from SR-56 Eastbound Ramps to Park Village Road and Black Mountain Road from Park Village Road to Mercy Road.

Reference: Final EIR, pages 5.2-9 through 5.2-34

2. *Description of Significant and Unavoidable Impacts:* As described in Section 5.2.2, the project would not result in any direct, significant adverse transportation/circulation impacts to freeway mainlines. However, the project would result in significant, cumulative traffic-related impacts on the following freeway mainline segments:

Freeway Mainlines

- SR-56 from Carmel Valley Road to Camino Del Sur: Eastbound
- SR-56 from Carmel Valley Road to Camino Del Sur: Westbound
- SR-56 from Camino Del Sur to Black Mountain Road: Eastbound
- SR-56 from Camino Del Sur to Black Mountain Road: Westbound

Facts in Support of the Findings: Mitigation Measure Tra-9 provides mitigation to address the project's potentially significant, cumulative impacts to freeway mainline segments.

The recommended measure requires payment of FBA fees towards the construction of the *Torrey Highlands PFFP Project No. T-1.2B* to expand SR-56 from Interstate 5 to Interstate 15 to a six-lane freeway.

Mitigation Measure Tra-9 obligates the project to pay FBA fees towards the required freeway improvements. However, certain factors preclude the City from being able to make a finding that imposition of the mitigation measures would reduce the project's cumulatively significant impacts to the referenced freeway mainlines to less than significant levels. Timely completion of the SR-56 widening is outside of the City's control due to the fact that it is a project to be completed by others. The SANDAG Regional Transportation Plan (RTP) does not contemplate completion of the SR-56 widening outlined in Mitigation Measure Tra-9 until Year 2040 (after the project's cumulative impact would occur in Year 2035). In addition, FBA funding alone is not sufficient to implement the \$141 million freeway expansion project; additional funding sources outlined in the RTP include \$119 million in TransNet funding via sales tax revenues earmarked for regional transportation improvements. For these reasons, and even though the project is obligated to pay FBA fees toward those improvements, the City cannot assure that all those improvements would be fully funded and constructed prior to the time such improvements are needed to mitigate the cumulative impacts of the project. No other feasible mitigation measure is available that would avoid or further reduce the above referenced cumulative project impact to a less than significant level. Thus the cumulative project impacts to the above referenced mainline freeways are regarded as significant and unavoidable.

Reference: Final EIR, pages 5.2-9 through 5.2-34

B. Visual Effects/Neighborhood Character

1. *Description of Significant and Unavoidable Impacts:* As described in Section 5.8.4, the project would require approximately 20,574 cubic yards per graded acre of cut and fill, which is substantially more than the 2,000 cubic yards of cut or fill per graded acre identified in the City's Significance Determination Thresholds as potentially significant relative to substantial changes in existing landform. The project's required cut and fill would also exceed the City's 10-foot high significance threshold for manufactured slopes. The public roads component of the project would similarly result in the disturbance of steep slopes by changing the elevation of existing steep hillsides by more than five feet. Although these potentially significant impacts would be reduced to the extent feasible through project design features that would result in the construction of a series of retaining walls and implementation of other project design features such as landscaping, the impact on existing natural landforms would be significant.

Facts in Support of the Finding: The City finds that specific economic, legal, social, technological, or other considerations make any potential mitigation infeasible. Due to the hillside topography of the portion of the project site to be occupied by the public road (Camino Del Sur), the threshold of significance's focus on imitation of the existing on-site

landform and/or the undisturbed, pre-existing surrounding neighborhood landforms, the need to comply with City road design standards and engineering practices, design, engineering and site planning requirements for implementation of a mixed use development like the project, no feasible mitigation measures are available that would result in the project's proposed landforms very closely imitating the existing on-site landform and/or the undisturbed, pre-existing surrounding neighborhood landforms. Thus, the project would result in a substantial change in the existing landform that is significant and unavoidable.

Reference: Final EIR, pages 5.8-10 through 5.8-11

IV. FINDINGS REGARDING PROJECT ALTERNATIVES

As the project would result in one or more unavoidable significant environmental effects, the City must make findings with respect to the alternatives to the project considered in the Final EIR. Those findings must evaluate whether the alternatives could feasibly avoid or substantially lessen the project's unavoidable significant environmental effects while achieving most of the project's objectives (listed in Section 1.11 above and Section 3.1).

The City, having reviewed and considered the information contained in the Final EIR and the Record of Proceedings, and pursuant to Public Resource Code §21081(a)(3) and State CEQA Guidelines §15091(a)(3), makes the following findings with respect to the alternatives identified in the Final EIR.

A. Project Alternatives

As required by CEQA, the Final EIR evaluated a reasonable range of potentially feasible project alternatives. Alternatives already considered but rejected as infeasible are discussed in Section 8.3. As part of that evaluation, the Final EIR considered the potential for off-site alternatives for the mixed-use development and the road development portions of the Project. With respect to the mixed-use development, the project is located within Rancho Peñasquitos and Torrey Highlands communities. Rancho Peñasquitos is virtually built out and Torrey Highlands is rapidly urbanizing. Most of the undeveloped properties of similar size with proximity to SR-56 are under construction or are currently processing development approvals, and they do not include a commercial use designation as intended by project objectives 3 and 7. The project's residential and commercial land uses are also consistent with the underlying land uses already contemplated for the project site by the General Plan and the Torrey Highlands Subarea Plan. No alternative sites within these communities would offer environmental advantages that could substantially reduce or eliminate the Project's potentially significant adverse impacts. Additionally, there are no other sites under the owner/applicant's control that would allow for development of a mixed-use development that would meet the project objectives and maximize the efficiency in use of the underutilized portion of Torrey Highland communities that are also located entirely outside the MHPA.

With respect to the road project, no feasible off-site alternatives exist. A fundamental project objective of the road project is to connect the existing segments of Camino Del Sur already in place to the north and south, consistent with the adopted plans for the Rancho Peñasquitos and Torrey Highlands communities. Relocating the proposed road to a different site would

also not comply with the policies in the local community plans that contemplate the extension of Camino Del Sur in the proposed location where it would not adversely impact existing residential uses and would minimize the road's intrusion into nearby open space. Further, as the north and south ends of the road are fixed and any improvements must satisfy design criteria in the City's Street Design Manual regarding horizontal/vertical distances, and grades, a different off-site location for the road is not feasible:

The Final EIR evaluated the following four alternatives and compared the impacts of each alternative to those of the project.

- Alternative 1 - No Project/No Development Alternative
- Alternative 2 - No Project/Existing Entitlements Alternative
- Alternative 3 - Reduced Project Alternative
- Alternative 4 - Vernal Pool Avoidance Alternative

1. *No Project/No Development Alternative (Section 8.4)*

Alternative Description/Impacts: The No Project/No Development Alternative assumes that the site would remain in its current condition (i.e., vacant and undeveloped). The alternative analyzes the CEQA impacts under circumstances where the project site would not be developed with the proposed project uses or any other uses permitted under the existing approvals. Compared to the project, the No Project/No Development Alternative would avoid or substantially lessen all identified significant project-related impacts below a level of significance, including significant and unmitigated transportation/circulation and visual effects/neighborhood character impacts associated with the project.

Facts in Support of the Finding: CEQA requires the analysis of this alternative. While the alternative may avoid project impacts, the alternative would not meet any of the basic project objectives listed above or in Section 3.1. Accordingly, the City rejects this Alternative as infeasible on the basis that it fails to meet the project objectives and it would not fulfill applicable public policy principles identified in the City General Plan (i.e., Community and Housing Element policies LU-H.2 and LU-H.3; Land Use and Community Planning Element policies LU-H.4, LU-H.6 and LU-H.7, Urban Design Element policies UD-B.5, UD-C.1 through UD-C.6; and Economic Prosperity Element policies EP-B.2 through EP-B.5 and EP-B.9) and elsewhere with respect to use of the project site or the implementation of important circulation element roads.

The City finds that although the No Project/No Development alternative would avoid all potentially significant project-related impacts to land use, transportation/circulation, biological resources, historical resources, and paleontological resources (which would be mitigated with the measures proposed by the project) and would avoid significant and unmitigated transportation/circulation and visual effects/neighborhood character impacts of the proposed project, specific economic, legal, social, technological, or other considerations, including that this alternative would not meet any of the project objectives and would not fulfill applicable public policy principles identified in the City General Plan and elsewhere with respect to use of the project site or the implementation of important

circulation element roads make the No Project/No Development Alternative infeasible, and rejects the No Project/No Development Alternative on such grounds.

2. *No Project/Existing Entitlements Alternative (Section 8.5)*

Alternative Description/Impacts: The No Project/Existing Entitlements Alternative would involve developing the Merge 56 site pursuant to the existing Torrey Highlands Subarea Plan and Rancho Peñasquitos Community Plan using entitlements received under the previously approved Rhodes Crossing project. Specifically, this alternative would develop the site with 250,000 square feet of commercial uses, 273,855 square feet of self-storage, and 242 multi-family residences. The No Project/Existing Entitlements Alternative would involve the construction of a standard, regional commercial center wherein the commercial buildings would be situated near the center of the site and surrounded by parking fields. Under this alternative, the self-storage facility would be situated behind the commercial center adjacent to SR-56 and the multi-family housing units would be clustered near SR-56 adjacent to the Carmel Mountain Road overpass (as shown in Figure 8-1).

The focus of the proposed commercial center under the No Project/Existing Entitlements Alternative would be a plaza, two major tenants, space for smaller shops and kiosks in the parking lot. A meandering pedestrian pathway would extend from the plaza eastward to the multi-family residential area and Carmel Mountain Road. The residential units would be wrapped around multi-story parking structures and would include 47 affordable units, as required in the Torrey Highlands Subarea Plan. Two small open space areas would remain undeveloped to protect the isolated vernal pools that exist on site.

No single-family residences would be constructed under this alternative. The mixed-use commercial center with a variety of commercial, office, hotel, and residential uses and linkages proposed by the project would not be constructed under this alternative. Camino Del Sur and Carmel Mountain Road would be constructed as four-lane major roadways under this alternative, with no changes from their planned road classifications or reduction in width.

Implementation of the No Project/Existing Entitlements Alternative would not avoid or substantially lessen project impacts to visual effects/neighborhood character (landform) or cumulatively significant impacts to transportation/circulation impacts below a level of significance. Identified significant impacts to land use, biological resources, historical resources, and paleontological resources from the project would remain the same or greater under this alternative. For example, this alternative would result in greater impacts to biological resources and visual effects compared to those identified for the project due to the increased road right of way and grading (i.e., approximately 7.5 more acres of grading for Camino Del Sur) and greater biological resource impacts due to the creation of the two, isolated, on-site vernal pools instead of the off-site vernal pool mitigation within the MHPA identified in the Final EIR. As such, this alternative is not environmentally superior to the project in these respects. However, potential land use impacts of the project would be avoided as the General Plan and Community Plan

amendments would not be needed to implement the No Project/Existing Entitlements Alternative. Noise and GHG impacts would be less than significant, similar to the project.

Facts in Support of the Finding: Compared to the project, implementation of the No Project/Existing Entitlements Alternative would avoid or substantially lessen only the potentially significant land use impacts associated with the project's identified General Plan and Community Plan amendments. This alternative would not avoid or substantially lessen any of potentially significant impacts of the project. This alternative would increase the significant unavoidable impacts on visual effects/neighborhood character (landform/steep slopes) due to the increased grading associated with the original design for the public road construction. Those same greater grading impacts would result in greater biological resource impacts than the No Project/Existing Entitlements Alternative's proposed, isolated, on-site vernal pool mitigation. Thus, this alternative is not environmentally superior to the project. Additionally, the No Project/Existing Entitlements Alternative would not meet most of the project objectives listed above and in Section 3.1. The No Project/Existing Entitlements Alternative would not allow for the establishment of a comprehensively designed mixed-use center that would further the goals of the City by creating a "village" and walkable community, as envisioned in Policies LU-H.4, LU-H.6 and LU-H.7 of the General and Community Plans. This alternative would only provide multi-family housing; therefore it would not provide a range of housing types, which would conflict with General Plan Policies LU-H.2 and LU-H.3. Furthermore, the No Project/Existing Development Alternative would not fulfil public policy principles identified in the City General Plan (i.e., Community and Housing Element policies LU-H.2 and LU-H.3; Urban Design Element policies UD-B.5, UD-C.1 through UD-C.6; and Economic Prosperity Element policies EP-B.2 through EP-B.5 and EP-B.9).

Thus, the City finds that the No Project/Existing Entitlements Alternative is not environmentally superior to the project. The City further finds that specific economic, legal, social, technological, or other considerations, make the No Project/Existing Entitlements Alternative infeasible. Thus, the City rejects the No Project/Existing Entitlements Alternative on such grounds.

3. *Reduced Project Alternative* (Section 8.6)

Alternative Description/Impacts: The Reduced Project Alternative would involve reducing the intensity of the mixed-use development such that cumulatively significant and unmitigated transportation/circulation impacts would be avoided or minimized. This could be accomplished by reducing project traffic by 70% (to 5,800 average daily trips). This reduction would translate to a substantially lessened contribution to cumulative impacts along the impacted segments and intersections of Black Mountain Road resulting in less than significant cumulative impacts to those street segments. A 70% reduction in project trips would also substantially lessen the project's contribution to cumulative impacts to SR-56. The average daily trips reduction associated with the Reduced Project Alternative could be accomplished in any number of ways, including reducing the amount of commercial/office and/or residential development constructed on site. For the purposes of the comparative analysis contained in Section 8.0 of the Final EIR, the Reduced Project Alternative is defined as a 70% reduction in all of the uses proposed on the project site

resulting in a commensurate reduction in average daily trips. All other aspects of this alternative would be the same as the project, including the amount of grading required to construct the project and extend the public roads.

Implementation of the Reduced Project Alternative would eliminate and reduce cumulatively significant impacts to transportation/circulation but not to levels that are below significance for one intersection at Black Mountain Road/SR-56 ramp and three SR-56 freeway segments. Identified significant impacts to land use, biological, historic and paleontological resources from the project would remain the same under this alternative. Significant and unavoidable impacts to visual effects/neighborhood character (landform) would still occur under this alternative and would not be lessened. Because this alternative would eliminate cumulatively significant impacts to street segments of Black Mountain Road, as well as reduce the project's contribution to cumulatively significant impacts to freeway ramp intersections and freeway mainlines along SR-56 it is identified in Section 8.8 as the Environmentally Superior Alternative to the project.

Facts in Support of the Finding: Although cumulatively significant impacts to transportation/circulation would be eliminated (street segments) and/or reduced (intersections/freeway segments) under the Reduced Project Alternative, as shown in Tables 8-2 through 8-4, they would not be reduced to levels that would be below significance for intersections along Black Mountain Road and SR-56 freeway segments because of the uncertainty associated with the improvements needed to avoid the cumulative impacts, as described in Section IV.A.1. Significant and unavoidable visual effects/neighborhood character (landform/steep slopes) impacts would also still occur under this alternative and would not be lessened by the Reduced Project Alternative since similar grading would be required as the project.

Because the Reduced Project Alternative would be a 70% reduction in vehicular trips due to an overall 70% reduction in each component of the mixed use development on site and substantially lessen the project's development potential below levels contemplated in the Subarea Plan, it would not fully satisfy the project objectives outlined in Section 3.0 as described herein. A 70% reduction in housing, for instance, would mean the project site would be developed at a gross density of 1.75 dwelling units (du) per acre (73 residential units) at a site where the 242 units are contemplated under the existing and proposed community plan. Contrary to the project objectives and the General Plan's Housing Element, the reduced density associated with this alternative dramatically underutilizes one of the few remaining sites in the Community Planning Area designated for medium density housing at a time where housing demand exceeds housing supply. A proportionate reduction in the amount of affordable housing would also frustrate the Community Plan's and General Plan's goals of substantially increasing the amount of affordable housing provided in an area of the City with few affordable units.

Reductions of other proposed uses would also affect the project's ability to achieve its project objectives. For example, because the Reduced Project Alternative would significantly restrict the amount of development on site, the intensity and density of residential/commercial/office development would not be sufficient to establish a comprehensively designed mixed-use center that would further the goals of the City by

creating a "village" and walkable community, as envisioned in Policies LU-H.4, LU-H.6 and LU-H.7 of the General and Community Plans. With only the potential for 73 multi-family units, the ability to provide a range of housing types would be compromised, which would conflict with General Plan Policies LU-H.2 and LU-H.3. At only approximately 150,000 square feet of commercial space (70% reduction from proposed), the mix of commercial uses would not achieve the project's objective to implement a "park once" strategy in accordance with the village design concepts expressed in General Plan Policy UD-C.6, wherein a sufficient density is proposed that would encourage users to access multiple destinations in one vehicle trip and encourages walkability between destinations. Similarly, the reduced amount and diversity of commercial uses likely means the project would not attract complimentary uses (such as office, retail and entertainment) that facilitate shared parking arrangements and the minimization of large areas of empty parking spaces as suggested in General Plan Policy ME-G.2. Furthermore, a 70% reduction in development potential of the project site would also significantly reduce the amount of impact fees collected from developments within the community. As the Torrey Highlands community is largely built out and the Merge 56 property is the largest of the remaining undeveloped properties in the community, a portion of the community improvements identified in the PFFP would remain unfunded because the project applicant's contribution to the PFFP would be substantially less. Without the project's full payment into the PFFP, the Reduced Project Alternative could jeopardize the City's ability to complete all the required public infrastructure improvements contemplated for the community. In light of the above, and other evidence in the Record of Proceedings, the City finds that specific economic, legal, social, technological, or other considerations make the Reduced Project Alternative infeasible, and rejects the Reduced Project Alternative on such grounds.

4. *Vernal Pool Avoidance Alternative* (Section 8.7)

Alternative Description: The Vernal Pool Avoidance Alternative would involve modifying the proposed grading plan for the mixed-use development area to avoid direct impacts to the two vernal pools and their buffered watersheds by installing retaining walls and fencing around the resources and placing them in open space lots (similar to the No Project/Existing Entitlements Alternative). The height and length of the retaining walls would be greater under this alternative, as compared to the No Project/Existing Entitlements Alternative. Because of the locations of the existing vernal pools relative to the proposed commercial and residential (townhome) buildings, public gathering spaces, and Private Drive M, substantive design changes along the frontage of the commercial center would be required to implement the Vernal Pool Avoidance Alternative (as shown in Figure 8-2).

Specifically, portions of the commercial center would be removed to preserve the western vernal pool, located near the frontage of the cinema and retail stores along the central plaza. Preservation of the eastern vernal pool would require the removal of retail space, relocation of the easternmost segment of Private Drive M, and elimination of the eastern traffic circle. Relocation of Private Drive M and its connections would remove and/or reduce the size of several townhome units fronting the private drive. As such, visual access from Private Drive M to some of the commercial buildings would be partially obstructed by the elevated vernal pool lots, commercial space formerly fronting the central plaza

would front the retaining walls surrounding the vernal pool lots, and pedestrians using the plaza would be directed around the vernal pool lots. This alternative would reduce the amount of proposed commercial space (by approximately 15,905 square feet) and at least one multi-family residential unit, as compared to the project. All other aspects of this alternative would be the same as the project, including extension of public roads.

Facts in Support of the Finding: The Vernal Pool Avoidance Alternative would avoid impacts to the two vernal pools within the private development portion of the project. The alternative would not avoid the project's direct impacts to vernal pools within the public road right-of-way because avoidance would not be feasible given their location in the middle of the road and the need to comply with the City's engineering design standards for public road and infeasibility of realignment. Although the vernal pools and their watersheds within the mixed-use development area would be protected in place, the significant, adverse indirect effects to those resources would increase under this alternative. In light of the existing poor quality of those vernal pools combined with the fact that the preserved vernal pools would be isolated from other higher-quality vernal pools and uplands and located within the mixed use development, this alternative would indirectly degrade their quality further and potential make the vernal pools unviable in the future. Therefore, indirect project effects to vernal pools would be greater under this alternative than under the project. Identified significant impacts to land use, transportation/ circulation, historical resources and paleontological resources associated with this alternative would remain similar or slightly less to the project. Significant and unavoidable impacts to visual effects/neighborhood character (landform/steep slopes) under this alternative would increase as a result of the increased use of retaining walls and less cohesive design resulting from the required vernal pool protection measures. In addition, cumulatively significant and unavoidable impacts to transportation/circulation would still occur under this alternative, although they would be slightly reduced due to the reduction in development.

Because the Vernal Pool Avoidance Alternative would require the removal of retail space, relocation of onsite private drive, elimination of a traffic circle, and elimination of several residential units, causing a visual obstruction between the private drive and central plaza and the retail space, it would not be consistent with many of the project objectives outlined in Section 3.0 related to the development of a mixed-use center using sustainable design elements that create a pedestrian-oriented community with active retail spaces and public gathering spaces. Preservation of the two vernal pools and the retaining wall surrounding them would obstruct the street-level visibility of the commercial space (i.e., cinema and retail), which is inconsistent with the Torrey Highlands Community Design Guidelines for Local Mixed Use Centers. In addition, preservation of two isolated vernal pools surrounded by development would be inconsistent with the intent of the MSCP Subarea Plan wherein sensitive resources are connected to other habitat areas and protected from edge effects that would threaten their long-term viability resulting in habitat degradation. Based on the facts presented above, and other evidence in the Record of Proceedings, the City finds that specific economic, legal, social, technological, or other considerations make the Vernal Pool Avoidance Alternative infeasible, and rejects the Vernal Pools Avoidance Alternative on such grounds.

V. FINDINGS REGARDING OTHER CEQA CONSIDERATIONS**A. Growth Inducement (Section 7.2)**

Based on the discussion contained in Section 7.2, the City finds that the project would not result in significant growth-inducing impacts. The mixed-use development component of the project is part of and consistent with the growth anticipated in the Torrey Highlands Subarea Plan and includes road improvements already contemplated in the General Plan and both the Subarea Plan and the Rancho Peñasquitos Community Plan. During project construction, demand for various construction trade skills and labor would increase but, given the scale and nature of the project, this demand would be met predominantly by the local labor force, and would not require importation of a substantial number of workers or cause an increased demand for temporary or permanent local housing. Thus, the City finds that no substantial short-term growth-inducing effects would result from implementation of the project.

In terms of long-term growth, the City finds that the project would contribute to the previously-identified long-term growth-inducing impacts identified in the Rhodes Crossing EIR, Subarea Plan EIR and North City Future Urbanizing Area (NCFUA) Framework Plan EIR, through the development of commercial and residential uses and the extension of public roads. Most lands surrounding the project are: (1) already developed; (2) currently processing development applications in accordance with the adopted planning documents; or (3) identified for preservation as open space. The City finds that surrounding land would not be pressured to increase existing densities due to either job opportunities or the relatively higher density of uses proposed for the project site. Extension of Camino Del Sur and Carmel Mountain Roads would complete the planned circulation system in the communities and link existing built out areas to the north and south of the project site. The roads would be sized to accommodate long-term traffic volumes projected in the project area. As part of the road extensions, both sewer and water infrastructure would be installed within their right of ways to serve the project site. Beyond those extensions, no expansion of existing utility systems would be required to service the project area. In addition, very few parcels of developable land remain undeveloped in this portion of the City. Therefore, the City finds that extension of the public roads and utilities associated with the project would not open up a new area for development beyond levels already anticipated in adopted plans. Given the nature of the project's short-term and long-term growth inducing effects, the City finds that the project is not anticipated to directly or indirectly induce substantial population growth that would have a significant adverse impact on the environment.

B. Significant Irreversible Environmental Changes (Section 7.4)

Section 15126.2(c) of the CEQA Guidelines requires an EIR to address any significant irreversible environmental changes that may occur as a result of project implementation. Consistent with the analysis in Section 7.4, the City finds that implementation of the project would not result in significant irreversible impacts to agricultural and forestry lands, mineral resources, or historic resources (built environment). The project site is currently vacant, contains no agricultural resources, and is designated for commercial and residential uses and not mineral extraction. No water bodies are located on the site or within the project vicinity.

Development of the project would entail the commitment of energy and non-renewable resources, such as energy in the form of electricity, energy derived from fossil fuels, natural gas, construction materials, potable water, and labor during construction. As the project's intensity of development is already identified in the relevant planning documents, that usage of energy and non-renewable resources is also already contemplated. Further, the project design features include a number of sustainability elements, such as solar canopies on parking decks, use of low-flow fixtures, planting of low water usage, native landscaping and installation of porous hardscape surfaces, to reduce the consumption of energy and non-renewable resources. As a result, associated project impacts would be less than significant. Nonetheless, the City finds that the project's use of these resources would have an incremental effect on the regional consumption of these commodities, and therefore, result in long-term, irretrievable losses of non-renewable resources such as fuel and energy.

Existing on-site natural resources would be removed as a result of project grading and planned improvements, including incremental loss of undeveloped land/open space, as well as long-term displacement of native habitats and species from the project site as described in the FEIR. The City finds that the removal of native habitats, including direct impacts to eight sensitive wildlife species including San Diego fairy shrimp and coastal California gnatcatcher, would be an irreversible loss of biological resources. Although irreversible, the City finds that these impacts would be mitigated to a less than significant level by measures imposed on the project as described in Section 5.3 and Section I.C of these Findings.

Although the known historical and paleontological resources in the study area are not considered significant, construction of the project has a potential to disturb currently unknown, subsurface historical (archaeological) and paleontological deposits. The City finds that impacts to unknown subsurface archaeological resources would not be irreversible because they would be mitigated to below a level of significance by construction monitoring measures identified in Section 5.4 and described in Section II.D of these Findings. The City finds that potential impacts to paleontological resources would result in a significant irreversible change to a non-renewable resource; however, mitigation identified in Section 5.5 and discussed in Section II.E.2 of these Findings would reduce any potentially significant impacts to below a level of significance.

SECTION 5: STATEMENT OF OVERRIDING CONSIDERATIONS

Public Resources Code §21081(b) prohibits approval of a project with significant, unavoidable and unmitigable adverse impacts resulting from infeasible mitigation measures or alternatives unless the agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment. CEQA Guidelines § 15093 adds that the decision-making agency must "balance, as applicable, economic, legal, social, technological, or other benefits of a project against its unavoidable environmental risks when determining whether to approve the project." CEQA further requires that, when the Lead Agency approves a project which will result in the occurrence of significant effects which are identified in the Final EIR, but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its actions based on the Final EIR and/or other information in the record. The Statement shall be supported by substantial evidence in the record (§15093[b] of the State CEQA Guidelines). This Statement does not

substitute for, and shall be in addition to, findings required pursuant to §15091 (§15093[c] of the State CEQA Guidelines) as contained in these Findings.

The City Council, (i) having independently reviewed the information in the Final EIR and the record of proceedings; (ii) having made a reasonable and good faith effort to eliminate or substantially lessen the significant impacts resulting from the project to the extent feasible by adopting the mitigation measures identified in the EIR; and (iii) having balanced the benefits of the Merge 56 Project against the significant environmental impacts, chooses to approve the Merge 56 Project, despite its significant environmental impacts, because specific economic, legal, social, and other benefits of the project render the significant environmental impacts acceptable.

The following Statement identifies why, in the City Council's judgment, the benefits of the Merge 56 Project as approved outweigh the unavoidable and unmitigable significant impacts. Each of these public benefits serves as an independent basis for overriding all significant, unavoidable and unmitigated impacts. Substantial evidence supports the various benefits. Such evidence can be found either in the preceding sections, which are incorporated by reference into this section, the Final EIR, or in documents that comprise the Record of Proceedings in this matter.

I. FINDINGS FOR STATEMENT OF OVERRIDING CONSIDERATIONS

1. Development of a Sustainably Designed Mixed-Use Center

The project will develop a contemporary-styled, sustainable, mixed-use center containing a balance of commercial, office, hotel and residential uses designed with walkability in mind to reduce occupants' and community reliance on cars compared to traditional suburban developments. The project will implement the "villages" and mixed-use center planning concepts embodied in the General Plan and Subarea Plan, including, without limitation, General Plan Land Use and Community Planning Element policies (Policies LU-H.4, LU-H.6 and LU-H.7), Urban Design Element policies (Policy UD-B.5 and Policies UD-C.1 through UD-C.6) and Economic Prosperity Element (Policies EP-B.2 through EP-B.5 and Policy EP-B.9). The project is also consistent with the City's Climate Action Plan (CAP) and will meet the goals of the City's Conservation, Mobility and Urban Design elements directed at reducing GHG emissions. The project will comply with these City policies by integrating sustainability features such as the following into its design:

- Centralized parking structures and walkable streets and plazas in the site plan will encourage a "park once" strategy to serve multiple needs of residents and users and reduce vehicle trips;
- Neighborhood-serving retail will be placed in close proximity to residences in the site plan, all within a site with ready access to employment opportunities, and reduce vehicle trips;
- Mixed-use live/work/play concept integrated into the site plan, wherein residents can live near their job, shop near their home, participate in on-site and nearby off-site recreation/fitness activities, and enjoy entertainment at the restaurants/cinema without leaving the property or its immediate vicinity in vehicles;
- A pedestrian-oriented design will be utilized with multiple walkways linking commercial and residential areas to allow residents to walk rather than drive to jobs or shopping opportunities and reduce vehicle trips;

- Bike racks will be provided in commercial and residential areas at levels that will substantially exceed the 5% minimum requirements in the Climate Action Plan; specifically, the project will provide 226 more commercial/office bike racks and 80 more residential bike racks than required;
 - Trail connections and bike path connections will be provided in the on the project site to facilitate non-vehicular travel; and
 - Electric vehicle (EV) charging stations (i.e., 65 EV charging stations) will be provided within the commercial and residential parking areas at levels that will exceed the minimum requirements in the Climate Action Plan; specifically, the project will provide 17 more commercial EV charging stations and 5 more residential EV charging stations than required.
 - A Transportation Demand Management program will be implemented to encourage users to rely on alternative transportation opportunities and minimize vehicle trips off-site.
2. Provision of a Range of Housing Stock, including Affordable Units
- Implementation of the project will provide a range of residential housing types, including 242 single-family residences, apartments, and condominiums that will meet the varied needs of existing and future City residents and be both market-rate and affordable. Construction of new affordable housing on-site will implement objectives of the City General Plan's Land Use and Community Planning Element and Housing Element related to the provision of a variety of housing types and sizes within varying levels of affordability in residential and village developments (Policies LU-H.2 and LU-H.3). Implementation of the project will assist in the implementation of San Diego's General Plan City of Villages strategy and regional smart growth principles. Per the SANDAG 2010-2020 Regional Housing Needs Assessment (RHNA), it is currently forecast that the region will build 125,000 housing units but will need 161,980 housing units. Thus, the construction of 242 homes, including 47 affordable units (versus payment of in-lieu fees for the affordable units) will directly support the region's housing supply shortfall and City goals for a range of housing.
3. Expansion of Regional Mobility and Circulation Improvements
- The proposed roadway improvements will provide local and regional access to the Merge 56 Project, surrounding properties and local community, as envisioned in the Circulation Elements of the Torrey Highlands Subarea Plan and Rancho Peñasquitos Community Plan, in a configuration that is more environmentally friendly but consistent with previously-approved alignments and dedicated rights-of-ways for the roads. Construction of planned transportation improvements identified in the Torrey Highlands Subarea Plan and Rancho Peñasquitos Community Plan that have remained incomplete decades after the construction of the surrounding neighborhoods will result in a number of benefits, including:
- Improved safety in the event of emergency evacuation (i.e., wildland fires or road detours) as the road way improvements proposed by the project provide alternative, and, for many, a more direct evacuation and emergency response route;
 - More direct access to Westview High School for residents in Torrey Highlands and Rancho Peñasquitos who currently must use circuitous routes on surface roads or rely on SR-56 to access the high school that serves their local students;

- Improved circulation between and within the existing neighborhoods, such as Park Village and Twin Trails, where a direct route does not currently exist, thus removing up to 4,000 daily trips from heavily congested segments of Black Mountain Road;
- Improved pedestrian and bicycle access through the construction of a network of sidewalks, bike lanes, bike path connections, and off-road trail connections that will better link the project and the surrounding area to nearby roads, development, and local open space systems (i.e., Los Peñasquitos Canyon Preserve, Darkwood Canyon and Del Mar Mesa); and
- Reduced grading effects on biologically sensitive habitats and natural terrain than the higher classification road envisioned in the Community Plans leading to a greater balance between the environmental impacts of public road construction and the traffic capacity and circulation needs of the local communities.

4. Employment and Financial Benefits

Development and operation of the project will create 300 full-time construction jobs and 1,350 to 1,600 permanent jobs for the region. Compared to the undeveloped site, the approximately \$40 million project will also generate increased property tax, sales tax and transient occupancy tax revenue. In addition, the project applicant will contribute approximately \$35 million in development impact fees and community improvements which will assist the City in completing Circulation Element roads and other community facilities identified in the applicable Public Facilities Financing Plans to the benefit of the community as a whole.

5. Expansion of Regional Water Infrastructure

The project will install 16-inch public water main and 24-inch public recycled water line in the Camino Del Sur right-of-way. In addition, a 16-inch public water main and 8-inch public recycled water line will be constructed within the Carmel Mountain Road right-of-way. These public improvements to the water and recycled water system will be sized larger than needed to service the project in order to complete the regional water and wastewater system within the SR-56 corridor, thus, allowing existing and future development to utilize recycled water and reduce regional reliance on potable water for irrigation, among other uses.

II. CONCLUSION

For the foregoing reasons, the City finds that the project's adverse, unavoidable environmental impacts are outweighed by the above-referenced benefits, any one which individually would be sufficient to outweigh the adverse environmental effects of the project. Therefore, the City has adopted these Findings and Statement for the project.

EXHIBIT B**MITIGATION MONITORING AND REPORTING PROGRAM****MERGE 56 - PROJECT NO. 360009**

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 Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Environmental Impact Report No. 360009/SCH No. 2014071065 shall be made conditions of Planned Development Permit No. 1266871, Site Development Permit No. 1266883, Conditional Use Permit No. 1266881, Vesting Tentative Map No. 1266869, Easement Vacation No. 2076453, and Public Right-of-way Vacation No. 2076458 (amendment to Planned Development Permit No. 53203 Site Development Permit Nos. 53204, 3278 and 40-0386, Conditional Use Permit No. 53205, and Vesting Tentative Map No. 7938), as may be further described below.

The following general requirements would be a part of the proposed project MMRP:

A. GENERAL REQUIREMENTS - PART I Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, **"ENVIRONMENTAL/MITIGATION REQUIREMENTS."**
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

<http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
5. **SURETY AND COST RECOVERY** - The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation

measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

B. GENERAL REQUIREMENTS – PART II Post Plan Check (After permit issuance/Prior to start of construction)

1. **PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

Qualified Biologist
 Archaeological Monitor
 Native American Monitor
 Paleontological Monitor
 Acoustician
 Geologist

Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the RE at the **Field Engineering Division – 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, applicant is also required to call **RE and MMC at 858-627-3360**

2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 352250 and/or Environmental Document Number 36009, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.).

Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and

acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency:

- Encroachment Permit from California Department of Transportation (Caltrans);
- National Pollutant Discharge Elimination System (NPDES) Municipal Storm Water Permit Compliance;
- NPDES General Construction Activity Permit for Stormwater Discharges Compliance;
- California Fish and Game Code Section 1602 Streambed Alteration Agreement;
- Federal Clean Water Act Section 404 Permit;
- Federal Endangered Species Act Section 7 Consultation, if needed; and
- Federal Clean Water Act Section 401 Water Quality Certification.

4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

NOTE: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

Table 9-1 DOCUMENT SUBMITTAL/INSPECTION CHECKLIST		
<i>Issue Area</i>	<i>Document Submittal</i>	<i>Associated Inspection/Approvals/Notes</i>
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Land Use	Land Use Adjacency Issues	Land Use Adjacency Issue Site Observations
Biology	Biologist Limit of Work Verification	Limit of Work Inspection
Biology	Biology Reports	Biology/Habitat Restoration Inspection

Archaeology	Archaeology Reports	Archaeology/Historic Site Observation
Paleontology	Paleontology Reports	Paleontology Site Observation
Noise	Acoustical Reports	Noise Mitigation Features Inspection
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

LAND USE

Mitigation for indirect impacts to biological resources within the MHPA, and therefore land use policy, shall be implemented by the Applicant and is required consistent with the City's MSCP Subarea Plan and Biology Guidelines. Implementation of Mitigation Measure Bio-1 *Biological Resource Protection During Construction* and Mitigation Measure Bio-3 *Upland Vegetation Communities* would mitigate most potential indirect impacts associated with grading/land development. The following mitigation is also required to mitigate land use adjacency impacts to the MHPA to below a level of significance.

Lu-1 Land Use Adjacency Guidelines

Prior to issuance of any construction permit or notice to proceed, Development Services Department/Land Development Review, and/or MSCP staff shall verify the Project Applicant has accurately represented the project's design in or on the Construction Documents (CDs; CDs consist of Construction Plan Sets for Private Projects and Contract Specifications for Public Projects) are in conformance with the associated discretionary permit conditions and Exhibit "A," and also the City's MSCP MHPA Land Use Adjacency Guidelines. The Project Applicant shall provide an implementing plan and include references on/in CDs of the following:

A. Grading/Land Development/MHPA Boundaries: MHPA boundaries on-site and adjacent properties, including the San Diego National Wildlife Refuge, shall be delineated on the CDs. Development Services Department Planning and/or MSCP staff shall ensure that all grading is included within the development footprint, specifically manufactured slopes, disturbance, and development within or adjacent to the MHPA.

B. Drainage: The use of structural and non-structural Best Management Practices, Best Available Technology, and use of sediment catchment devices downstream of paving activities shall be used to reduce potential impacts associated with construction. The Project design shall comply with the Standard Urban Stormwater Management Plan and Municipal Stormwater Permit criteria of the State Water Resources Control Board and City.

Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or installation of sediment traps, shall be used to control erosion and deter drainage during construction activities into the MHPA or vernal pool preserves.

C. Toxics/Project Staging Areas/Equipment Storage: No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Provide a note in/on the CDs that states: *"All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."*

No staging/storage areas for equipment and materials shall be located within or adjacent to the MHPA or vernal pool preserves; no equipment maintenance shall be conducted within or near the MHPA or vernal pool preserves.

No trash, oil, parking, or other construction related activities shall be allowed outside the established limits of grading. All construction related debris shall be removed off site to an approved disposal facility.

D. Lighting: Lighting within or adjacent to the MHPA and off-site vernal pool preserve areas shall be directed away/shielded from the MHPA and be subject to City Outdoor Lighting Regulations per LDC Section 142.0740.

E. Noise: Due to the site's location adjacent to or within the MHPA where the Qualified Biologist has identified potential nesting habitat for listed avian species, construction noise that exceeds the maximum levels allowed shall be avoided during the breeding seasons for the following: coastal California gnatcatcher (March 1 through August 15). If construction is proposed during the breeding season for the species, a USFWS protocol survey shall be required in order to determine species presence/absence. If a protocol survey is not conducted in suitable habitat during the breeding season for the aforementioned listed species, presence shall be assumed with implementation of noise attenuation and biological monitoring.

Coastal California Gnatcatcher (Federally Threatened)

Prior to the issuance of any grading permit the City Manager (or appointed designee) shall verify that the MHPA boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:

No clearing, grubbing, grading, or other construction activities shall occur within 500 feet of the MHPA between March 1 and August 15 (gnatcatcher breeding season) until the following requirements have been met to the satisfaction of the City Manager:

- A. A Qualified Biologist (possessing a valid federal Endangered Species Act Section 10(a)(1)(A) Recovery Permit) shall survey appropriate habitat (coastal sage scrub) areas within the MHPA that lie within 500 feet of the project footprint and would be subject to construction noise levels exceeding 60 dB hourly average for the presence of the gnatcatcher. If no appropriate habitat is present, then the surveys will not be required. If appropriate habitat is present, gnatcatcher surveys shall be conducted pursuant to USFWS protocol survey guidelines within the breeding season prior to commencement of any construction. If gnatcatchers are present within the MHPA, the following conditions must be met:

- I. Between March 1 and August 15, no clearing, grubbing, or grading of occupied gnatcatcher habitat shall be permitted within the MHPA. Areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; and
- II. Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB hourly average at the edge of occupied gnatcatcher habitat within the MHPA. An analysis showing that noise generated by construction activities would not exceed 60 dB hourly average at the edge of occupied habitat must be completed by a Qualified Acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the City Manager at least two weeks prior to the commencement of construction activities. Prior to commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under supervision of a Qualified Biologist; or
- III. At least two weeks prior to commencement of construction activities and under direction of a Qualified Acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB hourly average at the edge of habitat (within the MHPA) occupied by the gnatcatcher. Concurrent with commencement of construction activities and construction of necessary noise attenuation facilities, noise monitoring* shall be conducted at the edge of occupied habitat area within the MHPA to ensure that noise levels do not exceed 60 dB hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the Qualified Acoustician or Qualified Biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).

*Construction noise shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity to verify that noise levels at the edge of occupied habitat within the MHPA are maintained below 60 dB hourly average or to the ambient noise level if it already exceeds 60 dB hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels within occupied MHPA habitat to below 60 dB hourly average or to the ambient noise level if it already exceeds 60 dB hourly average. Such measures may include but are not limited to limitations on the placement of construction equipment and the simultaneous use of equipment.

- B. If gnatcatchers are not detected within the MHPA during the protocol survey, the Qualified Biologist shall submit substantial evidence to the City Manager and applicable wildlife agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 1 and August 15 as follows:

- I. If evidence indicates high potential for gnatcatcher presence based on historical records or site conditions, Condition A.III shall be adhered to as specified above.

If evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.

TRANSPORTATION/CIRCULATION

Tra-1 Camino Del Sur/SR-56 Westbound Ramps

Prior to issuance of the first building permit, the owner/permittee shall pay FBA fees toward the construction of *Torrey Highlands PFFP Project No. T-1.3* to provide the northbound to westbound loop on-ramp at Camino Del Sur/SR-56 Westbound Ramps, to the satisfaction of the City Engineer.

Tra-2 Camino Del Sur/SR-56 Eastbound Ramps

Prior to issuance of the first building permit, the owner/permittee shall pay FBA fees toward the construction of *Torrey Highlands PFFP Project No. T-1.3* (corresponding to *Black Mountain Ranch PFFP Project No. T-15.1*) to provide the southbound to eastbound loop on-ramp at Camino Del Sur/SR-56 Eastbound Ramps, to the satisfaction of the City Engineer.

Tra-3 Carmel Mountain Road/Black Mountain Road

Prior to issuance of the first building permit, the owner/permittee shall assure by permit and bond the restriping of the northbound approach to provide an additional northbound left-turn lane within the existing curb-to-curb width, mirroring the geometry of the southbound approach and restripe the northbound receiving lanes and red curb an additional 160 feet north of Carmel Mountain Road, to the satisfaction of the City Engineer.

Tra-4 Black Mountain Road/ SR-56 Westbound Ramps

Prior to issuance of the first building permit, the owner/permittee shall provide a fair share contribution (17.7%) toward the unfunded portion of *Rancho Peñasquitos PFFP Project No. T-2D* (corresponding to *Black Mountain Ranch PFFP Project No. T-57*, *Pacific Highlands Ranch PFFP Project No. T-11.1*) to widen Black Mountain Road from Twin Trails Drive to the Community Plan boundary to its ultimate classification as a Six-Lane Primary Arterial, to the satisfaction of the City Engineer. This improvement shall include the restriping of the temporary striping on Black Mountain Road overpass at SR-56 to provide three (3) thru lanes in the northbound direction, to the satisfaction of the City Engineer.

Tra-5 Black Mountain Road/ SR-56 Eastbound Ramps

Prior to issuance of the first building permit, the owner/permittee shall provide a fair share contribution (25.2 percent) toward the unfunded portion of *Rancho Peñasquitos PFFP Project No. T-2D* (corresponding *Black Mountain Ranch PFFP Project No. T-57*, *Pacific Highlands Ranch PFFP Project No. T-11.1*) to widen Black Mountain Road from Twin Trails Drive to the Community Plan boundary to its ultimate classification as a Six-Lane Primary Arterial to the satisfaction of the City Engineer. This would include the restriping of the temporary striping on Black Mountain Road overpass at SR 56 to provide three (3) thru lanes in the northbound direction, to the satisfaction of the City Engineer.

Tra-6 Black Mountain Road/ Park Village Road

Prior to issuance of the first building permit, the owner/permittee shall provide a fair share contribution (36.1 percent) toward the unfunded portion of *Rancho Peñasquitos PFFP Project No. T-2D* (corresponding *Black Mountain Ranch PFFP Project No. T-57*, *Pacific Highlands Ranch PFFP Project No. T-11.1*) to widen Black Mountain Road from Twin Trails Drive to the Community Plan boundary to its ultimate classification as a Six-Lane Primary Arterial, to the satisfaction of the City Engineer.

Tra-7 Black Mountain Rd from SR-56 Eastbound Ramps to Park Village Road

Prior to issuance of the first building permit, the owner/permittee shall provide a fair share contribution (35.9 percent) toward the unfunded portion of *Rancho Peñasquitos PFFP Project No. T-2D* (corresponding *Black Mountain Ranch PFFP Project No. T-57*, *Pacific Highlands Ranch PFFP Project No. T-11.1*) to widen Black Mountain Road from Twin Trails Drive to the Community Plan boundary to its ultimate classification as a six-lane primary arterial, to the satisfaction of the City Engineer.

Tra-8 Black Mountain Rd from Park Village Rd to Mercy Rd

Prior to issuance of the first building permit, the owner/permittee shall provide a fair share contribution (37.4 percent) toward the unfunded portion of *Rancho Peñasquitos PFFP Project No. T-2D* (corresponding *Black Mountain Ranch PFFP Project No. T-57*, *Pacific Highlands Ranch PFFP Project No. T-11.1*) to widen Black Mountain Road from Twin Trails Drive to the Community Plan boundary to its ultimate classification as a six-lane primary arterial, to the satisfaction of the City Engineer.

Tra-9 SR-56 from Carmel Valley Road to Black Mountain Road (Eastbound and Westbound)

Prior to issuance of the first building permit, the owner/permittee shall pay FBA fees toward the construction of the *Torrey Highlands PFFP Project No. T-1.2B* to expand SR-56 from I-5 to I-15 to a six-lane freeway, to the satisfaction of the City Engineer.

BIOLOGICAL RESOURCES**Bio-1 Biological Resource Protection During Construction****I. Prior to Construction**

- A. **Biologist Verification:** The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination section stating that a Project Biologist (Qualified Biologist), as defined in the City of San Diego's Biological Guidelines (2012), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.
- B. **Pre-construction Meeting:** The Qualified Biologist shall attend a pre-construction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.
- C. **Biological Documents:** The Qualified Biologist shall submit all required documentation to Mitigation Monitoring Coordination verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, MSCP, ESL Ordinance, project permit conditions; CEQA; endangered species acts; and/or other local, State or federal requirements.
- D. **Biological Construction Mitigation/Monitoring Exhibit:** The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit which includes the biological documents in C, above. In addition, include: restoration/revegetation plans, plant salvage/relocation requirements, avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City Assistant Deputy Director/Mitigation Monitoring Coordination. The Biological Construction Mitigation/Monitoring Exhibit shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The Biological Construction Mitigation/Monitoring Exhibit shall be approved by Mitigation Monitoring Coordination and referenced in the construction documents.
- E. **Resource Delineation:** Prior to construction activities including the erection of any permanent fencing (e.g., around the vernal pool preserves adjacent to the project), the Qualified Biologist shall supervise the placement of silt and orange construction fencing or equivalent along the limits of disturbance and verify compliance with any other project conditions as shown on the

Biological Construction Mitigation/ Monitoring Exhibit. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora and fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site. Temporary construction fencing shall be removed upon construction completion.

- F. **Education:** Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

II. During Construction

- A. **Monitoring:** All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the Biological Construction Mitigation/ Monitoring Exhibit. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record. The Consultant Site Visit Record shall be e-mailed to Mitigation Monitoring Coordination on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery. The Qualified Biologist shall monitor, as is feasible, for the presence of sensitive animals species and shall, if practicable, direct or move these animals out of harm's way (i.e., to a location of suitable habitat outside the impact footprint).
- B. **Subsequent Resource Identification:** The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna on site (e.g., flag plant specimens for avoidance during access, etc.). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, State or federal regulations have been determined and applied by the Qualified Biologist.

III. Post Construction

- A. In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL Ordinance and MSCP, CEQA, and other applicable local, State and federal

laws. The Qualified Biologist shall submit a final Biological Construction Mitigation/Monitoring Exhibit/report to the satisfaction of the City Assistant Deputy Director/Mitigation Monitoring Coordination within 30 days of construction completion.

Bio-2 Sensitive Natural Communities

I. Vernal Pools and Road Pools

Prior to the issuance of the first construction and/or grading permit, impacts to vernal pools and road pools shall be mitigated through off-site creation of vernal pool habitat in accordance with a vernal pool mitigation plan approved by the City, USFWS, and CDFW. The mitigation shall occur at a 3:1 ratio. Vernal/road pool impacts and their associated mitigation requirements for both the Mixed-Use Development and Public Road project components are presented together in Table 5.3-6, *Mitigation for Impacts to Vernal/Road Pools*. The mitigation for the Mixed-Use vernal pool impacts and the Public Road vernal pool and road pool impacts is proposed to occur at a City-owned parcel on Del Mar Mesa (see Figure 7, *Vernal Pool Mitigation Site*, in Appendix C1). In total, the project requires 0.123 acre of vernal pool mitigation. The proposed effort on the City-owned parcel would, however, provide 0.193 acre of created vernal pool habitat. This would leave approximately 0.070 acre of surplus vernal pool surface area that could be used by the City as mitigation for other City projects. Additionally, the Applicant will enhance an existing vernal pool (0.021 acre) as part of the overall effort on the City-owned parcel. The creation of surplus vernal pool habitat and enhancement of the existing vernal pool are being conducted to compensate for the use of City-owned land for private (i.e., the Mixed-Use) mitigation. The final mitigation, however, shall be determined through consultation with the City and USFWS, and a final vernal pool mitigation plan shall be submitted to the USFWS for approval within 120 days of the Applicant receiving the final Biological Opinion.

Table 5.3-6 MITIGATION FOR IMPACTS TO VERNAL/ROAD POOLS			
Location and Pool Type	Impacts (acre)	Mitigation	
		Ratio	Required (acre)
Mixed-Use Development			
Vernal Pool	0.022	3:1	0.066
Subtotal	0.022	-	0.066
Public Roads¹			
Vernal Pool	0.016	3:1	0.048
Road Pool	0.003	3:1	0.009
Subtotal	0.019	-	0.057
TOTAL	0.041		0.123

Source: Alden Environmental, Inc. 2017

¹ There would be no impacts to vernal/road pools from the construction of Carmel Mountain Road.

Upon completion of the mitigation, there shall be a five-year maintenance and monitoring period to ensure successful habitat creation followed by implementation of a long-term habitat management plan approved by the City. The mitigation shall, at a minimum, replace the functions and services lost through impacts to vernal and road pools from the project. All of the pools also shall support reproducing populations of San Diego fairy shrimp. With the completed mitigation, it is expected that functions and services (water filtration, sensitive wildlife and plant habitat, etc.) would be greater in the created pools than in the impacted pools by the end of the five-year mitigation effort. This realization of target functions and values shall be documented by conducting quantitative and qualitative analyses throughout the five-year monitoring period.

Long-term management (after the five-year maintenance and monitoring period) and funding of the City roadway portion of the vernal pool mitigation area would be the responsibility of the City. Long-term management and funding of the Mixed-Use vernal pool mitigation area would be the responsibility of owner/permittee to prepare a Property Analysis Record and provide an endowment to ensure adequate long-term funding for the Mixed-Use vernal pool mitigation component. Long-term management and funding of the surplus pools would be determined through consultation between the City and owner/permittee. Actual management activities would be implemented by the City and/or a third-party entity approved and authorized by the City. All mitigation for impacts to vernal pools and road pools (and San Diego fairy shrimp) shall occur as defined in the final permits/authorizations to be issued by the Corps, USFWS, and City prior to issuance of grading permits.

Other Wetland/Riparian Areas

The northern portion of Camino Del Sur would impact a total of 0.5 acre of wetland/riparian habitat (other than vernal pools, i.e., southern willow scrub, mule fat scrub, and freshwater marsh; Table 5.3-1). Prior to the issuance of the first construction and/or grading permit, mitigation for these impacts shall be met through off-site creation of wetland habitat at a 3:1 ratio (1.5 acres of mitigation for these impacts). The proposed mitigation site is located along the creek in McGonigle Canyon approximately 1.5 miles northwest of the project (See Figure 8, *Off-Site Wetland/ Riparian Mitigation Site*, in Appendix C1). The mitigation site supports existing wetland habitat along the creek and is located within the MHPA. The mitigation shall include widening the creek to the south in an area that has been filled and used for agricultural purposes. The mitigation area shall be constructed specifically for the Camino Del Sur portion of the City's roadway project component and shall not be a part of any current or proposed future mitigation banking agreement. The total acreage to be created at this location is 1.58 acres, which includes the 1.5 acres required for this wetland/riparian habitat mitigation plus an additional 0.08 acre required for impacts to non-wetland streambeds as described in Mitigation Measure Bio-8, *Jurisdictional Areas*.

Wetland/riparian habitat shall be created by expanding the width of the existing creek and creating a mosaic of site-appropriate wetland/riparian associated habitats through the installation of a broad species mix. The habitats to become established are anticipated to range from freshwater marsh adjacent to the central portions of the channel that experience steady water flows, to riparian scrub and forest habitats along the periphery of the wetland mitigation area. As with the vernal pool mitigation discussed above, the wetland mitigation effort shall

include a five-year maintenance and monitoring period, a long-term HMP, and an endowment to provide long-term management funding. See Section 7.1.2, *Mitigation for Impacts to Other Jurisdictional/Wetland Areas*, in Appendix C1 for additional details.

All mitigation for the impacts shall occur as defined in the final permits/authorizations to be issued by the Corps, CDFW, USFWS, and City prior to issuance of grading permits.

Bio-3 Upland Vegetation Communities

Prior to the issuance of the first construction and/or grading permit, mitigation for direct impacts to 61.2 acres of sensitive upland vegetation communities and Nuttall's scrub oak shall be accomplished through preservation of a minimum of 51.8 acres of suitable habitat/mitigation credit. The impacts and potential mitigation ratios and acreages are presented in Table 5.3-7, *Mitigation for Impacts to Sensitive Upland Vegetation Communities from the Mixed-Use Development*, and Table 5.3-8, *Mitigation for Impacts to Sensitive Upland Vegetation Communities from the Public Roads* and are based on Table 3, Upland Mitigation Ratios, of the City's Biology Guidelines (and the Torrey Highlands Subarea Plan [THSP] for impacts on the Mixed-Use Development site).

The following acquisition and preservation of mitigation in the THSP MHPA and/or purchase of credits from mitigation banks shall be provided for project impacts to upland habitats in accordance with the City's Biology Guidelines.

<div>Table 5.3-7</div> <div>MITIGATION FOR IMPACTS TO SENSITIVE UPLAND VEGETATION COMMUNITIES</div> <div>FROM THE MIXED-USE DEVELOPMENT (acres)</div>				
Vegetation Community	Impacts ¹ (acres)	Mitigation ¹		
		Mitigation Ratio (acre)	Required Mitigation Acreage	Avoided
Tier II				
Diegan coastal sage scrub	7.7	2:1 ²	15.4	2.4
Diegan coastal sage scrub-disturbed	0.3	2:1 ²	0.6	-
Diegan coastal sage scrub-southern mixed chaparral ecotone	1.3	2:1 ²	2.6	-
Subtotal	9.3	-	18.6	2.4
Tier IIIA				
Southern mixed chaparral	<0.1	0.5:1	0.1	0.1
Chamise chaparral	2.2	0.5:1	1.1	-
Chamise chaparral-disturbed	3.4	0.5:1	1.7	-
Subtotal	5.6	-	2.9	0.1
Tier IIIB				

Non-native grassland	16.5	0.5:1	8.3	0.5
Subtotal	16.5	-	11.2	0.5
TOTAL	31.4	--	32.7	3.0

Source: Alden Environmental, Inc. 2017

¹Impact is outside the MHPA, and mitigation is within the MHPA.

²Since the project proposes to mitigate for impacts to Diegan coastal sage scrub communities outside the THSP MHPA, the ratio has been doubled to 2:1.

Table 5.3-8 MITIGATION FOR IMPACTS TO SENSITIVE UPLAND VEGETATION COMMUNITIES FROM THE PUBLIC ROADS					
Vegetation Community ¹	Impacts		Mitigation		
	Camino Del Sur	Carmel Mountain Road	Total Impact (acre)	Ratio ² (acre)	Required Mitigation
Tier I					
Scrub oak chaparral	1.7	-	1.7	1:1	1.7 ³
Subtotal	1.7	-	1.7	-	1.7
Tier II					
Diegan coastal sage scrub	3.5	-	3.5	1:1	3.5
Diegan coastal sage scrub-within MHPA	0.3	-	0.3	1:1	0.3
Diegan coastal sage scrub-disturbed	0.2	-	0.2	1:1	0.2
Diegan coastal sage scrub-southern mixed chaparral ecotone	0.4	-	0.4	1:1	0.4
Diegan coastal sage scrub-southern mixed chaparral ecotone-within MHPA	0.1	-	0.1	1:1	0.1
Subtotal	4.5	-	4.5	-	4.5
Tier IIIA					
Southern mixed chaparral	6.2	-	6.2	0.5:1	3.1
Southern mixed chaparral-within MHPA	1.8	-	1.8	1:1	1.8
Chamise chaparral	6.3	1.1	7.4	0.5:1	3.7
Chamise chaparral-within MHPA	0.2	-	0.2	1:1	0.2
Chamise chaparral-disturbed	1.1	1.0	2.1	0.5:1	1.1
Subtotal	15.6	2.1	17.7	-	9.9
Tier IIIB					
Non-native grassland	3.8	2.1	5.9	0.5:1	3.0
Subtotal	3.8	2.1	5.9	-	3.0
TOTAL	25.6	4.2	29.8	--	19.1

Source: Alden Environmental, Inc. 2017

¹Impact is outside the MHPA unless otherwise stated.

²The ratios are for mitigation inside the MHPA.

³Habitat mitigation would also compensate for impacts to Nuttall's scrub oak.

- The Applicant shall meet the 32.7-acre upland mitigation requirement for the Mixed-Use Development through the assignment of credits in the Deer Canyon Mitigation Bank and/or the acquisition of land available at the Crescent Heights site owned by Pardee Homes and/or the acquisition of land available in the East Elliot community. Any MHPA land acquired from Pardee Homes or others for project mitigation would be dedicated in fee title to the City of San Diego. Conveyance of any land in fee title to the City shall require approval from the Park and Recreation Department Open Space Division Deputy Director. Final mitigation compliance may be a combination of these three options; would be dependent upon credit/land availability; and would be subject to City and wildlife agency approval prior to issuance of the first grading permit.
- Mitigation for Camino Del Sur impacts to scrub oak chaparral (a Tier I habitat) shall be met through use of 1.7 acre of credits in the Deer Canyon Mitigation Bank in the MHPA west of the project that have been allocated by Mr. Keith Rhodes for the "Rhodes Crossing Project." The Deer Canyon Mitigation Bank has 13.81 acres of remaining Tier I mitigation credits that were previously allocated and currently owned by Mr. Keith Rhodes.
- The remaining 17.4 acres of mitigation for Camino Del Sur and Carmel Mountain Road impacts to Tier II and Tier III habitats shall occur at the Anderprizes mitigation site (in the City of San Diego) in accordance with the Conservation Credit Agreement among SANDAG and other signatories for regional transportation projects and local streets and roads (SANDAG et al. 2014). The Anderprizes mitigation site has 5.76 acres of Tier I and 24.88 acres of Tiers II and III mitigation credits available (SANDAG et al. 2014).

Bio-4 San Diego Fairy Shrimp

Prior to the issuance of the first construction and/or grading permit, mitigation for direct impacts to San Diego fairy shrimp and direct impacts to San Diego fairy shrimp designated Critical Habitat shall be determined through consultation with the USFWS through a Section 7 Consultation with the Corps and addressed in an amended and/or new Biological Opinion.

Mitigation for impacts to the San Diego fairy shrimp shall be met through vernal pool habitat creation in the off-site mitigation identified in Mitigation Measure Bio-2, *Sensitive Natural Communities*. All of the created pools shall support reproducing populations of San Diego fairy shrimp as part of the vernal pool mitigation effort. The mitigation shall be conducted in accordance with a mitigation plan to be approved by the USFWS and City prior to issuance of grading permits.

The following measures shall also be implemented to protect San Diego fairy shrimp and its habitat in the off-site vernal pool preserves adjacent to the project. Additional measures to protect San Diego fairy shrimp and its habitat in the off-site vernal pool preserves adjacent to the project are listed below in Mitigation Measure Bio-8, *Jurisdictional Areas*.

- A Biological Monitor shall be on site full time during initial grading near the vernal pool preserves and throughout the remaining grading/excavation activities at a minimum frequency of three times per week to ensure that grading limits are observed.

- The Biological Monitor will periodically monitor the vernal pool preserves and adjacent habitats for excessive amounts of dust (i.e., if a visible film of dust is observed on the surface or on adjacent plants) and will recommend remedial measures to address dust control if necessary.
- No staging/storage areas for equipment and materials shall be located within or adjacent to the vernal pool preserves; no equipment maintenance shall be conducted within or near the vernal pool preserves.
- Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or installation of sediment traps shall be used to control erosion and deter drainage during construction activities into the vernal pool preserves.
- No trash, oil, parking, or other construction-related activities shall be allowed outside the established limits of grading. All construction-related debris shall be removed off site to an approved disposal facility.
- The Applicant shall submit documentation to the USFWS prior to the initiation of project construction demonstrating that the distribution of San Diego fairy shrimp has not changed from the baseline (i.e., the number and distribution of pools occupied by San Diego fairy shrimp has not changed from the condition described in the amended or new Biological Opinion). Pools already occupied do not need to be re-surveyed; however, pools and project areas supporting suitable habitat conditions shall be re-assessed and re-surveyed to protocol standards.
- A Qualified Biologist approved by the USFWS and the City shall oversee installation of fencing and erosion control measures within or up-slope of off-site vernal pool preserves a minimum of once per week and daily during all rain events to ensure that any breaks in the fence or erosion control measures are repaired immediately.
- The Applicant shall submit to the USFWS for approval, at least 30 days prior to initiating project grading, the final plans for initial clearing and grubbing of sensitive habitat and project construction. These final plans shall include photographs that show the fenced limits of impacts and the fenced limits of all areas to be avoided. If work occurs beyond the fenced or demarcated limits of impact, all work will cease until the problem has been remedied to the satisfaction of the USFWS.
- The Qualified Biologist shall be on the project site during clearing and grubbing of suitable habitat for the San Diego fairy shrimp, including all Critical Habitat, and any occupied habitat within 200 feet of the grading limits. The Qualified Biologist shall conduct weekly site visits during rough grading to ensure that the grading limits have been respected and compliance with all mitigation has been achieved. The Qualified Biologist shall be knowledgeable of vernal pool species. The Applicant shall submit the Qualified Biologist's name, address, telephone number, and work schedule on the project to the USFWS and the City at least seven days prior to initiating impacts.

- The Qualified Biologist shall halt work, if necessary, and confer with the USFWS to ensure the proper implementation of San Diego fairy shrimp and habitat protection measures. The Qualified Biologist shall also report any violation to the USFWS within 24 hours of its occurrence.
- The Qualified Biologist shall implement a contractor training program to ensure compliance with the mitigation measures to avoid and minimize incidental take of San Diego fairy shrimp.
- The Qualified Biologist shall submit:
 - Monthly letter reports (including photographs of impacted areas) to the USFWS during project construction within 200 feet of avoided San Diego fairy shrimp habitat. The monthly reports shall document that authorized impacts were not exceeded, and general compliance with all conditions was met.
 - A final report to the USFWS within 60 days of project completion that includes as-built construction drawings with an overlay of pools that were impacted or remain off site, photographs of the off-site pools, and other relevant information documenting that incidental take was not exceeded and that general compliance with the project, including all mitigation measures, was achieved.

Bio-5 Coastal California Gnatcatcher

Prior to the issuance of the first construction and/or grading permit, direct impacts to the coastal California gnatcatcher shall be mitigated through acquisition and preservation of Diegan coastal sage scrub habitat in accordance with Mitigation Measure Bio-3. Potential indirect impacts to the coastal California gnatcatcher from noise shall be mitigated through the implementation of Mitigation Measure LU-1.

Bio-6 San Diego Black-tailed Jackrabbit and Sensitive Animal Species with Moderate to High Potential to Occur

Potential direct impacts to the San Diego black-tailed jackrabbit, silvery legless lizard, Coronado skink, Bell's sage sparrow, California horned lark, Dulzura pocket mouse, and northwestern San Diego pocket mouse shall be mitigated through protection during construction required by Mitigation Measure Bio-1 and acquisition and preservation of habitat in accordance with Mitigation Measure Bio-3.

Additionally, all steep-walled trenches or excavations created during project construction shall be covered, except when being actively used, to prevent entrapment of wildlife (e.g., reptiles and small mammals). If trenches cannot be covered, exclusion fencing shall be installed around the trench or excavation. Open trenches or other excavations shall be inspected by a qualified biologist a minimum of three times per day and immediately before backfilling. Any entrapped wildlife shall be removed and relocated to a safe location by the qualified biologist. Also, if any native, vertebrate species is found in the path of construction, the biologist shall make every effort to relocate it to a safe location. Exclusionary devices, as

necessary, shall be erected to prevent the migration into or the return of the species into the work area.

Bio-7 Raptor Foraging Habitat

Prior to the issuance of the first construction and/or grading permit, impacts to raptor foraging habitat shall be mitigated through acquisition and preservation of non-native grassland, in accordance with Mitigation Measure Bio-3.

Bio-8 Jurisdictional Areas

Prior to the issuance of the first construction and/or grading permit, impacts to 0.05 acre of non-wetland, federal and State jurisdictional streambeds (non-City jurisdictional) from the southern portion of Camino Del Sur shall be mitigated through the use of credits at the El Cuervo Norte Wetland Mitigation Site in Los Peñasquitos Canyon Preserve. The City pursued and completed the El Cuervo Norte habitat restoration effort in order to meet agency jurisdictional mitigation requirements for several City projects, including Camino Del Sur. A total of 0.08 acre of creation credits and 0.01 acre of enhancement credit was set aside for Camino Del Sur (south) impacts (i.e., from Carmel Mountain Road to 1,600 feet North of Park Village Road, which is the same area analyzed in this report). The acreage set aside was based on the impacts from Camino Del Sur (four lanes; 0.07 acre) analyzed in the Final EIR for Camino Del Sur (City 2005). The proposed southern extension of Camino Del Sur as part of the project would be two lanes. The mitigation site received final sign-off from the Corps on July 7, 2010 following the five-year maintenance and monitoring period.

Given that the El Cuervo project has been completed well in advance of the project impacts (no temporal loss), and that the current project impacts (0.05 acre) are reduced from those approved previously (0.07 acre), a 1:1 mitigation ratio is considered appropriate. The 0.03 acre of surplus creation credit and 0.01 acre of remaining enhancement credit available at El Cuervo Norte would be available for other City projects (e.g., Camino Del Sur [north]). The suitability of this previously completed mitigation effort shall be determined and verified by the Corps, CDFW, and RWQCB as part of the jurisdictional permit process.

Camino Del Sur (north) would impact 0.04 acre of non-wetland, federal and State jurisdictional streambed (non-City jurisdictional). Mitigation for this impact shall occur at a 2:1 ratio (0.08 acre) through off-site creation of wetland/riparian habitat along the creek in McGonigle Canyon as described in Mitigation Measure Bio-2. A total of 1.58 acres of wetland habitat shall be created at this location for Camino Del Sur (north) impacts to wetlands (1.5 acres created; see Mitigation Measure Bio-2) and non-wetland streambeds (0.08 acre created per this measure, Mitigation Measure Bio-8).

The following measure is also required.

- Prior to any construction-related activities that would impact jurisdictional areas (including earthwork and fencing), the Applicant shall schedule a pre-construction meeting with Mitigation Monitoring Coordination and submit to the Development

Services Department written documentation (including table and graphics) demonstrating implementation of the following required mitigation, should the applicable resources be impacted in the proposed phase of work. The documentation shall be reviewed at the pre-construction meeting for that phase of work. The Applicant shall provide evidence¹ of the following to the City Manager:

- A. Compliance with the Corps Section 404 permit;
- B. Compliance with the Regional Water Quality Control Board Section 401 Water Quality certification; and,
- C. Compliance with the CDFW Section 1601-1603 SAA.

Bio-9 Vernal Pool Protection During and After Construction

Construction monitoring shall be conducted throughout the rainy season by a Qualified Biologist during grading of the public roads in the vicinity of the off-site vernal pool preserves and for the 3 years following road construction. Monitoring shall consist of observing the hydrological characteristics (i.e., ponding) of the off-site vernal pool preserves during and post-construction. In the event that sufficient rainfall to demonstrate adequate ponding does not occur during the 3 years following project construction, monitoring shall continue in 1-year increments, to a maximum of 5 years after the completion of road construction. A monitoring report shall be submitted to the USFWS by September 1 following each monitoring season. If monitoring within the prescribed monitoring period detects impacts to the ponding of the off-site vernal pools from construction and/or operation of the project, the project applicant shall implement remedial measures to eliminate and repair observed hydrologic changes, to the satisfaction of the USFWS and CDFW.

HISTORICAL RESOURCES

Hist-1 The following measures shall be implemented prior to issuance of construction permits, prior to the start of construction, during construction and after construction within 100 feet of the two previously recorded sites (i.e., SDI-13078 and SDI-13077H) on the Merge 56 project site and the right-of-way for Camino Del Sur and within the eastern trail alignment to Darkwood Canyon:

I. Prior to Permit Issuance

- A. Entitlements Plan Check
 - 1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.

¹ Evidence shall include either copies of permits issued, letter of resolutions issued by the responsible agency documenting compliance, or other evidence documenting compliance and deemed acceptable by the City Manager.

- 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 archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
 - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
 - 3. Prior to the start of work, the applicant must obtain written 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 (1-mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center 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.
 - 3. The PI may submit a detailed letter to MMC requesting a reduction to the 1-mile radius.
- 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, Native American consultant/monitor (only where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological 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
 - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native

American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.

- b. The AME 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 site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

- A. Monitor(s) Shall be Present During Grading/Excavation/Trenching
 - 1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.**
 - 2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop, and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
 - 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 modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
 - 4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSVs 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.

B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources 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.
4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource, specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered, shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
 - 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.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, 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.
Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.
 - c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

- A. Notification
 - 1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.
 - 2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.
- B. Isolate discovery site
 - 1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.
 - 2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
 - 3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.
- C. If Human Remains **ARE** determined to be Native American
 - 1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
 - 2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
 - 3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
 - 4. The MLD will have 48 hours to make recommendations to the property owner or representative for the treatment or disposition, with proper dignity, of the human remains and associated grave goods.
 - 5. Disposition of Native American Human Remains will be determined between the MLD and the PI and, if:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner; THEN
 - c. In order to protect these sites, the Landowner shall do one or more of the following:
 - (1) Record the site with the NAHC;
 - (2) Record an open space or conservation easement on the site;
 - (3) Record a document with the County.
 - d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner

may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures, the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.

- D. If Human Remains are **NOT** Native American
1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

V. 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 CSVR and submit to MMC via fax by 8AM of the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III – During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III – During Construction and IV–Discovery of Human Remains shall be followed.
 - d. The PI shall immediately contact MMC, or by 8AM of 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 and/or weekend 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.

VI. 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 Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. **It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.**
 - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with State of California Department of Parks and Recreation.
The PI shall be responsible for recording (on the appropriate State of California Department of Parks and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center 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 Artifacts
1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
 3. The cost for curation is the responsibility of the property owner.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. **THIS WOULD ALSO REQUIRE**

THE INCLUSION OF ALL PRIOR ARCHAEOLOGICAL WORK CONDUCTED WHERE MATERIALS WERE COLLECTED IN 1996 BY PIGNIOLO, 2003 BY BFSA AND 2012 BY ASM. REFER TO HISTORICAL RESOURCES (CULTURAL RESOURCES/CURATION AND FINAL REPORT PREPARATION OF PREVIOUS ARCHAEOLOGICAL WORK CONDUCTED MMRP CONDITION). This shall be completed in consultation with MMC and the Native American representative, as applicable.

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.
 3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.
- D. Final Monitoring Report(s)
1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy 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 and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

PALEONTOLOGICAL RESOURCES

Paleo-1 The following mitigation measures contain project conditions that have been developed by the City to reduce potential paleontological impacts to below a level of significance. These requirements comprise a comprehensive program to address potential impacts to moderate to high-sensitivity paleontological resources associated with the Linda Vista Formation, Mission Valley Formation, Stadium Conglomerate and Friars Formation, and are consistent with standard programs employed at other sites in the City. Implementation of these mitigation measures would allow preservation and future scientific study of any important paleontological resources encountered, thereby reducing impacts to below a level of significance.

I. Prior to Permit Issuance

- A. Entitlements Plan Check
 1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, 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 such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.**
 2. 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.
 3. 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.
- 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.

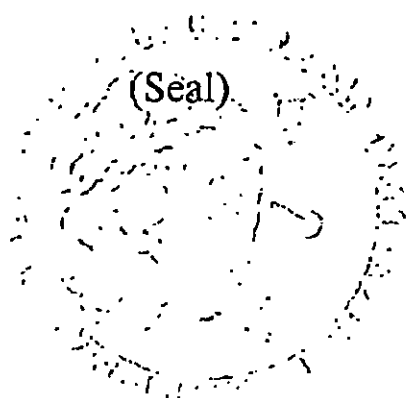
Passed by the Council of The City of San Diego on MAY 22 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 22 2018.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:



KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 311775

ORIGINAL

#331-C
(R-2018-548) 5/22/18RESOLUTION NUMBER R- **311776**DATE OF FINAL PASSAGE **MAY 22 2018**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AN AMENDMENT TO THE TORREY HIGHLANDS - SUBAREA IV PLAN AND THE RANCHO PEÑASQUITOS COMMUNITY PLAN TO REDESIGNATE LAND FROM COMMERCIAL REGIONAL AND MEDIUM-HIGH DENSITY RESIDENTIAL TO LOCAL MIXED-USE CENTER SOUTH, AND TO DOWNGRADE THE CLASSIFICATIONS OF ON-SITE PORTIONS OF CAMINO DEL SUR AND CARMEL MOUNTAIN ROAD, AND TO AMEND THE GENERAL PLAN TO REDESIGNATE LAND FROM COMMERCIAL EMPLOYMENT, RETAIL AND SERVICES; RESIDENTIAL; AND PARKS, OPEN SPACE AND RECREATION TO MULTIPLE USE DESIGNATION.

WHEREAS, Sea Breeze 56, LLC, a Delaware Limited Liability Company, requested an amendment to the General Plan to change the designated land uses on Figure LU-2, *General Plan Land Use and Street System*, from Commercial Employment, Retail and Services; Residential; and Parks, Open Space and Recreation to Multiple Use designation; and request an amendment to the Torrey Highlands Subarea Plan from Commercial Regional (CR) and Medium-High Density Residential (MHD) to Local Mixed-use Center (LMXU) South, and to downgrade the classifications of on-site portions of Camino Del Sur and Carmel Mountain Road, Circulation Element roads in the Torrey Highlands Subarea Plan and Rancho Peñasquitos Community Plan, the site is legally described as Lots 4, 5 and 10, Lots 4, 5 and 10 of Rhodes Crossing, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 15578, filed in the Office of the County Recorder of San Diego County, July 11, 2007; and

(R-2018-548)

WHEREAS, the Planning Commission of the City of San Diego found the proposed amendment consistent with the General Plan, and the Torrey Highlands Subarea Plan and Rancho Peñasquitos Community Plan; and

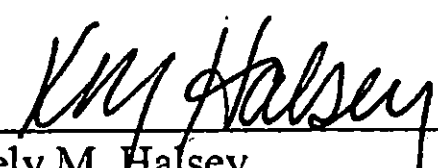
WHEREAS, on MAY 22 2018, the City Council of the City of San Diego held a public hearing for the purpose of considering an amendment to the General Plan and the Torrey Highlands - Subarea IV Plan and the Rancho Peñasquitos Community Plan; and

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

WHEREAS, the Council of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the amendments to the General Plan, and the Torrey Highlands Subarea Plan and Rancho Peñasquitos Community Plan, a copy of which is on file in the office of the City Clerk as Document No. RR- 311776.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Keely M. Halsey
Deputy City Attorney

KMH:als
05/02/2018
Or.Dept:DSD
Doc. No.: 1683802

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(R-2018-548)

Attachments: Exhibit A – General Plan Map Revisions
Exhibit B – Community Plan Revisions (PQ)
Exhibit C – Community Plan Revisions (TH)

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THE CITY OF SAN DIEGO
General Plan
Land Use and Community
Planning Element

The General Plan Land Use Map depicts generalized land use within the City of San Diego. The information is a composite of the land use maps adopted for each of the community, specific, precise, subarea and park plan areas. It is intended as a representation of the distribution of land uses throughout the city; although consistent with, it is not a replacement or substitution for community or other adopted land use plans. Please refer to the relevant community or other adopted land use plan documents for more detail regarding planned land uses and land use planning proposals.

Revised March 2, 2015

Figure LU-2
General Plan
Land Use
and Street System

Street System

- Freeways
- Prime Arterials
- Major Arterials
- Collectors (local & rural)

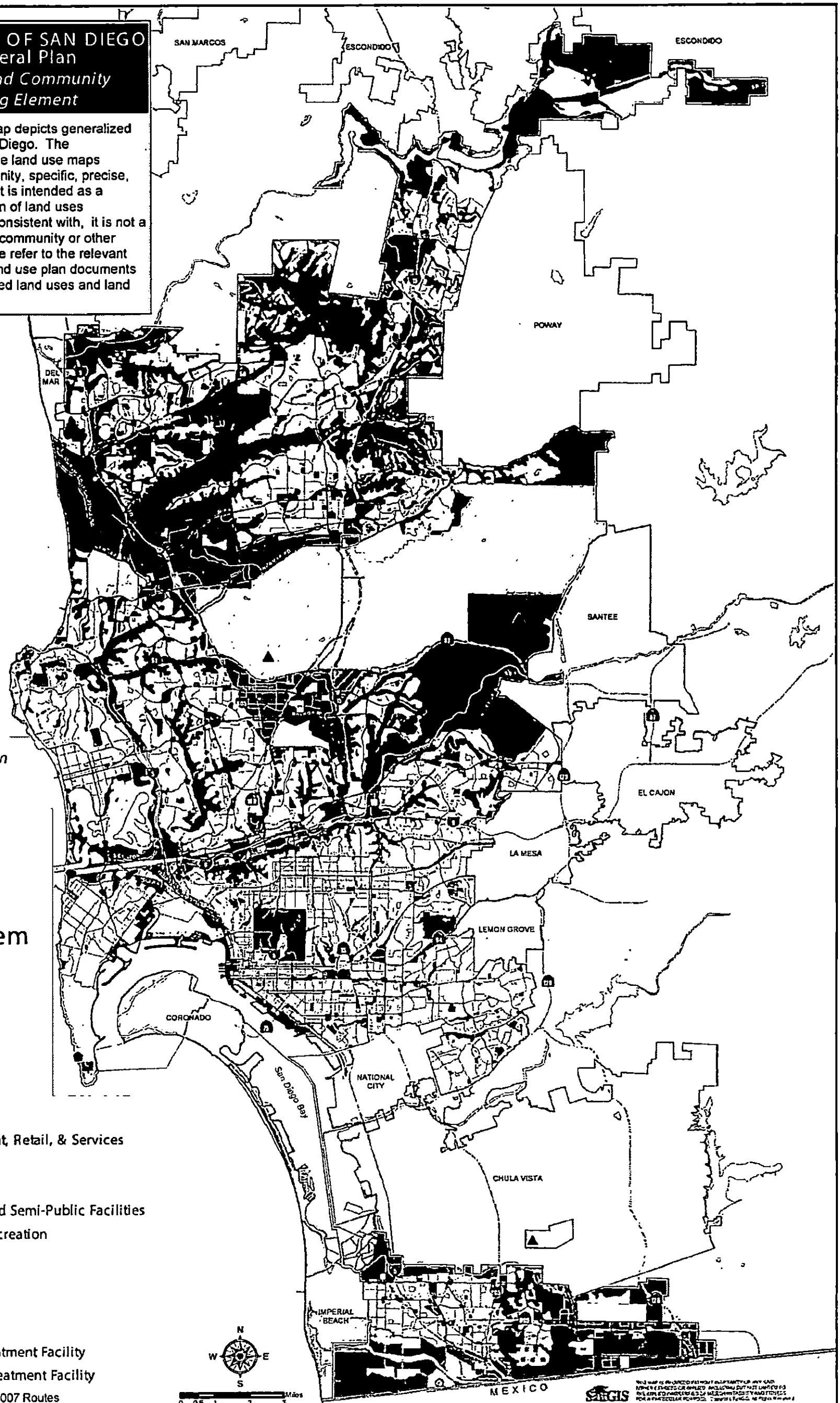
General Plan Land Use

- Residential
- Commercial Employment, Retail, & Services
- Multiple Use
- Industrial Employment
- Institutional & Public and Semi-Public Facilities
- Park, Open Space, & Recreation
- Agriculture

Other Features

- Military Use
- ▲ Active Landfill
- ◆ Existing Wastewater Treatment Facility
- Proposed Wastewater Treatment Facility

Source: SANDAG 2007 RTP; MTS 2007 Routes



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Rancho Peñasquitos

COMMUNITY PLAN

MERGE 56
COMMUNITY PLAN AMENDMENT
May 2015



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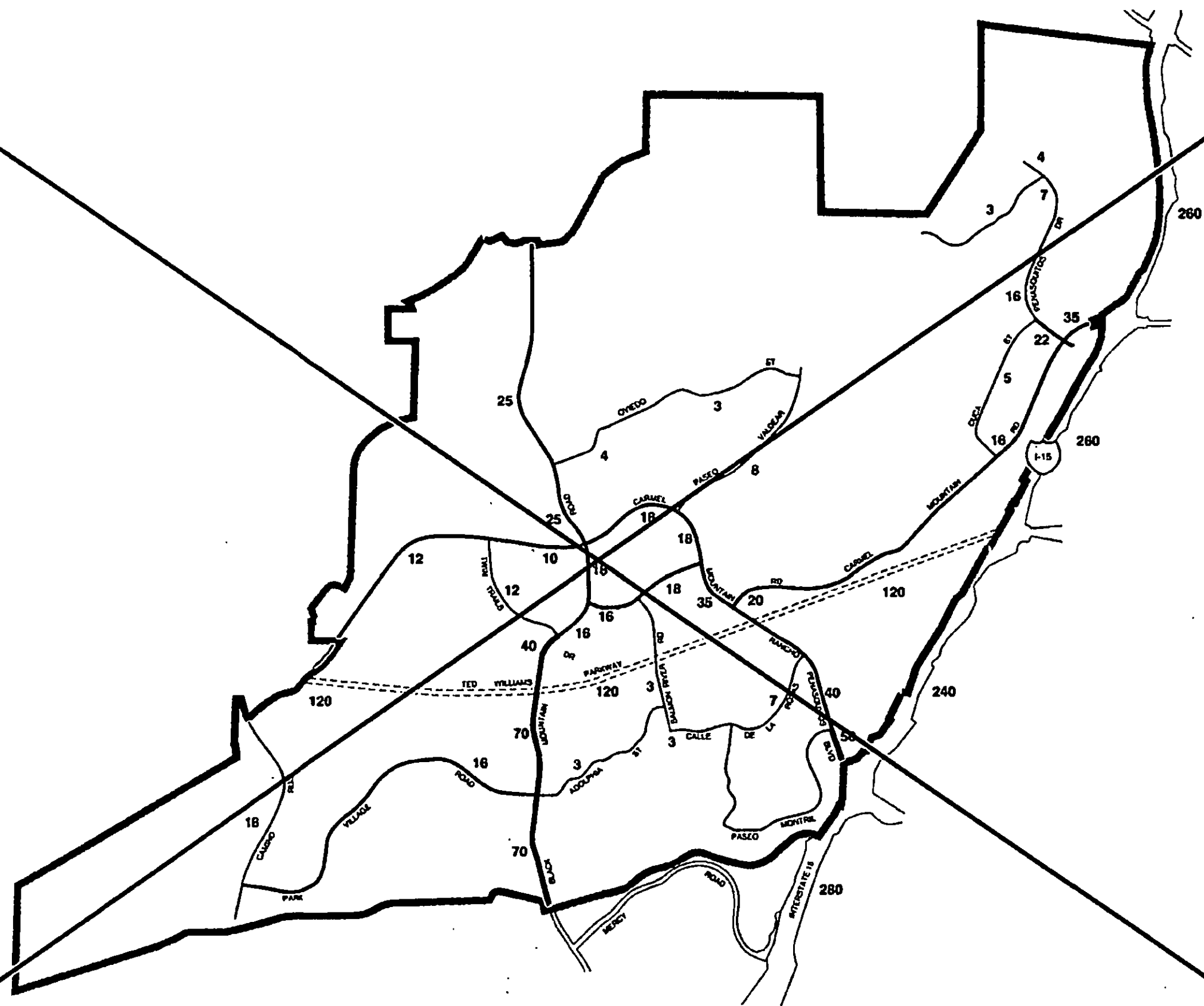
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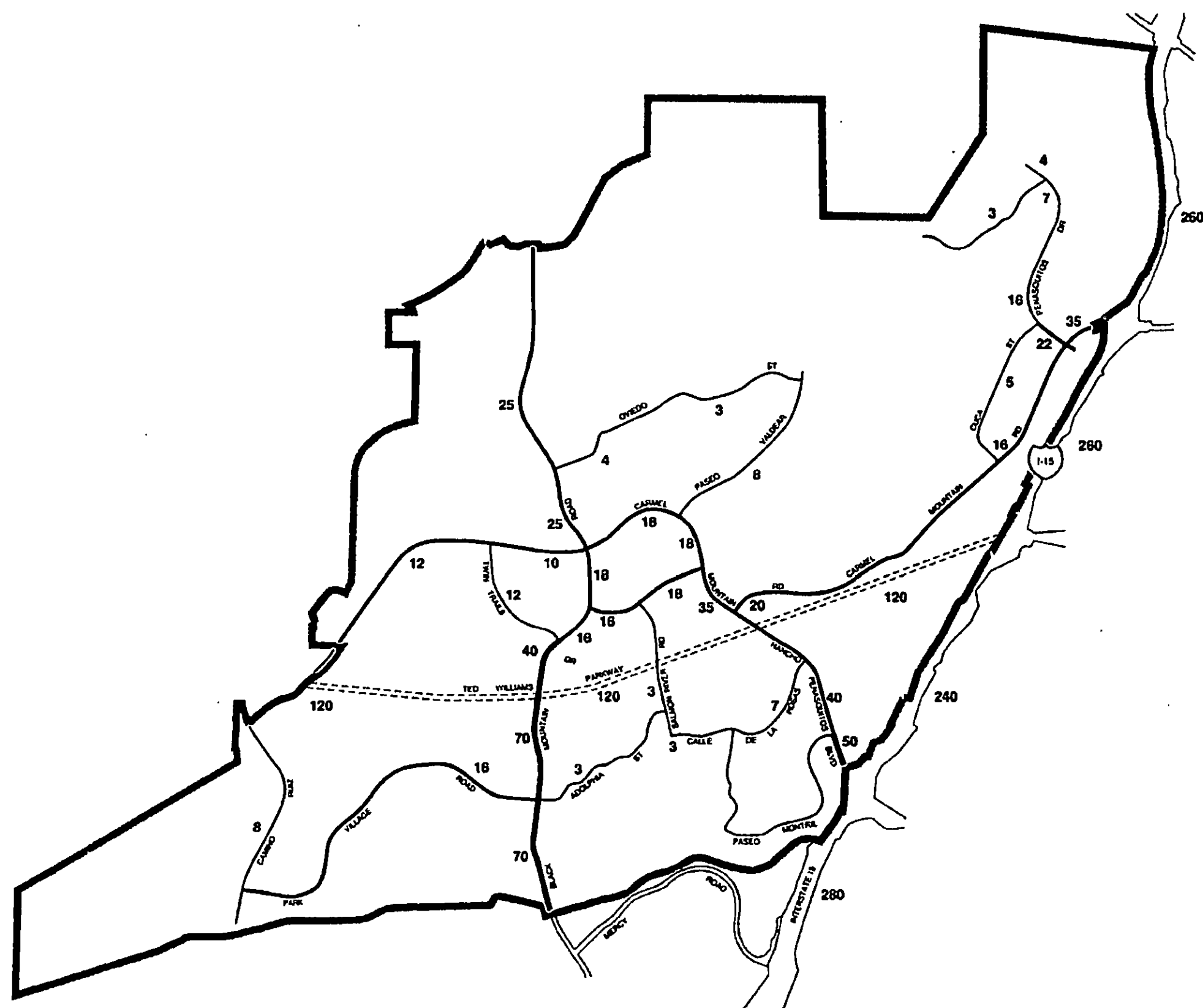
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Average Daily Traffic at Buildout (in thousands)
Rancho Peñasquitos Community Plan

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Average Daily Traffic at Buildout (in thousands)

Rancho Peñasquitos Community Plan

27
FIGUR

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SPECIFIC RECOMMENDATIONS

Roadway Improvements

The following recommendations regarding specific roadway improvements have been developed based upon the recently completed traffic study and expressed desires of the community. Transportation improvements will be constructed in accordance with the phasing schedule in the Public Facilities Financing Plan. Roadway classifications shown on **Figure 28** which are not discussed in this section are unchanged from the previous community plan.

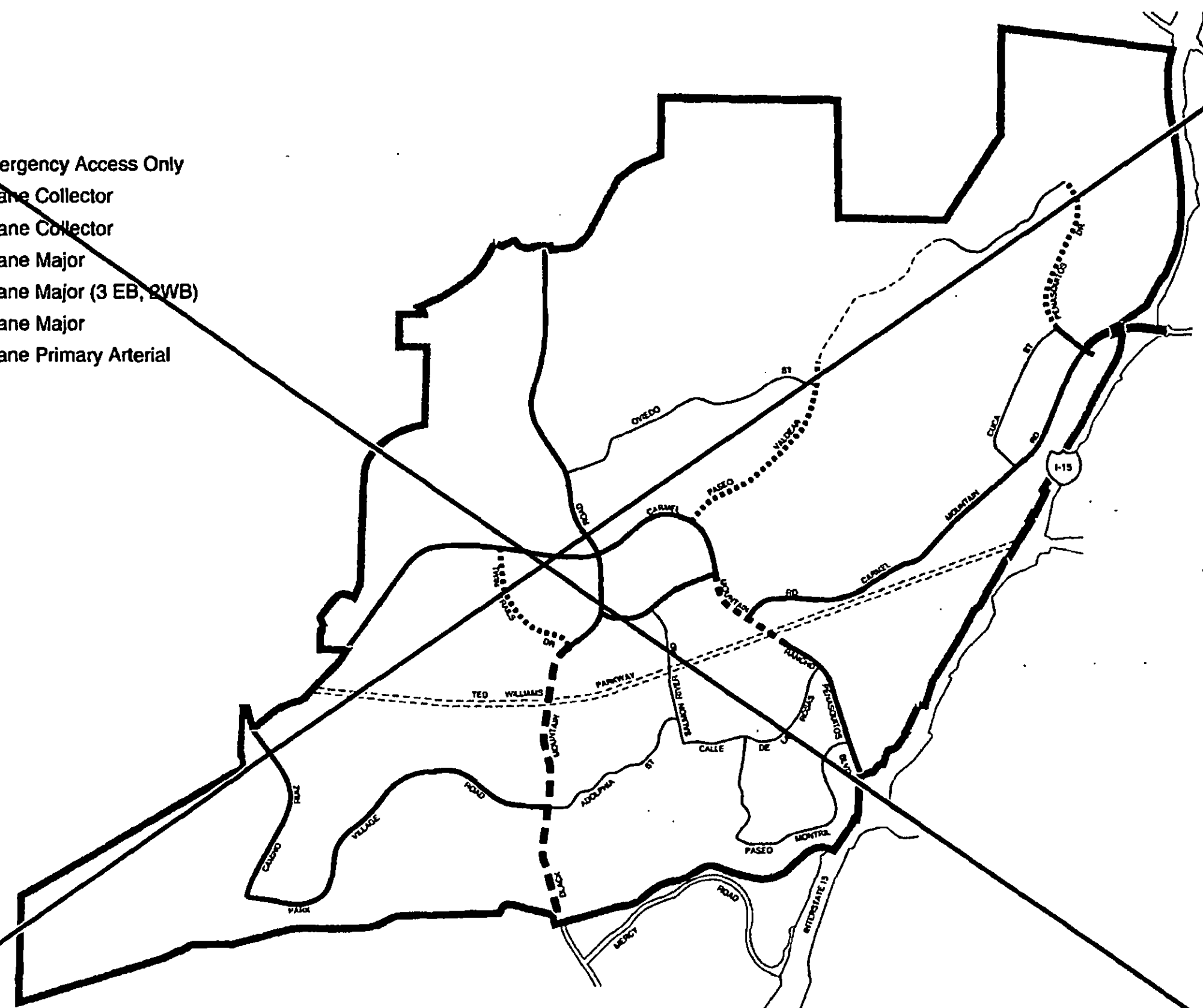
- **State Route 56.** State Route 56 (Ted Williams Parkway) should be constructed as a six-lane freeway from I-15 to the western boundary of Rancho Peñasquitos using TRANSNET and Facility Benefit Assessment (FBA) funds earmarked for this purpose. State Route 56 from I-15 to I-5 is a critical east-west link between Rancho Peñasquitos and surrounding communities and coastal areas. Money is currently being collected from assessments in six communities, including Rancho Peñasquitos, to obtain right-of-way for the portion of SR-56 that would traverse the future urbanizing area. It is recommended that, if environmental issues can be resolved, a financing mechanism should be developed to construct SR-56 as at least a four-lane facility through the future urbanizing area and that this road be built when sufficient funds have been obtained.
- **Black Mountain Road.** From just north of Twin Trails Drive to the southern community boundary, this road may be improved to modified six-lane arterial status with Class II bicycle lanes.
- **Camino Ruiz Extension across Los Peñasquitos Canyon.** The Camino Ruiz extension has been deleted from this Plan due to widespread opposition from residents and community groups in Rancho Peñasquitos and Mira Mesa. They feel that the environmental impacts of the roadway to Los Peñasquitos Canyon Preserve outweigh the benefits to traffic flow and access that would be achieved if the roadway extension were built, and they accept the severe congestion that will result on Black Mountain Road.
- **Camino del Sur (previously Camino Ruiz).** Northerly terminus to Carmel Mountain Road – ~~Retain four-lane major classification~~ Classify as a modified two-lane collector street with Class II bicycle lanes. The road should be designed in an environmentally and aesthetically sensitive manner, having minimal impact upon the natural open space system. ~~The median can be reduced where there is no fronting property, which will help to minimize grading impacts.~~
- **Carmel Mountain Road.** Paseo Montalban to Rancho Peñasquitos Boulevard – Classify as a modified five-lane major street (3EB, 2WB).
- **Carmel Mountain Road.** Interstate 15 to Peñasquitos Drive – Classify as a modified six-lane major street.
- **Paseo Valdear.** Westerly portion, from Oviedo Street approximately 300 feet north – Classify as four-lane collector street; to limit of development in Montana Mirador classify

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as a local street. Cul-de-sac at Montana Mirador subdivision. Provide an emergency access road to westerly portion of Paseo Valdear.

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- Emergency Access Only
- 2 Lane Collector
- 4 Lane Collector
- 4 Lane Major
- 5 Lane Major (3 EB, 2WB)
- 6 Lane Major
- 6 Lane Primary Arterial



Recommended Street Classifications
Rancho Peñasquitos Community Plan

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TORREY HIGHLANDS

SUBAREA PLAN

Merge 56
COMMUNITY PLAN AMENDMENT
MAY 2015

City of San Diego Planning Department

202 C Street, MS 4A
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3.3.1 Circulation Roads

State Route 56 Freeway

The approved alignment for SR-56 bisects Torrey Highlands in a northwesterly direction. This freeway will ultimately accommodate six travel lanes, with interchanges located at Camino Ruiz and at Camino Santa Fe in Pacific Highlands Ranch (Subarea III). Initially, SR-56 will be constructed as a four-lane freeway and will include the completion of the interchange at Black Mountain Road and a bike path running adjacent to the south side of the freeway.

Major Roads

Camino Del Sur (formerly Camino Ruiz) is a north/south road located in the eastern third of Torrey Highlands, serving both local and regional demands. The road will continue north of Torrey Highlands to serve as one of the major north/south arterials between I-5 and I-15 serving the mid-county area. An interchange is proposed at SR-56. Within Torrey Highlands, Camino Ruiz is planned as a six-lane major road from Carmel Valley Road to the southernmost project access road (i.e. "B" Street south).* Between the southernmost project access road and the primary Regional Commercial access, Camino Ruiz will be planned as a six-lane primary arterial. North of Carmel Valley Road and south of SR-56 to the main access "Private Street M" to the Southern LXMU, the road transitions from Carmel Valley Road to a four-lane major road. South of "Private Street M" to Carmel Mountain Road, Camino Ruiz transitions to a modified four-lane major road. From Carmel Mountain Road to Dormouse Road, it is planned as a modified two-lane collector. Continuing south of Dormouse Road, it returns to a four-lane major road approaching Park Village Road. Camino Ruiz will provide access to SR-56 for the southwest portion of Rancho Peñasquitos. Estimated ADT ranges from 22,000 to 41,000 north of SR-56, and 40,000 to 27,000 south of SR-56.

Carmel Valley Road is designated as a four-lane, east/west major roadway within the northern half of Torrey Highlands, which will ultimately extend from Del Mar Heights Road and Camino Santa Fe on the west to Camino del Norte in the east. Several Torrey Highlands neighborhoods will take direct access from Carmel Valley Road. While the road will be constructed for four lanes, right-of-way sufficient for six lanes will be reserved to include two lanes for future transit use. Estimated ADT through Torrey Highlands is approximately 22,000.

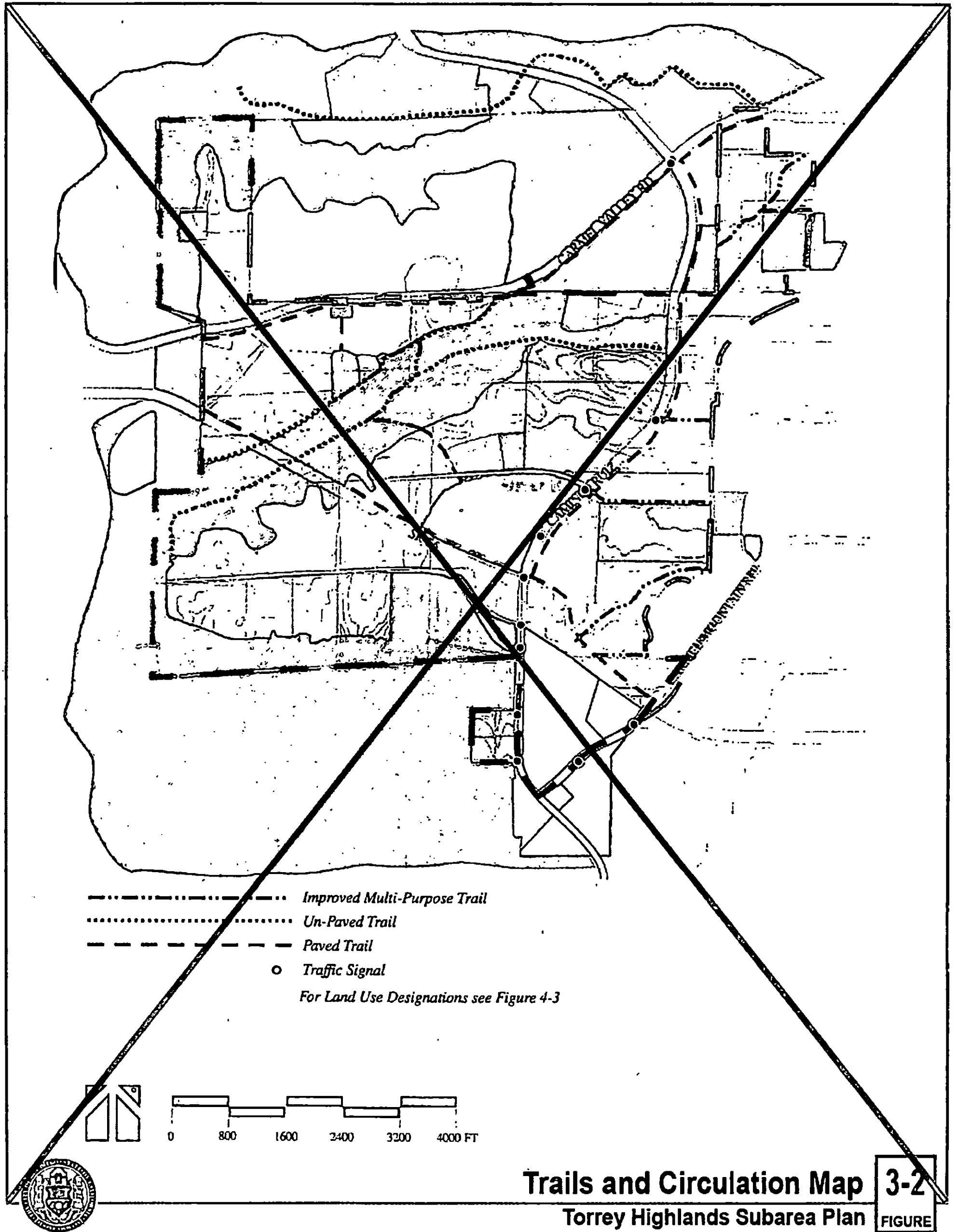
Del Mar Heights Road is the western extension of Carmel Valley Road that occurs off-site within the western portion of Subarea III and the community of Carmel Valley. The road ultimately provides a connection with I-5 and the City of Del Mar to the west. Estimated ADT on Del Mar Heights Road east of El Camino Real is between 24,000 and 33,000 ADT. West of El Camino Real and east of I-5, ADT reaches 41,000 to 43,000.

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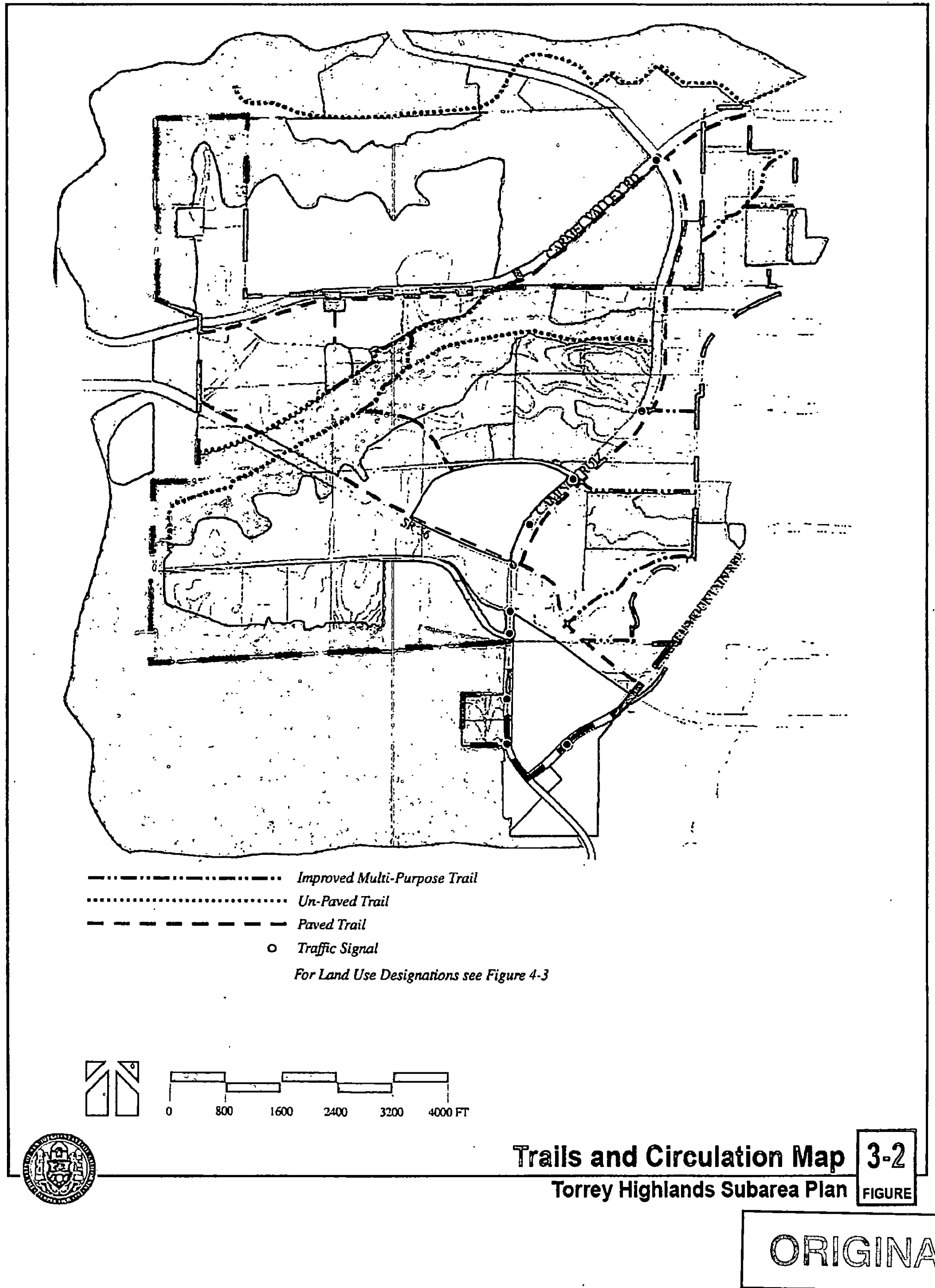
Carmel Mountain Road connects Rancho Peñasquitos in the east to Camino Ruiz,
south of SR-56. From the Rancho Peñasquitos border to SR-56, it is designated as
a four-lane major roadway ~~that connects Rancho Peñasquitos in the east to~~
~~Camino Ruiz, south of SR-56.~~

* Camino Ruiz will initially be constructed to a maximum of four lanes north of SR-56, with two additional lanes of ROW provided in the median should traffic counts require future road expansion to six lanes.

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Collectors (as illustrated in Figure 3-2)

Collector streets are required to accommodate projected traffic volumes within Torrey Highlands to carry traffic onto the major circulation streets.

Carmel Mountain Road continues south of SR-56 to Camino Ruiz (Camino Del Sur) as a modified two-lane collector roadway. Estimated ADT on Carmel Mountain Road south of SR-56 is between 6,000 and 8,000 ADT.

Street "A" is a two-lane collector which will serve the Employment Center and the surrounding residential areas. Full access is available at Camino Ruiz.

Street "B" is a four-lane collector located along the northern edge of the Northern Local Mixed Use Center. It serves the Northern Local Mixed Use Center, neighborhood park, elementary school and the surrounding residential areas. Street "B" will be extended over SR-56 as a two-lane collector road to provide a direct connection between the residential uses planned south of SR-56 and the public facilities planned north of SR-56.

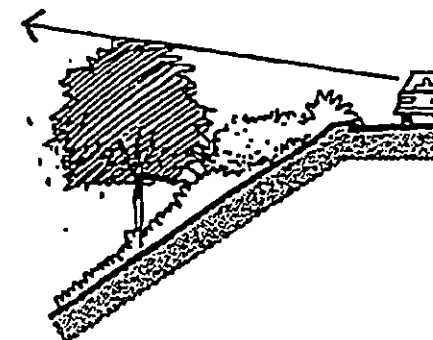
Local Streets

Street patterns within each area or neighborhood of Torrey Highlands will vary in response to site features, topography, and land use types and organizations. **Chapter 4, Land Use** and **Chapter 5, Community Design Guidelines** provide guidance that will integrate sufficient density levels and varied housing types to arrive at a fine grain mix of residential development. Based on the projected traffic volumes, future residential streets will be local streets and will be part of an integrated system comprising roads, bike paths and pedestrian ways. Where possible, single-loaded streets adjacent to the proposed MSCP Preserve will provide additional buffer to the open spaces and provide view opportunities from the public right-of-ways. Although precise locations and layout of local streets will be determined as part of subsequent site-specific development proposals, a grid pattern or modified-grid pattern will be used where topography allows to promote alternate routes to each destination (see illustrations in **Chapter 5, Community Design Guidelines**). Major residential collectors are limited to those discussed above and shall not bisect neighborhoods. Cul-de-sacs are encouraged.

When the very low-density area adjacent to the proposed MSCP Preserve on the western edge of the Northern Neighborhood is developed, local circulation should be designed to provide access to four

existing residences on Mira Zanja Corte. This would allow the possible vacation of the east/west portion of Mira Zanja Corte that currently crosses the proposed

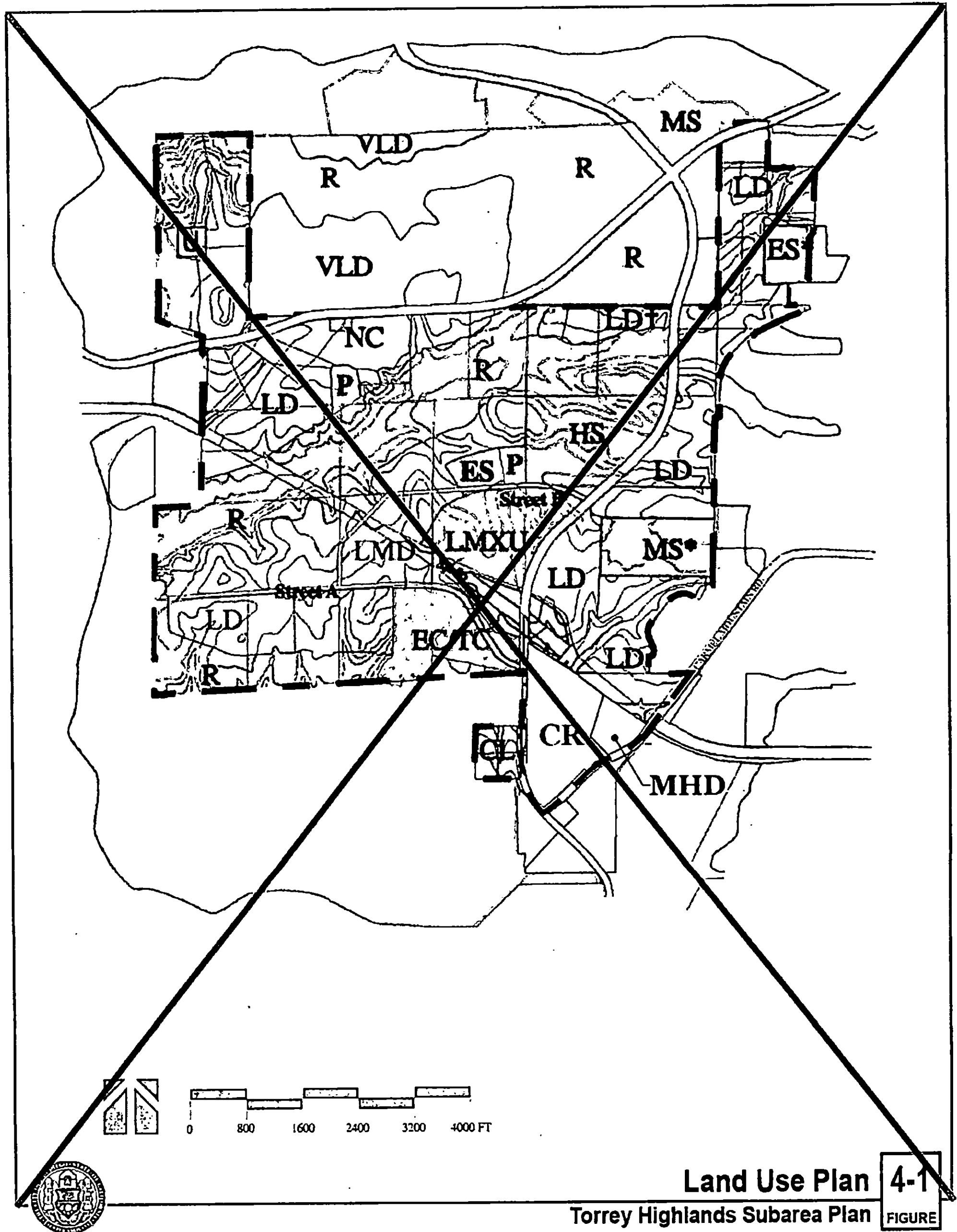
Single loaded streets adjacent to proposed MSCP Preserve



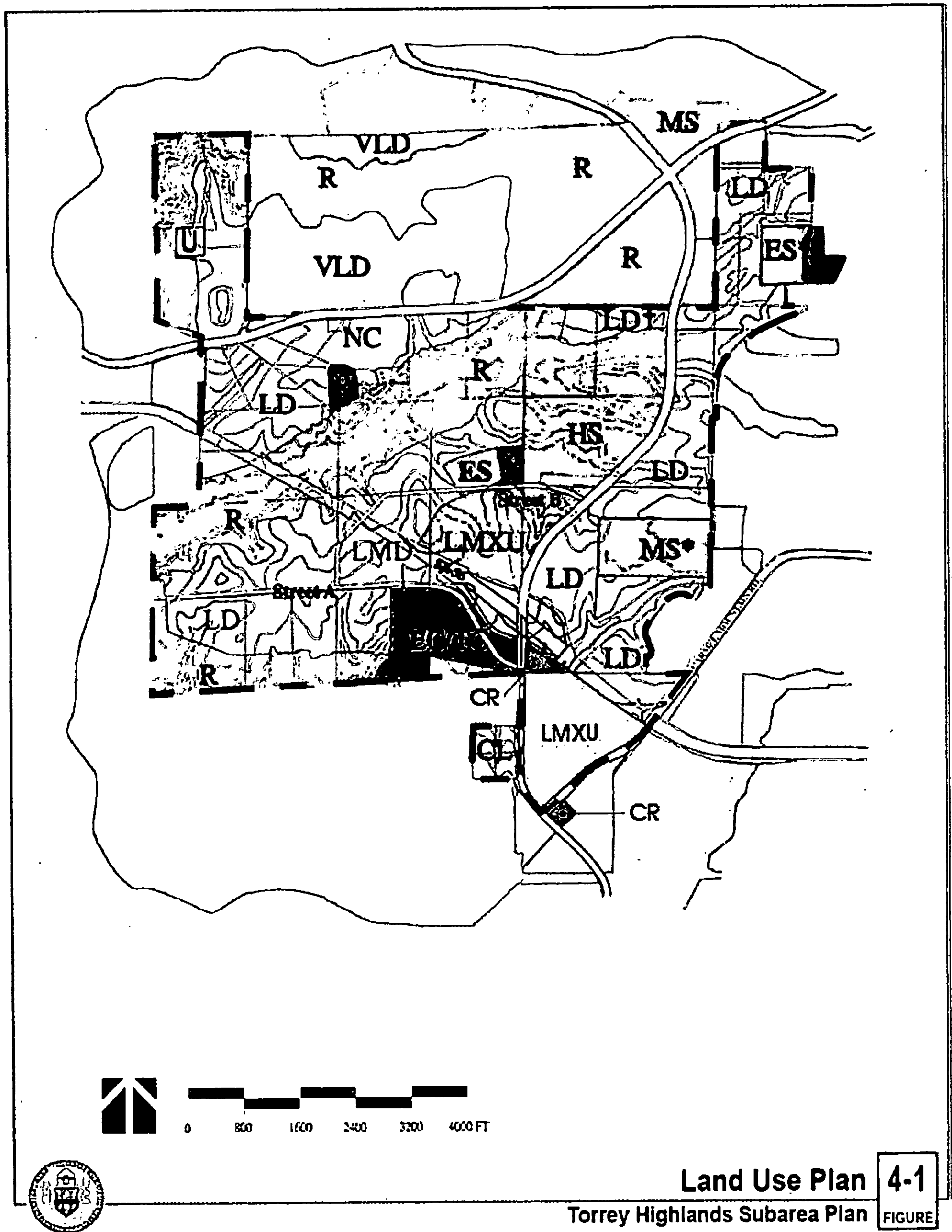
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MSCP system if at some point in the future the present nursery uses that utilize that east/west road are abandoned.

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TABLE 4-1
TORREY HIGHLANDS LAND USE DESIGNATIONS AND USES

Land Use	Recommended Uses	Comments
Commercial Areas		
Local Mixed Use Center (LMXU)	<p><u>Commercial</u>: Major grocery and drug stores, pedestrian-oriented shops and stores including restaurants (no drive-through type uses allowed in this area), <u>professional, corporate, scientific, and medical offices</u>.</p> <p><u>Civic</u>: Small postal services and non-profit and government services, plazas and village greens.</p> <p><u>Residential</u>: Multifamily housing and mixed-use residential units interspersed with ground floor commercial. <u>Single-family (SF), small lot SF with second unit, duplex, triplex, attached townhouses</u>.</p>	<ul style="list-style-type: none"> • The <u>northern LMXU</u> is 43.5 acres including 132,000 SF of commercial and up to 465 residential units. <u>The southern LMXU</u> is 42 acres including up to approximately 525,000 SF of commercial and office and up to 242 residential units. • PDP required. • Trails and pedestrian links to residential areas are required to be integrated with LMXU. • Pedestrian-oriented design techniques as adopted by the City of San Diego including architectural interest, landscaped pedestrian walks and <u>outdoor sitting areas indoor/outdoor community oriented central plaza</u>.
Commercial Regional (CR)	Commercial Regional includes a broad range of commercial uses including: neighborhood-serving commercial, area-serving retail, automotive service, commercial recreation facilities, visitor-serving commercial and offices. (See page 52 for limitations.)	<ul style="list-style-type: none"> • PDP required. • Final SR-56 alignment required prior to discretionary approval for development. • Commercial provides space for large-scale uses which require sites primarily served by vehicular access. • 35-acre site with 250,000 SF of commercial and 275,000 SF of self storage. • 2-acre site with 10,000 SF of commercial not to exceed 6,000 ADT.
Commercial Limited (CL)	Religious facilities, trade schools, storage, veterinary clinics, nurseries and garden centers.	<ul style="list-style-type: none"> • Discretionary review to ensure compatibility with adjacent Deer Canyon.
Commercial Neighborhood (CN)	Gas station, convenience store, boutiques, specialty retail, business or professional offices, small cafes and restaurants.	<ul style="list-style-type: none"> • NC is 1.5 acres. • PDP required.

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TABLE 4-2
TORREY HIGHLANDS LAND USE ACREAGE

		DU or Acres
Residential		2,600 DU
VLD	Very Low-Density (Less than 1 du/acre)	28.3 Acres
LD	Low-Density (2-5 du/acre)*	363.85 Acres
LMD	Low-Moderate Density (5-10 du/acre)	62.08 Acres
MHD	Medium High Density (20-40 du/acre)	7 Acres
LMXU	Local Mixed Use	43.585.5 Acres
CN	Commercial Neighborhood	1.5 Acres
CR	Commercial Regional	35 Acres
CL	Commercial Limited	10.5 Acres
EC/TC	Employment Center/Transit Center	34 Acres
Schools		
ES	Elementary School (Existing)	12 Acres
MS	Middle School (Existing)	30 Acres
ES	Elementary School (Proposed)**	11 Acres
HS	High School (Proposed)	68.5 Acres
MS	Middle School (Proposed)***	0.3 Acres
P	Neighborhood Park	10 Acres
R	Resource (MSCP)	273. Acres
OS	Open Space	11 Acres
ROW	Right-of-Way	120 Acres
U	Utilities	3.7 Acres
Total		1125.8 Acres

* Total low-density acreage does not include acreage for the underlying LD acreage designated for schools.

** Elementary school and high school designated as LD for underlying land Use. Development of the school site as LD will require a rezoning of the property to implement that designation.

*** Approximately 10 acres of proposed middle school located in Fairbanks Highlands, 15 acres located in Subarea I.

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4.2.2 Local Land Uses

A. Local Mixed Use Center

The Torrey Highlands community will be focused around its Local Mixed Use Centers (LMXU). The LMXU concept concentrates more intense land uses and densities in the southeastern portion of the community north of SR-56, surrounded by low-density residential and associated open spaces. Torrey Highlands includes three focused LMXU areas within the community (LMXU North A, LMXU North B, and LMXU South). The LMXU centers fosters interaction among community residents by providing a mix of commercial, office and public uses within 1,000 feet of the majority of the residential population. The Northern LMXUs include two separate commercial areas and is-are located at-northwest of the intersection of Camino Ruiz and SR-56. The Southern LMXU center is located south of SR-56 and north of the intersection of Camino Ruiz (Camino Del Sur) and Carmel Mountain Road. Although located near the freeway, the LMXUs will not be a freeway-oriented commercial development. Vehicular access to the LMXUs is only available via Camino Ruiz (Camino Del Sur) or one of the collector roads; direct access from SR-56 is not provided. Parking for the commercial uses within the LMXUs will be near the intersection of Camino Ruiz and the freeway. This will allow easy access for those arriving by vehicle, but not impede pedestrians arriving from within Torrey Highlands or via the trail system.

Typically, the dominant commercial anchors of Local Mixed Use Centers are usually a grocery store and drug store. Other commercial uses will consist of retail on the first floor with professional services on the second floor, fitness, and cinema. A public plaza and community room shall be located near the center of the LMXUs to further foster pedestrian activity and provide a sense of community. As the Local Mixed Use Centers radiates outward, the land use will include a vertical mix of retail on ground floor with residential above some areas.

A wide range of housing types and affordability will be provided in the LMXUs including townhomes, apartments, duplexes, single-family residential with accessory units, and small-lot single-family. Residential density will decrease as the distance from the commercial center increases. Neighborhood parks and schools will be linked to the Local Mixed Use Centers with clear pedestrian paths and access ways. Two of the new schools will be located in close proximity to the Northern LMXU as well.

To ensure development consistent with this Subarea Plan and with other applicable City documents and ordinances, development within the Local Mixed Use Centers will require approval of a PDP (Planned Development Permit), or its successor, permit concurrent with rezoning of the property. Specific design and development policies for the LMXUs are contained in

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Chapter 5, Community Design Guidelines.

Northern LMXU Parcel B

The Northern smaller LMXU Parcel B is approximately 1.5 acres and is located in the northwestern quadrant of the Camino Ruiz and Street "B" intersection. The uses anticipated for the site are neighborhood-serving in nature and could include uses such as a coffee house, sandwich shop, dry cleaners and video store. The Design Guidelines for the Crossroads Neighborhood Commercial Center and a conceptual site plan have been approved for this parcel. To ensure development consistent with the guidelines and other applicable ordinances, development of this parcel will require approval of a site-specific PDP.

Southern LMXU Parcel

The Southern LMXU Center incorporates a mix of commercial, professional, corporate, scientific and medical office, varying residential land uses, hotel, and automotive display. Providing these services is intended to serve both Torrey Highlands and the bordering Rancho Peñasquitos Community. This area shall include up to approximately 525,000 square feet of commercial and office uses and up to 242 residential dwelling units. Residential units shall include a mix of housing types including multi-family, townhomes, and single-family.

B. Residential Areas

Intent: Torrey Highlands will accommodate a maximum of 2,600 dwelling units in a mix of densities, affordability and residential housing types. The use of very low-density and low-density housing on the periphery of Torrey Highlands allows new development to be compatible with the existing surrounding communities. The intent of concentrating density within 1,000 feet of the commercial uses in the LMXU is to reduce reliance on private automobiles, increase pedestrian activity and enhance the viability of the commercial uses. Densities will be highest near the commercial uses in the Local Mixed Use Center and will decrease with distance from the major activity centers. Up to ~~475~~ 717 units may be located in the LMXU.

All residential areas will be connected to major land use destinations such as shopping, jobs, schools, parks and open space through a well-planned system of trails, bikeways and streets. (See Chapter 3, Circulation.) Specific residential design guidelines and streetscape policies are contained in Chapter 5, Community Design Guidelines.

Density Ranges: Table 4-1 describes the density range for each residential designation. The density for each designation shall not be exceeded.

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The subregional uses are located to take advantage of:

- One of the two freeway interchange locations (Camino Ruiz and SR-56) within the NCFUA.
- The absence of comparable uses in the adjacent community of Rancho Peñasquitos.

Subregional facilities including an Employment Center, Commercial Limited and Commercial Regional uses within a Local Mixed Use Center are sited in the southern portion of Torrey Highlands. Their location takes advantage of freeway proximity.

* The minimum lot size for low-density residential within Parcel #306-021-05 is 5,000 square feet

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Employment Center

The commute from home to work typically generates approximately one-third of all automobile trips. By providing an Employment Center within Torrey Highlands, a reduction in traffic may be possible. The Employment Center will contribute to an employment base for the North City. The close proximity of the Employment Center to the Local Mixed Use Center and residential areas will decrease the dependency on private automobiles for residents of Torrey Highlands. The Employment Center area is estimated to include 600,000 square feet and may contain:

- Scientific research, and research and development uses
- Light industrial and manufacturing uses
- Professional and corporate office uses
- Business support and other convenience facilities
- Drive-through services are not permitted in the Employment Center

The provisions for business support and other convenience facilities is an essential element of the Torrey Highlands Employment Center. These support facilities provide services and products to employees without competing with the LMXU.

The Employment Center may also integrate design considerations in the event that transit services the area. As of June 1996, the MTDB has indicated that it will not provide transit services to the community. However, transit support facilities should be incorporated within the Employment Center to allow for private shuttles or eventual service by MTDB. The MTDB will make the actual determination when and under what circumstances transit service will be provided to the community prior to the issuance of tentative maps associated with the Employment Center site. Siting and design guidelines for the Employment Center are contained in **Chapter 5, Community Design Guidelines**.

Commercial Regional

~~There are two separate and distinct regional commercial areas identified in the Torrey Highlands Community. The primary Commercial Regional area covers approximately 23 acres north of the intersection of Camino Ruiz and Carmel Mountain Road, and the northern~~ The Commercial Regional area covers approximately two acres at the southeastern quadrant of the intersection of SR-56 and Camino Ruiz and a similar sized area southeast of Camino Ruiz and Carmel Mountain Road. Commercial Regional uses ~~include~~allow: neighborhood-serving commercial uses, area-serving retail sales, automotive uses, commercial recreation facilities, visitor-serving commercial uses and offices.

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The Commercial Regional and Local Mixed Use Center locations benefit from the high visibility of the major routes including SR-56 and Camino Ruiz, easy access through the SR-56/Camino Ruiz interchange and central location within the region.

~~The primary Commercial Regional area allows for a broad range of retail commercial uses and is intended to serve both the Torrey Highlands and Rancho Peñasquitos communities. Up to 250,000 square feet of commercial development and 275,000 square feet of self-storage will occur on approximately 23 acres with the current alignment of Carmel Mountain Road and Camino Ruiz. Even if the acreage of the Commercial Regional site should increase based on the final alignments of Carmel Mountain Road and Camino Ruiz, the commercial square footage will remain at 250,000 square feet.~~

The northern Commercial Regional area is designated for auto-oriented Commercial Regional uses. Development of this parcel is restricted to a maximum of 10,000 square feet and 6,000 average daily trips (ADT). The Design Guidelines for the Commercial Regional Center and two conceptual site plans, illustrating potential development phases, have been approved for this parcel. To assure development consistent with the guidelines and other applicable ordinances, development of this parcel will require approval of a site-specific Planned Development Permit (PDP) and any necessary use permits. Chapter 5, **Community Design Guidelines**, contains specific siting and design guidelines for the Commercial areas.

Commercial Limited

Approximately 10.5 acres west of Camino Ruiz are designated for Commercial Limited uses. These uses are somewhat dependent on automobiles but are appropriate for the more isolated location of this site.

This category of land use includes: religious facilities, trade schools, storage facilities, nurseries, garden centers and veterinary clinics.

4.3 LAND USE PATTERN

4.3.1 Land Use Concept

The Torrey Highlands community is based on a traditional planning concept which emphasizes bicycle, equestrian and pedestrian paths, and focuses community activities around this concept. Commercial, civic and residential uses will be integrated in the community core and the circulation element will accommodate pedestrian, bicycle, transit and equestrian access with comparable ease to what motorized vehicles enjoy. In addition, a diverse variety of housing options are provided to ensure that residential opportunities are available to accommodate a range of incomes from very low to very high. To achieve a fine-grained development pattern which will implement these planning principles, Torrey Highlands is divided into four distinct planning areas as shown in

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- A Northern Neighborhood including 1.5-acres of Neighborhood Commercial and a five-acre neighborhood park
- A Central Neighborhood including residential areas and a 43.5-acre Local Mixed Use Center, neighborhood park, elementary school and a high school
- An Eastern Neighborhood including the existing elementary school and middle school
- Subregional Area comprising the Employment Center and Commercial uses within a Local Mixed Use Center near SR-56

Northern Neighborhood

The Northern Neighborhood is located in the northwest portion of the Torrey Highlands planning area. The neighborhood is bordered by two canyons: La Zanja Canyon to the north and McGonigle Canyon to the south. An SDG&E power line and easement borders the area to the west.

Because of its more remote location and orientation to Carmel Valley Road, the Northern Neighborhood will develop a small, 1.5-acre Neighborhood Commercial site to serve the residential area. The Northern Neighborhood will also consist of the following:

- 1.5 acres of Neighborhood Commercial which may include a gas station, convenience store, boutiques, specialty retail, small business or professional offices, small cafes and restaurants
- A five-acre neighborhood park adjacent to the Torrey Highlands Preserve Segment
- Trails connecting the Northern Neighborhood to the Torrey Highlands Preserve Segment, schools, neighborhood parks, and Local Mixed Use Center
- 97 acres low-density (LD) residential (2-5 du/ac)
- 28 acres very low-density (VLD) residential (less than 1 du/ac)
- A 3.5-acre SDG&E substation site

Central Neighborhood

The Central Neighborhood is located in the middle portion of the Torrey Highlands planning area. The neighborhood is bordered by McGonigle Canyon to the northwest, Camino Ruiz to the east and Deer Canyon to the south.

The Central Neighborhood includes a 43.5-acre Local Mixed Use Center which has the potential to serve as a social hub for the entire Torrey Highlands community by providing a mixture of retail, commercial, civic, office and

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residential uses in a pedestrian-oriented design and scale. The size of this center responds to the greater population base and combination of land uses in the central neighborhood. It will be supported by adjacent Employment Center uses.

Overall, the Central Neighborhood will contain:

- A 43.5-acre Northern Local Mixed Use Center consisting of:
 - A maximum of 132,000 square feet of neighborhood serving commercial
 - Up to 475 dwelling units
 - Restaurants
 - Businesses and professional offices
 - Provisions for transit
 - A significant, large-scale landmark or focal point such as a public square plaza, or active outdoor recreation
- An 11-acre elementary school with a child care facility
- A five-acre neighborhood park between the elementary school and high school
- Trails connecting the Central Neighborhood to the MSCP Preserve, schools, neighborhood parks, and surrounding neighborhoods
- Approximately 173 acres of low-density (LD) residential (2-5 du/ac)
- Approximately 22 acres of low- to moderate-density (LMD) residential (5-10 du/ac)
- Approximately 69 acres for a high school or other uses; if this area is not needed for school purposes, low-density residential will be developed; development of the school site as low-density residential will require a rezoning of the property to implement that designation

Eastern Neighborhood

The Eastern Neighborhood is located in the eastern portion of Torrey Highlands. The neighborhood is bordered by Rancho Peñasquitos to the east, Black Mountain Ranch to the north, Camino Ruiz to the west, and SR-56 to the south.

The neighborhood will be connected to the Northern Local Mixed Use Center in Torrey Highlands by Camino Ruiz, as well as with pedestrian and bicycle paths. The open spaces will provide view opportunity for low-density and low-medium density housing.

The Central Neighborhood includes a 42-acre Local Mixed Use Center providing a mixture of commercial, professional, corporate, scientific and medical office, varying residential land uses, hotel, cinema, and automotive display uses in a pedestrian-oriented design and scale. The 42-acre LMXU Center also crosses into

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the sub-regional area located in the northern quadrant of the Camino Ruiz and Carmel Mountain Road intersection.

The Eastern Neighborhood will contain:

- The existing 12-acre Adobe Bluffs Elementary School
- The existing 30-acre Mesa Verde Middle School
- Trails connecting the Eastern Neighborhood to the Preserve corridor, schools, neighborhood parks, and surrounding neighborhoods.
- ~~Approximately seven acres of medium-high density (MHD) residential (20-40 du/ac)~~
- Approximately 115 acres low-density (LD) residential (2-5 du/ac)
- A 42-acre Southern Local Mixed Use Center also crossing into the sub-regional area consisting of:
 - Up to approximately 525,000 square feet of commercial and corporate, scientific, and medical office
 - Up to 242 dwelling units
 - Restaurants
 - Businesses and professional, corporate, scientific and medical offices
 - Hotel shall require a Conditional Use Permit
 - Automotive Display
 - A significant, large-scale landmark or focal point such as a public square or plaza, or active outdoor recreation

4.4 PARCEL YIELD

The maximum number of residential units to be constructed within Subarea IV (as approved on November 5, 1996) is 2,693 of which the phase shifted portion of Torrey Highlands includes 2,600 dwelling units. The Torrey Highlands Public Facilities Financing Plan has been prepared anticipating buildout of the 2,693 units in Subarea IV. **Table 4-3** further reflects the anticipated allocation of the 2,693 units throughout Subarea IV by land ownership. It should be noted that **Table 4-3** was prepared for illustrative and planning purposes only and does not create or vest any density entitlements. Therefore, the right to build with the densities reflected in **Table 4-3** is contingent upon and subject to future discretionary approvals and rezonings. Parcels are keyed to **Figure 4-4**.

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TABLE 4-3
PROPERTY OWNER RESIDENTIAL LAND USE YIELD*

Parcel	DU	Notes
A	1	
B	73	
C	0	SDG&E
D	93	Fairbanks Highlands***
E	31	MS**
F	5	
G	94	
H	43	
I	43	
J	4	
K	0	Poway Unified School District
L	0	City of San Diego
M	65	
N	58	
O	133	
P	44	
Q	20	
R	39	HS**
S	39	HS**+
T	79	
U	113	
V	55	
W	78	ES**
X	137	HS**
Y	168	
Z	137	7 LMXU Units
AA	348	338 LMXU Units
BB	463	119 LMXU Units
CC	0	
DD	0	
EE	0	
FF	26927	242 LXMU Units
GG	0	
HH	0	
II	0	
JJ	0	
Total***	2,693	

* Table 4-3 was prepared for illustrative and planning purposes only and does not create or vest density entitlements for any parcel or property ownership. Circumstances such as fixing road alignments or environmental preservation areas may have the effect of increasing or decreasing the net developable area of a parcel or property ownership. Therefore, the right to build consistent with the densities reflected in Table 4-3 is contingent upon and subject to future discretionary approvals and rezonings. (To the extent that development units up to the five units per acre maximum yield are not achieved on a particular "LD" parcel or property ownership, they may be reallocated to the LMXU dwelling unit total up to the 475 allowable units referenced in the Plan.)

** The underlying land use for all properties designated as schools on the Land Use Plan (Figure 4-1) is LD residential. Any change to the location of the schools will result in the densities shown on the chart to be adjusted accordingly.

*** 93 dwelling units from Fairbanks Highlands are not a part of the phase shift, but are included in Subarea IV.

+ Includes 17 dwelling units transferred from area designated as MSCP.

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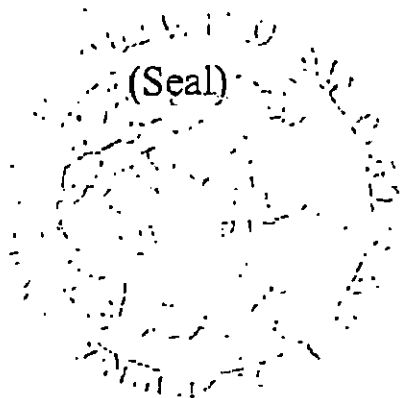
Passed by the Council of The City of San Diego on MAY 22 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 22 2018

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:



KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Linda Bruin, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 311776

ORIGINAL

RESOLUTION NUMBER R- **311778**DATE OF FINAL PASSAGE **MAY 22 2018**

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING VESTING TENTATIVE MAP
NO. 1266780, EASEMENT VACATION NO. 2076453, AND
PUBLIC RIGHT-OF-WAY VACATION NO. 2076458 FOR
MERGE 56 - PROJECT NO. 360009. (AMENDMENT OF
VESTING TENTATIVE MAP NO. 7938).

WHEREAS, SEA BREEZE 56, LLC, a Delaware Limited Liability Company,
Subdivider, and Matthew J. Semic, Engineer, submitted an application to the City of San Diego
for a Vesting Tentative Map No. 1266780, Easement Vacation No. 2076453, and Public Right-
of-Way Vacation No. 2076458, (an amendment of Vesting Tentative Map No. 7938) for the
development of a mixed-use development and construction of public roadway improvements
known as the Merge 56 project. The combined 72.34-acre site is located south of State Route 56,
between Camino Del Sur and Black Mountain Road in the CR-2-1 (Commercial-Regional) and
RM-3-9 (Residential-Multiple Unit) zones which are proposed to be rezoned to the CC-3-5
(Commercial-Community) and RX-1-2 (Residential-Small Lot) zones of the Torrey Highlands
Subarea Plan area. The project site is legally described as Lots 4, 5 and 10 of Rhodes Crossing,
in the City of San Diego, County of San Diego, State of California, according to Map thereof
No. 15578, filed in the Office of the County Recorder of San Diego County, July 11, 2007; and

WHEREAS, the Vesting Tentative Map proposes the Subdivision of a 42.52-site (gross
area) into 107 lots (84 Residential Small Lot zoned lots, 12 Community Commercial zoned lots,
seven open space lots, and four lots for private drives); and

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WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act Sections 66490 and 66491(b)-(f) and San Diego Municipal Code (SDMC) Section 144.0220; and

WHEREAS, the subdivision is a condominium project as defined in Section 1350 et seq. of the Civil Code of the State of California and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is 158 (Unit 4, Lot 1 has 55 units, Unit 4, Lot 2 has 56 units and Unit 10, Lot 1 has 47 units); and

WHEREAS, on February 22, 2018, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 1266780, Easement Vacation No. 2076453 and Public Right-of-Way Vacation No. 2076458, and pursuant to Resolution No. 4926-PC, the Planning Commission voted to recommend City Council approval; and

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

WHEREAS, on MAY 22 2018, the City Council of the City of San Diego considered Vesting Tentative Map No. 1266780, Easement Vacation No. 2076453 and Public Right-of-Way Vacation No. 2076458 and pursuant to SDMC Section(s) 125.0440, 125.0430, 125.0941, and 125.1040 and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

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BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 1266780:

1. **The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.** The Merge 56 development site is located in the north-central portion of the City. The property is situated in the communities of Del Mar Mesa, Torrey Highlands, and Rancho Peñasquitos, immediately adjacent to the State Route 56 (SR-56) right-of-way. The Merge 56 development project (Project) consists of two components, a mixed-use development and the public roads that adjoin the proposal. The Project would implement a General Plan Amendment (GPA) to redesignate portions the development site to a Multiple Use designation, and a Community Plan Amendment (CPA) to redesignate portions the development site to a local mixed-use center (LMXU) designation. The Project included a Rezone for portions of the development site to Community Commercial (CC-3-5) and Residential Small Lot (RX-1-2) to make the project site consistent with its proposed land use designation.

The development component of the project would consist of a LMXU containing commercial, office, hotel and residential uses on the triangular-shaped property. The project would allow for construction of 525,000 square feet (sf) of commercial, office, theater/cinema, and hotel uses and 242 residences (i.e., 158 multi-family and 84 single-family). According to the Torrey Highlands Subarea Plan, the LMXU designation is intended for major grocery and drug stores, and pedestrian-oriented shops and stores including restaurants and civic uses.

The Project's subdivision map boundary area includes the 41.34-acre development site and the adjacent ROW to the centerline of the streets for a total of 42.52 gross acres. The Map for the Project proposes the subdivision of the property into a total of into 107 lots (84 Residential Small Lot zoned lots, 12 Community Commercial zoned lots, seven open space lots, and four lots for private drives). The public rights-of-way (ROW) have been previously dedicated per the Rhodes Crossing Vesting Tentative Map (VTM) No. 7938 (Project No. 3230) with the exception of the portion of Camino Del Sur-South where property acquisition would be required to implement the proposed road improvements.

The residential component of this project provides a portion of the housing needs within the community with 242 multi-family units concentrated in the heart of the LMXU center. The higher density units situated in the core of the community, and combined with the commercial retail and office uses, form a mixed-use and pedestrian-oriented development located along the regional transit system. The project utilizes design components that facilitate pedestrian orientation, such as a modified grid system, diagonal and parallel street-side parking, a pedestrian village green and market square.

Multi-family housing and mixed-use residential units shall be interspersed with ground floor commercial as envisioned in the Torrey Highlands Subarea Plan. Residential density should decrease as the distance from the commercial center increases. Trails and pedestrian links to residential areas are required to be integrated with the commercial center. Although located near the freeway, the LMXU is not intended to be a freeway-oriented commercial development with dedicated freeway access. The existing LMXU in the Torrey Highlands Subarea Planning area,

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Torrey Highlands Village Center, is situated northwest of the SR-56/Camino Del Sur interchange and the project site. The Project would create a second mixed use center in the vicinity of SR-56.

Furthermore, the Project includes two important major roadway elements which will serve the area. Camino Del Sur and Carmel Mountain Road will be extended as planned with the approval of this Project. Design of the roadways include a bus transit and bike lane that would provide local and regional access to the surrounding properties and local community. Therefore, with the adoption of the GPA, CPA, and Rezone, the proposed subdivision and its design and improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code. The Project consists of two components, a mixed-use development and the public roads that adjoin the proposal. The Project would implement a GPA to redesignate portions the development site to a Multiple Use designation, and a CPA to redesignate portions the development site to a LMXU designation. The Project includes a Rezone for portions of the development site to Community Commercial (CC-3-5) and Residential Small Lot (RX-1-2) to make the project site consistent with its proposed land use designation.

The Project has been designed to comply with the regulations of the Land Development Code (LDC); however, to implement the Project will require deviations. The deviations are necessary to allow the site to be developed with commercial, townhomes, and single-family dwelling units consistent with the intent of the Torrey Highlands Subarea Plan. The following table is a matrix of the proposed deviations:

Deviations Summary			
Deviation Description	Deviation from LDC	Required	Proposed
CC Zone Front Yard Setback for Unit 10 Lots 1-5 and 7	<u>Section 131.0531 and Table 131-05E</u>	Maximum 10 feet	Varies from 11-25 feet
CC Zone Front Yard Setback for Unit 4 Lots 1, 2 and 5	<u>Section 131.0531 and Table 131-05E</u>	Maximum 10 feet	Varies from 15-29 feet
CC Zone Side Yard Setback for Unit 10 Lot 1-5 and 7	<u>Section 131.0531 and Table 131-05E</u>	Minimum 10 feet or 0 feet	Varies from 6.5-35 feet
CC Zone Side Yard Setback for Unit 4 Lots 1, 2 and 5	<u>Section 131.0531 and Table 131-05E</u>	Minimum 10 feet or 0 feet	Varies from 10-15 feet

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Deviations Summary			
Deviation Description	Deviation from LDC	Required	Proposed
RX Zone Front Yard Setback for Unit 5 Lots 27, 32, 33, 35, 36, 38, 42, 43, 48, 49, 54, 55, 61	<u>Section 131.0431 and</u> <u>Table 131-04E</u>	Minimum 15 feet	Varies from 7–26 feet
RX Zone Rear Yard Setback for Unit 5 Lots 8, 9, 14, 15, 20, 21, 26, 27, 32, 33, 38, 42, 43, 48, 49, 54, 55, 61	<u>Section 131.0431 and</u> <u>Table 131-04E</u>	Minimum 10 feet	Varies from 4–21 feet
Ground Floor Restriction for Unit 4 Lots 2, 4 and 5 and Unit 10 Lot 7	<u>Section 131.0540(c)</u>	Residential uses and residential parking not allowed within the front 30-feet	Allow residential uses and residential parking within the front 30-feet
Retaining Wall Height Outside of Required Yards for Retaining Wall No. 21, 22, 27, 31, and 32	<u>Section 142.0340(e)</u>	Maximum 12-foot retaining wall allowed	Varies from 14–25 feet

Each of the requested deviations has been reviewed as they relate to the proposed design of the project, the property configuration, and the surrounding development. The deviations are appropriate and will result in a more desirable project that efficiently utilizes the site, provide a more cohesive community appearance, allow for adequate site circulation and overall functionality of the project, avoid impacts to federal jurisdictional waters while providing adequate conveyance and discharge of stormwater runoff from the public roadways. Other than the requested deviations, the proposed subdivision meets all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the LDC.

3. **The site is physically suitable for the type and density of development.** The Project consists of two components, a mixed-use development and the public roads that adjoin the proposal. The development component of the project would consist of a LMXU containing commercial, office, hotel and residential uses on the triangular-shaped property. The project would allow for construction of 525,000 sf of commercial, office, theater/cinema, and hotel uses and 242 residences (i.e., 158 multi-family and 84 single-family). According to the Torrey Highlands Subarea Plan, the LMXU designation is intended for major grocery and drug stores, and pedestrian-oriented shops and stores including restaurants and civic uses.

The Project's subdivision map boundary area includes the 41.34-acre development site and the adjacent ROW to the centerline of the streets for a total of 42.52 gross acres. The Map

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for the Project proposes the subdivision of the property into a total of into 107 lots (84 Residential Small Lot zoned lots, 12 Community Commercial zoned lots, seven open space lots, and four lots for private drives). The public ROW have been previously dedicated per the Rhodes Crossing VTM No. 7938 (Project No. 3230) with the exception of the portion of Camino Del Sur-South where property acquisition would be required to implement the proposed road improvements.

The residential component of this project provides a portion of the housing needs within the community with 242 multi-family units concentrated in the heart of the LMXU center. The higher density units situated in the core of the community, and combined with the commercial retail and office uses, form a mixed-use and pedestrian-oriented development located along the regional transit system. The project utilizes design components that facilitate pedestrian orientation, such as a modified grid system, diagonal and parallel street-side parking, a pedestrian village green and market square.

Furthermore, the Project includes two important major roadway elements which will serve the area. Camino Del Sur and Carmel Mountain Road will be extended as planned with the approval of this Project. Design of the roadways include a bus transit and bike lane that would provide local and regional access to the surrounding properties and local community.

The project areas are largely undeveloped, with several dirt roads and trails crossing them. Some signs of former agricultural activities occur in the central portion of the development site; an approved construction road/stockpile occurs there as well. Habitats found on both components of the project include non-native grassland, coastal sage scrub, southern mixed chaparral, chamise chaparral, vernal pools, other wetlands, disturbed land, developed areas and other vegetation communities. The Multiple Habitat Planning Area (MHPA) is situated within or west of the ROW for the Camino Del Sur road extensions but not within the proposed site.

The Torrey Highlands Subarea and Rancho Penasquitos Community Plans were designed to minimize alterations to natural landforms. Overall, the project would result in substantially more than 2,000 cy of cut or fill per graded acre and will exceed the 10-foot high significance threshold for manufactured slopes. The public roads component of the project will also result in the disturbance of steep slopes by changing the elevation of steep hillsides by more than five feet. These impacts will be reduced to the extent feasible through the construction of a series of retaining walls. Even with these minimization measures, the impact on existing natural landforms would be considered significant and unavoidable due to the Camino Del Sur extension through hillside terrain along the planned alignment for the road. However, as a Circulation Element road, this encroachment is exempted under SDMC Section 143.0142(a).

The Project's development footprints have been located to minimize erosion, flood, and fire hazards. No floodplains exist on site and proper design features have been incorporated into the site plan, including observance of required setbacks and integration of brush management, to prevent fire hazards. Development will comply with the region-wide erosion control plan, which requires pre- and post-construction measures to prevent erosion and sedimentation of downstream areas. The project will enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMPs) maintenance; will comply with all requirements of the State Water Resources Control Board and Municipal Storm Water Permit, Waste

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Discharge Requirements for Discharges of Storm Water Runoff Associate with Construction Activity. The Project has been designed to minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards. Therefore, the site is physically suitable for the type and density of development.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. An Environmental Impact Report (EIR) No. 360009/SCH No. 2014071065, has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring, and Reporting Program (MMRP) would be implemented with this project, which would reduce some of the potential impacts to below a level of significance. The applicant has provided Draft Candidate Findings and Statement of Overriding Considerations to allow the decision-maker to approve the project with significant and unmitigated direct impacts related to Visual Effects/Neighborhood Character (Landform Alteration) and cumulative impacts which would be significant and unmitigated related to Transportation/Circulation.

The Project will provide mitigation for any indirect or direct impacts to sensitive biological resources considered environmentally sensitive lands. The proposed project proposed wetland impacts mitigated in-kind and achieve a no net loss of wetland function and value. The project further will comply with the following mitigation ratios (as specified in the City Biology Guidelines): Tier I: mitigation ratios range from 1:1 to 2:1; Tier II: (1:1 to 1.5:1); Tier IIIA: (0.5:1 to 1:1); Tier IIIB: (0.5:1 to 1:1); Tier IV: Disturbed, agricultural, and eucalyptus (0:1). Mitigation for direct impacts to upland vegetation communities shall be accomplished through preservation of suitable habit, purchase of mitigation credits in an approved mitigation bank, or a combination thereof. To minimize grading, retaining walls will be used throughout the project site to reduce steep hillside grading and the horizontal extent of manufactured slopes; however, Camino Del Sur will encroach into 100 percent of the steep hillsides contained on site and change the elevation of the existing steep hillsides by more than five feet. This encroachment will be greater than the encroachment allowance outlined in the ESL Regulations for projects outside the MHPA and Coastal Zone. However, as a Circulation Element road, this encroachment is exempted under LDC Section 143.0142(a). All mitigating measures would comply with the City Biology Guidelines, in accordance with the Multiple Species Conservation Program (MSCP) Subarea Plan. Impacted wildlife habitat would be compensated for at ratios required by the City Biology Guidelines through preservation, acquisition or creation of appropriate habitats. The imposition of conditions of approval and compliance with the Merge 56 mitigation monitoring and reporting plan would ensure that no substantial environmental damage or injury would occur.

5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare. EIR No. 360009/SCH No. 2014071065, has been prepared for the project in accordance with CEQA Guidelines. An MMRP would be implemented with this project, which would reduce some of the potential impacts to below a level of significance. The applicant has provided Draft Candidate Findings and Statement of Overriding Considerations to allow the decision-maker to approve the project with significant and unmitigated direct impacts related to Visual Effects/Neighborhood Character (Landform

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Alteration) and cumulative impacts which would be significant and unmitigated related to Transportation/Circulation.

The project would construct necessary sewer and water facilities to serve the residents and occupants; will enter into a Maintenance Agreement for the ongoing permanent BMPs maintenance; and will comply with all requirements of the State Water Resources Control Board and Municipal Storm Water Permit, Waste Discharge Requirements for Discharges of Storm Water Runoff Associate with Construction Activity. All structures constructed will be reviewed for compliance with all relevant and applicable building, electrical, mechanical, and fire codes to assure the structures will meet or exceed the current regulations. The Project provides many benefits to the public health, safety and welfare to the surrounding community and to the City. The new urbanist influenced design promotes higher levels of pedestrianism by mixing residential, commercial and civic uses, incorporating higher densities and serving as the center of the community. Also, transit along both Carmel Mountain Road and Camino Del Sur will help minimize automobile trips outside of the community to reduce greenhouse gas emissions. The roadway extensions have also been redesigned from the previously-approved entitlements to provide additional traffic calming features such as roundabouts and reduced street widths.

The permit for the project includes various conditions and referenced exhibits relevant to achieving project compliance with the applicable regulations of the SDMC in effect for this project. Such conditions are necessary to avoid adverse impacts to the health, safety and general welfare of persons residing or working in the surrounding area. The project will comply with the development conditions in effect for the subject property as described in VTM No. 1266780, Easement Vacation (EV) No. 2076453 and Public Right-of-Way Vacation (ROW Vac) No. 2076458, and other regulations and guidelines pertaining to the subject property per the SDMC. Prior to issuance of any building permits for the proposed development, the plans will be reviewed for compliance with all Building, Electrical, Mechanical, Plumbing and Fire Code requirements, and the Owner/Permittee will be required to obtain a grading and public improvement permit. Therefore, the design of the subdivision or the type of improvement would not be detrimental to the public health, safety and welfare.

6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. An approximately 150-foot wide SDG&E utility easement crosses through the central portion of the project area in a northeast-southwest direction; no utility facilities are located within the easement. A 40-foot wide water and road easement also crosses through the project site. SR-56 is located along the northern boundary of the project area, and the constructed portion of Carmel Mountain Road extends along a portion of the eastern project boundary crossing over SR-56 via a two-lane bridge. The northern terminus of Camino Del Sur occurs in the southeastern portion of the project area, and the southern terminus of Camino Del Sur occurs in the northwestern corner of the project area. The public ROW have been previously dedicated per the Rhodes Crossing VTM No. 7938 (Project No. 3230) with the exception of the portion of Camino Del Sur-South where property acquisition would be required to implement the proposed road improvements.

The design of the subdivision and the type of improvements are such that they will not conflict with any easements to remain, acquired by the public at large, for access through or use

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of property within the proposed subdivision as demonstrated by the City Engineer. All easements granted to the City over the property have been left in place or have been vacated or relocated and improved in a manner that allows for public access that is superior to the access formerly provided by the unimproved easements, as confirmed by the City Engineer and as reflected on the map.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities. The design and proposed improvements for the subdivision are consistent with California Government Code Section 66473.1 and SDMC Section 125.0440(g) regarding the design of the subdivision for future passive or natural heating and cooling opportunities. The proposed establishes appropriate setbacks and distances between buildings to allow for passive natural heating and cooling opportunities. The physical layout of the buildings onsite allows for the passage of air between buildings. The landscape plan proposes a high-quality design with many trees that will promote natural cooling onsite. The commercial portion of the Mixed-Use Development component is designed to provide an urban oriented central plaza with communal seating, outdoor dining opportunities and specialized retail shopping. Architecturally, the center would exhibit a contemporary appearance, with large glass openings, deep overhanging roof eaves and open trellises. The project would highlight natural materials and colors, usable outdoor spaces, and drought-tolerant landscaping. The two main office structures would feature a contemporary architectural style using a combination of materials that may include glass, concrete, steel, stucco, and natural stone. The proposed attached townhome and flat units would feature a contemporary architectural style, with more residentially-scaled doors and windows, building heights, and the use of warm natural materials at ground level to create a pedestrian-friendly façade. Ground floor unit entrances would front the streets with stoops, front porches, and landscaped buffers, while the garages would be located off private drives to the rear of the building. The units would feature upper floor terraces and balconies facing the street. The overall project design would incorporate sustainability features for energy and water efficiency, and to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources. The Project proposes to develop a multi-use urban village with 242 units including 47 affordable residential units. These additional dwelling units provided by the proposed project will make a significant contribution towards fulfilling the City's Regional Housing Needs Assessment allocation found in the City's Housing Element adopted in March of 2013. The introduction of quality market-rate and affordable housing units in Torrey Highlands brings diversity in housing options for the community and the City as a whole, at a time where the demand for this type of housing stock is increasing. Furthermore, the project implements the City's General Plan policies that encourage locating residential near transit and employment opportunities, thereby capturing automobile trips and allowing for increased pedestrian activity, bicycle and transit activity. All appropriate public services (including fire, police, medical, schools, public parks, and libraries) as well as necessary utilities such as electricity, water, and sewer, will be available to (or are in the process) and adequate for the proposed project.

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

BE IT FURTHER RESOLVED, that portions of a drainage, slope, and temporary public assess easement and portions of public ROW for Camino Del Sur and Carmel Mountain Road, located within the project boundaries as shown in Vesting Tentative Map No. 1266780, shall be vacated, contingent upon the recordation of the approved Final Map for the project, and that the following findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference:

9. There is no present or prospective public use for the easement, either for the facility or purpose for which it was originally acquired or for any other public use of a like nature that can be anticipated. (San Diego Municipal Code § 125.1040(a)). The Project site contains an approximately 5,750-square foot triangular-shaped drainage, slope, and temporary public service easement located in the northeastern corner. The easement was originally obtained to address storm water discharge and shall be vacated. The Project site and adjacent storm water BMPs have been incorporated within the adjacent ROW improvements. The Project would enter into a Maintenance Agreement for the ongoing permanent BMPs maintenance; will comply with all requirements of the State Water Resources Control Board and Municipal Storm Water Permit, Waste Discharge Requirements for Discharges of Storm Water Runoff. Therefore, the easement is no longer needed for which it was originally acquired, or for any other public use of a like nature that can be anticipated.

10. The public will benefit from the action through improved utilization of the land made available by the vacation. (San Diego Municipal Code § 125.1040(b)). The Project site contains an approximately 5,750-square foot triangular-shaped drainage, slope, and temporary public service easement located in the northeastern corner. The easement was originally obtained to address storm water discharge and shall be vacated. As part of the Project, Camino Del Sur and Carmel Mountain Road will be extended, and the existing public service easement is located adjacent to the Carmel Mountain Road improvements. The Project site and adjacent storm water BMPs have been incorporated within the adjacent ROW improvements. Therefore, the public will benefit from the action through improved utilization of the land made available for the extension of the roadways, which includes a bus transit and bike lane that would provide local and regional access to the surrounding properties and local community.

11. The vacation is consistent with any applicable land use plan. (San Diego Municipal Code § 125.1040(c)). As outlined within Vesting Tentative Map Finding No. 1 listed above, with the adoption of the GPA, CPA, and Rezone, the proposed subdivision and its design and improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

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12. **The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by the vacation or the purpose for which the easement was acquired no longer exists. (San Diego Municipal Code § 125.1040(d)).** The easement was acquired for drainage, slope, and temporary public access located in the northeastern corner. The easement was originally obtained to address storm water discharge and shall be vacated. As part of the Project, Camino Del Sur and Carmel Mountain Road will be extended, and the existing public service easement is located adjacent to the Carmel Mountain Road improvements. The Project site and adjacent storm water BMPs have been incorporated within the adjacent ROW improvements. The Project would enter into a Maintenance Agreement for the ongoing permanent BMPs maintenance; will comply with all requirements of the State Water Resources Control Board and Municipal Storm Water Permit, Waste Discharge Requirements for Discharges of Storm Water Runoff Associate. Therefore, the purpose for which the easement was originally acquired will not be detrimentally affected by this vacation.

13. **There is no present or prospective public use for the public right-of-way either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated. (San Diego Municipal Code § 125.0941(a)).** Proposed extensions of Camino Del Sur and Carmel Mountain Road would be constructed as part of the Project; both are public roads planned in the Torrey Highlands and Rancho Peñasquitos communities. As part of its CPA, the project proposes a reclassification to downgrade the roads from four-lane majors to two-lane collectors as discussed below. ROW for both roads have been previously dedicated per the Rhodes Crossing VTM No. 7938 (Project No. 3230) with the exception of the portion of Camino Del Sur-South where property acquisition would be required to implement the proposed road improvements.

In addition, a ROW vacation across the previously dedicated portions of both public roads would be required due to modifications to the road dimensions in association with the downgraded classifications and realignment of an existing section of Carmel Mountain Road to avoid grading impacts to off-site vernal pool preserves. The roadway improvements would provide local and regional access to the Project, surrounding properties and local community, in accordance with the Circulation Elements of the Torrey Highlands Subarea Plan and Rancho Peñasquitos Community Plan. The reclassification is proposed for the segment of Camino Del Sur south of Carmel Mountain Road and north of Dormouse Road and the portion of Carmel Mountain Road between SR-56 and Camino Del Sur. The reclassification is driven by the fact that a four-lane major road is not required to carry currently projected buildout traffic volumes. Grading associated with the reconfigured roads would be reduced by approximately seven-acres under the Project.

14. **The public will benefit from the action through improved use of the land made available by the vacation. (San Diego Municipal Code § 125.0941(b)).** The ROW vacation across the previously dedicated portions of both public roads would be required due to modifications to the road dimensions in association with the downgraded classifications and realignment of an existing section of Carmel Mountain Road to avoid grading impacts to off-site vernal pool preserves. The roadway improvements would provide local and regional access to the Project, surrounding properties and local community, while protecting ESL.

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15. The vacation does not adversely affect any applicable land use plan. (San Diego Municipal Code § 125.0941(c)). As outlined within VTM Finding No. 1 listed above, with the adoption of the GPA, CPA, and Rezone, the proposed subdivision and its design and improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

16. The public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation. (San Diego Municipal Code § 125.0941(d)). The ROW vacation across the previously dedicated portions of both public roads would be required due to modifications to the road dimensions in association with the downgraded classifications and realignment of an existing section of Carmel Mountain Road to avoid grading impacts to off-site vernal pool preserves. The roadway improvements would provide local and regional access to the Project, surrounding properties and local community, while protecting ESL. Camino Del Sur and Carmel Mountain Road would be constructed as part of the Project; both are public roads planned in the Torrey Highlands Subarea Plan and Rancho Peñasquitos Community Plan. Therefore, the public facility for which the right-of-way was originally acquired would not be detrimentally affected by this vacation.

BE IT FURTHER RESOLVED, that based on the findings hereinbefore adopted by the City Council, Vesting Tentative Map No. 1266780, Easement Vacation No. 2076453 and Public Right-of-Way Vacation No. 2076458, is hereby granted to SEA BREEZE 56, LLC, a Delaware Limited Liability Company, subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: MARA W. ELLIOTT, City Attorney

By


Keely M. Halsey
Deputy City Attorney

KMH:als
05/02/18
Or.Dept:DSD
Doc. No.: 1684523

Attachment: Conditions for Vesting Tentative Map/Easement Vacation/Public Right-of-Way Vacation

ORIGINAL

CITY COUNCIL

CONDITIONS FOR VESTING TENTATIVE MAP NO. 1266780
 EASEMENT VACATION NO. 2076453
 PUBLIC RIGHT-OF-WAY VACATION NO. 2076458
MERGE 56 - PROJECT NO. 360009
 (AMENDMENT OF VESTING TENTATIVE MAP NO. 7938)

ADOPTED BY RESOLUTION NO. R- ~~311778~~ ON MAY 22 2018

GENERAL

1. This Vesting Tentative Map will expire MAY 22 2021.
2. Compliance with all of the following conditions shall be completed and/or 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 Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
4. The Final Map shall conform to the provisions of Planned Development Permit No. 1266871, Site Development Permit No. 1266883, and Conditional Use Permit No. 1266881.
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 the City and/or any Indemnified Parties 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 promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

AIRPORT

6. Prior to recordation of the Final Map, the Subdivider shall provide a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration (FAA).

ENGINEERING

7. Compliance with all conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
8. Pursuant to City Council Policy 600-20, the Subdivider shall provide evidence to ensure that an affirmative marketing program is established.
9. The Subdivider shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
10. The Subdivider shall comply with all street lighting standards according to the current City of San Diego Street Design Manual. This may require, but not be limited to, installation of new street light(s) and upgrading existing street lights, to the satisfaction of the City Engineer. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
11. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
12. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Vesting Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

13. Prior to the expiration of the Vesting Tentative Map, if approved, a Final Map to subdivide the 41.34-acre development site into lots shall be recorded in the office of the County Recorder.
14. Prior to the recordation of the Final Map, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition.

If a tax bond is required as indicated in the tax certificate, ensure that it is paid or posted at the County Clerk of the Board of Supervisors Office along with the associated \$34.00 compliance fee to avoid delaying the recordation of the Final Map.
15. The Final Map shall be based on field survey and all lot corners must be marked with durable survey monuments pursuant to Section 144.0311(d) of the City of San Diego Land Development Codes and Subdivision Map Act Section 66495.

All survey monuments shall be set prior to the recordation of the Final Map, unless the setting of monuments is deemed impractical due to the proposed improvements and/or grading associated with the project, in which case, delayed monumentation may be applied on the Final Map in accordance with Section 144.0130 of the City of San Diego Land Development Codes.

16. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.
17. 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 First Order accuracy. 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.

PUBLIC UTILITIES

18. The Subdivider shall design and construct all public water and sewer facilities as required in the accepted water and sewer studies for this project, necessary to serve this development in a manner satisfactory to the Public Utilities Director and the City Engineer. Water and sewer facilities, as shown on the approved tentative map, may require modification based on the accepted water and sewer studies and final engineering.
19. All onsite water and sewer facilities will be private and shall meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.
20. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.
21. Prior to the recording of the Final Map, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.

TRANSPORTATION

22. The Subdivider shall relinquish abutter's rights onto State Route 56, Camino del Sur and Carmel Mountain Road except at approved intersections as shown on Exhibit "A" to the satisfaction of the City Engineer.

MULTIPLE SPECIES CONSERVATION PROGRAM (MSCP)

23. Prior to the issuance of any grading permit, the Owner/Permittee shall record a Covenant of Easement over Lot "Z" as shown on the Vesting Tentative Map.

INFORMATION:

- The approval of this Vesting Tentative Map by the City Council of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Vesting Tentative Map, may protest the imposition within ninety days of the approval of this Vesting Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider 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 (San Diego Municipal Code § 142.0607).

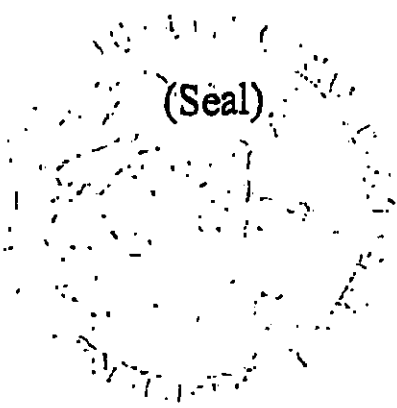
Passed by the Council of The City of San Diego on MAY 22 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 22 2018.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:



KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 311778

ORIGINAL

RESOLUTION NUMBER R- **311'779**DATE OF FINAL PASSAGE **MAY 22 2018**

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE CITY OF SAN DIEGO
RIGHT OF ENTRY PERMIT WITH SEA BREEZE 56, LLC FOR
THE RESTORATION, CREATION, AND MAINTENANCE OF
VERNAL POOLS AND NATIVE UPLAND HABITAT AT DEL
MAR MESA OPEN SPACE (APN 308-020-19).

WHEREAS, Sea Breeze 56, LLC (Sea Breeze) desires to construct a mixed-use
development (Project) on a 72.34 acre site located south of State Route 56, between Camino Del
Sur and Black Mountain Road, and for the construction of roadway extensions of Camino Del
Sur and Carmel Mountain Road in the Del Mar Mesa, Torrey Highlands-Subarea IV and the
Rancho Penasquitos Community Plan areas in the City of San Diego (City); and

WHEREAS, the Project will be impacting eight vernal pools and vernal pool species with
a combined surface area on 0.038 acre (Vernal Pool Impacts), which will require mitigation for
these impacts on City-owned property located within the Del Mar Mesa Open Space (APN 308-
020-19); and

WHEREAS, the Vernal Pool Impacts include two vernal pools (0.022 acre) in the mixed
use component and six vernal pools (0.016 acre) in the public roadway component of the Project;
and

WHEREAS, an additional two road pools with a combined area of 0.003 acre will also be
impacted by the public roadway component of the Project; and

WHEREAS, in addition to the specific mitigation for pool impacts, Sea Breeze shall also
create "surplus" pools. The created surplus pools will be retained by the City to be used as
mitigation for future impacts to vernal pool habitat by City projects; and

(R-2018-545)

WHEREAS, the vernal pool creation would occur in an approximately 2.3 acre area on a flat mesa in the northeastern portion of the Del Mar Mesa Open Space. Mitigation for impacts to vernal pool and road pool habitat will be met through creation of vernal pool habitat at a minimum 3:1 ratio, which requires a total of 0.066 acre of created vernal pools for the mixed use component and 0.057 acre of created vernal pools for the public roadway component of the Project; and

WHEREAS, although not a mitigation requirement of the Project, Sea Breeze will create nine surplus vernal pools with a combined surface area of 0.070 acre to be retained by the City; and

WHEREAS, although not a mitigation requirement of the Project, Sea Breeze will restore an approximately 0.60 acre area surrounding the created surplus pools to native upland habitat; and

WHEREAS, Sea Breeze desires a right of entry permit to enter the Del Mar Mesa Open Space to perform the creation, restoration, and maintenance of the vernal pool and native upland habitat in the Del Mar Mesa Open Space; and

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

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor, or his designee, is authorized and directed to execute, for and on behalf of City, the City of San Diego Right of Entry Permit, on file in the Office of the City Clerk as Document No. RR- **311779**

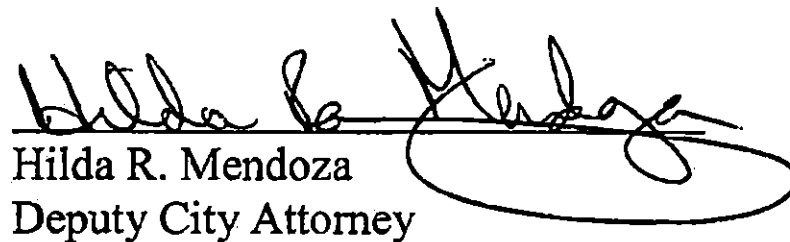
(R-2018-545)

for the restoration, creation, and maintenance of vernal pools and native upland habitat in the Del Mar Mesa Open Space, under the terms and conditions set forth therein.

BE IT FURTHER RESOLVED, that this resolution shall take effect and be in force upon final approval of the resolution granting Planned Development Permit No. 1266871, Site Development Permit No. 1266883, and Conditional Use Permit No. 1266881 for the Project, on file in the Office of the City Clerk as Document No. **RR- 311779**, but in no event earlier than the day of this resolution's final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By


Hilda R. Mendoza
Deputy City Attorney

HRM:nja
05/02/18
Or.Dept: Park & Rec
Doc. No.: 1738962

Passed by the Council of The City of San Diego on MAY 22 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 22 2018.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

(Seal)

KEVIN L. FAULCONER

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 311779

ORIGINAL

RESOLUTION NUMBER R- **311780**DATE OF FINAL PASSAGE **MAY 22 2018**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTION OF THE AGREEMENT ESTABLISHING ENDOWMENT FUND FOR MAINTENANCE OF CONSERVED LAND WITH SEA BREEZE 56, LLC AND ESTABLISHING A PERMANENT ENDOWMENT FUND IN AN AMOUNT OF NOT LESS THAN \$427,091.10.

WHEREAS, Sea Breeze 56, LLC (Sea Breeze) desires to construct a mixed-use development (Project) on a 72.34 acre site located south of State Route 56, between Camino Del Sur and Black Mountain Road, and for the construction of roadway extensions of Camino Del Sur and Carmel Mountain Road in the Del Mar Mesa, Torrey Highlands-Subarea IV and the Rancho Penasquitos Community Plan areas in the City of San Diego (City); and

WHEREAS, consistent with the Merge 56 Development Project Final Environmental Report [SCH # 2014071065] (FEIR) for the Project, Sea Breeze intends to implement the Project that will require state and federal agency permit(s) to mitigate for impacts to vernal pools (collectively, the Permits) on City-owned property located within the Del Mar Mesa Open Space, APN 308-020-19 (Property); and

WHEREAS, the Property is within the City's Multiple Species Conservation Program (MSCP) Multi-Habitat Planning Area (MHPA) and managed by the Open Space Division of the Parks and Recreation Department of the City; and

WHEREAS, the City is already required to maintain the Property for conservation purposes in accordance with the Implementing Agreement by and between United States Fish and Wildlife Service, California Department of Fish and Game, and the City of San Diego to Establish a Multiple Species Conservation Program for the Conservation of Threatened,

(R-2018-544)

Endangered and Other Species in the Vicinity of San Diego, California (MSCP Implementing Agreement); and

WHEREAS, pursuant to the Permits and the FEIR, an endowment is required to be established to fund the management, maintenance, and monitoring of the Property in perpetuity due to the creation of the vernal pool complex; and

WHEREAS, in order to administer the funds a permanent endowment fund is proposed to be established; and

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

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor, or his designee, is authorized and directed to execute, for and on behalf of the City, the Agreement Establishing Endowment Fund for Maintenance of Conserved Land, on file in the Office of the City Clerk as Document No. RR- 311780, under the terms and conditions set forth therein.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized to amend the Agreement Establishing Endowment Fund for Maintenance of Conserved Land, on file in the Office of the City Clerk as Document No. RR- 311780, to state the amount of the endowment fund necessary to manage, maintain, and monitor the Property in perpetuity, but in no event in an amount less than \$427,091.10.

BE IT FURTHER RESOLVED, that the City hereby accepts the payment of not less than \$427,091.10 from Sea Breeze 56, LLC.

ORIGINAL

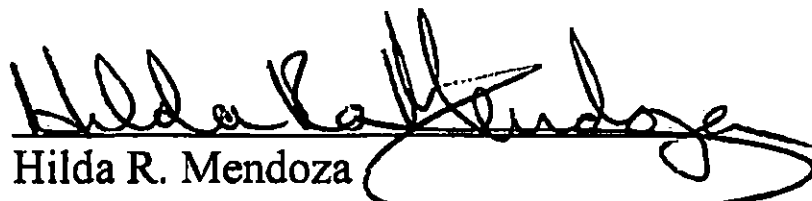
(R-2018-544)

BE IT FURTHER RESOLVED, that the Office of the City Comptroller is hereby directed to establish a permanent endowment fund, in a separate income-generating fund, in an amount not less than \$427,091.10, paid by Sea Breeze 56, LLC pursuant to the Agreement Establishing Endowment Fund for Maintenance of Conserved Land, to be transferred to the supervision and control of the City of San Diego Funds Commission pursuant to City Charter section 41(a).

BE IT FURTHER RESOLVED, that the income from the permanent endowment fund as established above be used solely and exclusively for the purposes of managing, maintaining and monitoring the Property in perpetuity by the City pursuant to the Permits, FEIR, and the MSCP Implementing Agreement.

BE IT FURTHER RESOLVED, that this resolution shall take effect and be in force upon final approval of the resolution granting Planned Development Permit No. 1266871, Site Development Permit No. 1266883, and Conditional Use Permit No. 1266881 for the Project, on file in the Office of the City Clerk as Document No. RR- 311777, but in no event earlier than the day of this resolution's final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Hilda R. Mendoza
Deputy City Attorney

HRM:nja
05/02/18
Or.Dept: Park & Rec
Doc. No.: 1738963

Passed by the Council of The City of San Diego on **MAY 22 2018**, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage **MAY 22 2018**.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By *Linda Brwin*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **311780**

ORIGINAL

ORDINANCE NUMBER O- 20950 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 12 2018

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING APPROXIMATELY 40 ACRES LOCATED APPROXIMATELY SOUTH OF STATE ROUTE 56, BETWEEN CAMINO DEL SUR AND BLACK MOUNTAIN ROAD, WITHIN THE TORREY HIGHLANDS COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE CR-2-1 (COMMERCIAL REGIONAL) AND RM-3-9 (RESIDENTIAL-MULTI UNIT) ZONES INTO THE CC-3-5 (COMMERCIAL COMMUNITY) AND RX-1-2 (RESIDENTIAL-SMALL LOT) ZONES, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0507 AND 131.0404; AND REPEALING ORDINANCE NO. O-19273 (NEW SERIES), ADOPTED APRIL 12, 2004, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

WHEREAS, Sea Breeze 56, LLC, a Delaware Limited Liability Company, requested to rezone approximately forty-six acres of land from the CR-2-1 (Commercial-Regional) and RM-3-9 (Residential-Multiple Unit) zones into the CC-3-5 (Commercial-Community) and RX-1-2 (Residential-Small Lot) zones in the Torrey Highlands Subarea Plan area; and

WHEREAS, the matter was set for a public hearing to be conducted by the Council of the City of San Diego; and

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

(O-2018-115)

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

Section 1. That approximately forty-six acres located approximately south of State Route 56, between Camino Del Sur and Black Mountain Road, within the Torrey Highlands Subarea Plan area, and legally described as Lots 4, 5 and 10, Rhodes Crossing, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 15578, filed in the Office of the County Recorder of San Diego County, July 11, 2007 as File No. 2007-0466189 of Official Records, in the Torrey Highlands Subarea Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4328, filed in the office of the City Clerk as Document No. OO-20950, are rezoned from the CR-2-1 (Commercial-Regional) and RM-3-9 (Residential-Multiple Unit) zones into the CC-3-5 (Commercial-Community) and RX-1-2 (Residential-Small Lot) zones, as the zones are described and defined by San Diego Municipal Code Chapter 13 Article 1 Divisions 131.0507 and 131.0404. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. O-19273 (New Series), adopted April 12, 2004, of the ordinances of the City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.

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

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this

(O-2018-115)

ordinance shall be issued unless application therefor was made prior to the date of adoption of this ordinance.

APPROVED: MARA W. ELLIOTT, City Attorney

By

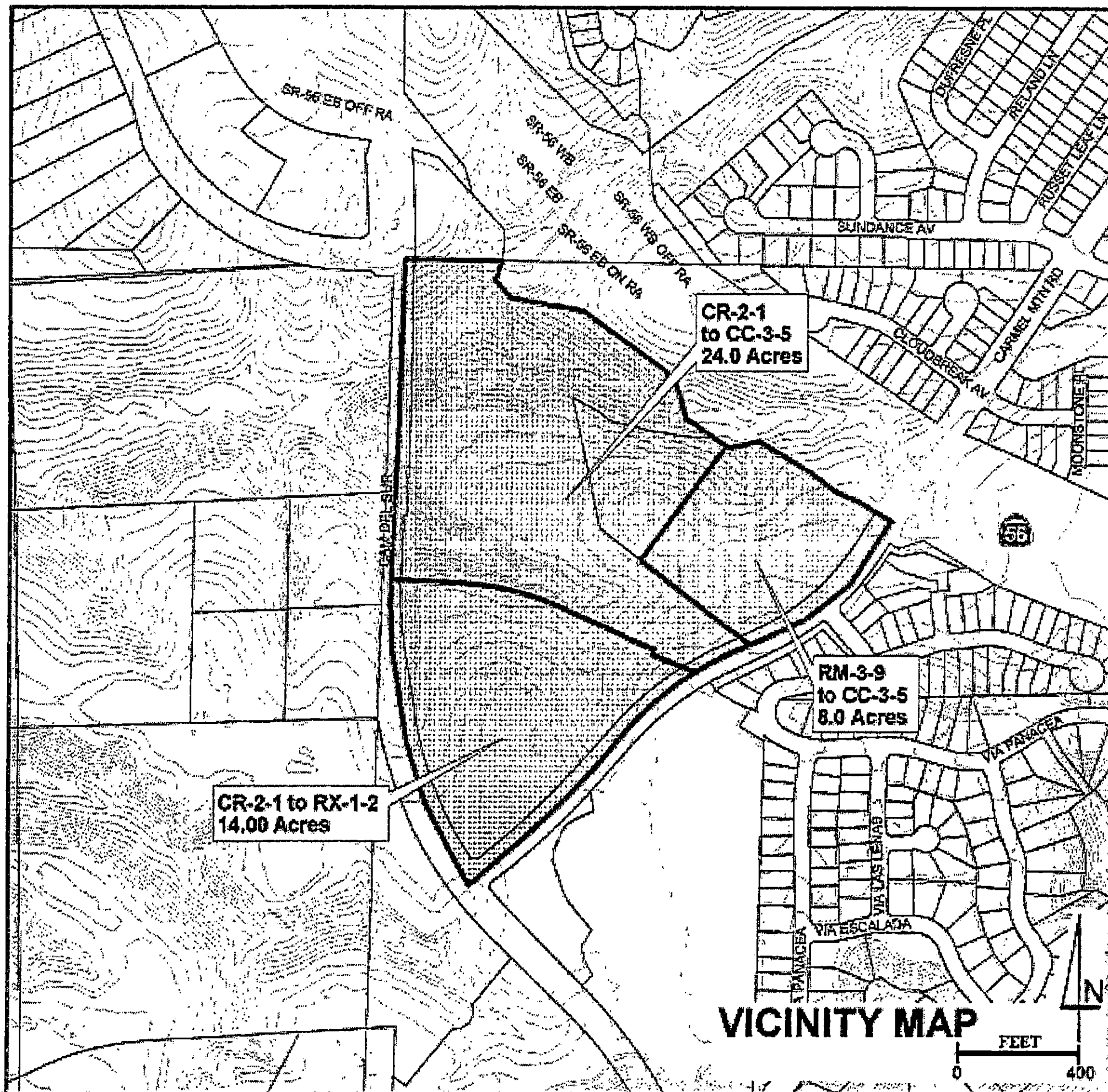

Keely M. Halsey
Deputy City Attorney

KMH:als
05/02/18
Or.Dept:DSD
Doc. No.: 1683856

Attachment: Rezoning Map

ORIGINAL

PROPOSED REZONING



ORDINANCE NO. _____
EFF. DATE ORD. _____
ZONING SUBJ. TO _____
BEFORE DATE _____
EFF. DATE ZONING _____
MAP NAME AND NO. _____

CITY COUNCIL ACTION

DEVELOPMENT SERVICES MANAGER

B-4328

APN: 305-420-04.05 & 10

(288-1722) 12-13-17 idi

ORIGINAL

Passed by the Council of The City of San Diego on JUN 12 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 12 2018.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

(Seal)

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 20950

ORIGINAL



November 1, 2021

City of San Diego Planning Commission and City Council

Re: Merge 56 Site use to include: “Scientific, research and development”

Dear Planning Commission,

We approved the scientific use referenced in the Community Plan and for our Merge 56 PDP to be amended to expressly identify scientific uses. As confirmed by the city, the word “scientific” is synonymous with “research and development”. We approve inserting the words “research and development” into Merge 56 PDP.

Motion passes unanimously.

Sincerely,

Brian Reschke, Chair
Rancho Peñasquitos Planning Board



**Rancho de los Peñasquitos Planning Board
REGULAR MEETING MINUTES
Wednesday October 6, 2021, at 7:30
PM**

<u>Attendance</u>					
<u>Seat</u>	<u>Board Member</u>			<u>Seat</u>	<u>Board Member</u>
District 1	Brian Reschke-C	Present		District 2	Stephen Egbert
District 3	VACANT	V		District 4	Andrew Keisling
District 5	VACANT	V		District 6	Corey Buckner
District 7	Randy Steffler	Present		District 8	Matt Megna
District 9	Tim Dougherty	Present		District 10	Jeanette Waltz-Poole
District 11	Jon Becker-VC	Present		RP Town Council	VACANT
BMR 1	Kenneth Heinz	Present		BMR 2	Hollie Kahn-S
Commercial 1	Pamela Blackwill	Present		Commercial 2	Christina Cornell
Renter at Large	S.Hoffman resigned; now VACANT	V		Rec Council	Steve Leffler
Torrey Highlands 1	Sabrina Leitner	Present		Torrey Highlands 2	Kelly Lemker

3 Absent – Steve Hoffman (gave resignation/not present), Corey Buckner, Kelly Lemker
14 Present at 7:35pm Call to Order, 2 Absences; 4 Vacancies = 20 seats

7:35pm – The Call to Order (all times listed are approximate)

7:35pm – Agenda Modifications: None

7:37pm – Approval of Minutes

September Minutes: Motion Ken Heinz/second John Becker - to approve September minutes as amended and recirculated. Vote: 11-0-3 (Jeanette WP, Christina Cornell, Matt Megna abstain, were absent for Sept. Meeting). **Motion passes.**

7:39pm – Public Safety Agencies (Fire Station 40, SD Police Northeastern Substation) **Not Present**



**Rancho de los Peñasquitos Planning Board
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7:40pm Public Forum – Stephen Egbert - This last month, there was a fatal accident on Carmel Mountain Rd., so I wanted to make a comment that after that happened, I saw lots of people commenting about lighting, absence of lighting and extra lighting, jaywalking, etc., so I drove around to see how many street lights are not lit up and it turns out near the intersection where the man was hit the light was not working. In-fact I found many intersections where not all the lights are lit, and that should encourage people to cross at the crosswalk rather than jaywalk. I also noticed that in the area of the Pacific Village construction there are no working lights, as well as at the entrance into Cresta Bella where there is no lighting at the intersection; I am wondering if there's anything as a planning board that we could do to make our streets and our intersections safer. Chair: Thank you, Stephen. This is general public comment, so we're not supposed to reply. I am sure that our two city council reps can bring this up. As well, I'm sure Christina can talk to Lennar about Pacific Village.

7:41pm – Public Officials (Community Announcements and Informational Items)

- **San Diego City Office of the Mayor-Todd Gloria** Michaela Valk (MValk@saniego.gov)
Michaela was unable to attend and submitted her report as follows:

Mayor Gloria's Successful Visit to Washington, DC

Mayor Gloria made his first visit to the nation's capital as Mayor to advocate for the city's interest and needs.

- **HOUSING/HOMELESSNESS:**
 - Mayor Gloria had a productive meeting with **U.S. Housing and Urban Development Secretary Marcia Fudge** and **U.S Interagency Council on Homeless Executive Director Anthony Love** on our ongoing efforts in San Diego to address homelessness and ways to get more San Diegans off the streets and into permanent housing.
 - Mayor Gloria also had the opportunity to meet with **House Financial Services Chair Congresswoman Maxine Waters** to discuss the success we have had with our rent relief program and the strategies we used to distribute those funds.
- **BINATIONAL AFFAIRS**
 - Mayor Gloria met with **the Acting Commissioner of U.S. Customs and Border Protection, Troy Miller** to share the importance of lifting travel restrictions at our land ports of entry.
- **INFRASTRUCTURE**
 - Mayor Gloria met with Congressman Mike Levin to discuss the importance of investing in infrastructure through President Biden's Build Back Better Act, help San Diego tackle some of our city's biggest infrastructure needs including streets and bike land improvements, housing production, and complete our Pure Water program.

Housing Stability Assistance Program

- The City of San Diego has been highly successful in getting relief out to tenants and landlords (getting recognition from the state and the federal government).
 - \$103 million in rent and utility assistance has supported nearly 12,000 households (exact number is 11,806) in San Diego as part of the COVID-19 Housing Stability Assistance Program
 - *Another roughly \$54 million has been committed to renters whose applications have received preliminary approval, subject to review and confirmation of their documentation.*
- On September 27th, Mayor Todd Gloria announced his proposal to establish a **\$5 million legal defense fund** to support struggling tenants.



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Homes for All of Us

- On July 19th, Mayor Gloria announced [“Homes For All of Us,”](#) an initiative package aimed at creating affordable homes for all San Diego residents.
- These major initiatives are run through the City’s Planning Department. They include:
 - **Blueprint San Diego:** Shortens Community Plan Update completion dates from four to five years to two to three years. These changes will advance local housing opportunities and infrastructure improvements.
 - The public can learn more at www.sandiego.gov/blueprints
 - We would also like community members to participate in community forums. There were two in September, I will be sure to forward any upcoming community forums hosted by the Planning Department.
 - **Middle Income Housing Working Group:** This new volunteer group will develop incentives to build more housing for families earning 80% to 120% of the Area Median Income (AMI).
 - Middle Income Housing Working Group is composed of experts and funders who will meet for three months to come up with recommendations for the city to implement on how to generate more middle income housing units. This is a key component of solving the city’s housing crisis. Visit this [webpage](#).
 - **Affordable Housing Protection for Communities:** Requires new projects on residential sites to replace affordable units and provide affected residents with affordable housing options.
- Homes for All of Us initiatives will also incentivize housing that...
 - is at City facilities or on underused commercial sites
 - is near transit, including auto-oriented locations and bus/trolley stops
 - is in communities with little to no affordable housing
 - is ADA-accessible for disabled/older individuals
 - includes single-room occupancy (SRO) units for unhoused individuals
 - includes live/work units to promote working from home
 - includes 3+ bedroom units for families
- Current City housing programs can be found in the [Housing Affordability Toolkit](#).

City of San Diego – HIRING

- The City of San Diego is looking to hire you! In an effort to spread the word about open City jobs, the Communications team, Personnel and Human Resources worked together to enhance visibility and awareness of city jobs. Please watch this public service announcement at your convenience.
 - English PSA - <https://youtu.be/kcOSGGM64Nc>

To hear more about what Mayor Gloria has been working on, check out our News Room <https://www.sandiego.gov/mayor/news-room> or subscribe to our e-Newsletter <https://www.sandiego.gov/mayor>

- **7:43pm San Diego City Council, Fifth District Marni von Wilpert – Khayri Carter**
Kcarter@sandiego.gov

Pleasure to meet you all. Obviously, I'm the new guy here in the District 5 office. This is my first community meeting. As all of you may know, MvW did contract COVID towards the end of last month, and she did become rather symptomatic however she would like to emphasize that had she not been vaccinated, she would definitely have experienced a much harder time recovering. So, MvW would like to encourage as many of our district five residents as well as friends and family to get vaccinated. Some good news is while our council woman was out with COVID the mayor did sign her gun ordinance into law, which is a big deal because she wrote the ordinance herself and getting this past is a huge step towards protecting our communities from unregistered guns. Another highlight this month is our office participated in the blue campaign community cleanup in Ocean Beach and part of Hickory Creek in San Fran Springs. We just thought we would help out a bit since all the waterways are important, keeping them all clean, not just the beaches are important.



**Rancho de los Peñasquitos Planning Board
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I would also like to thank the Rancho Peñasquitos Fire Safe Council and the Town Council for the wonderful ceremony they held in honor of the 911 Memorial as well they did a disaster preparedness workshop that was very informative. MvW would also like to thank the Cub Scouts pack 685, the scouts at Turtleback Elementary School, she had a wonderful time, talking about how they'd like to develop young leaders in our community, and use local government to build up our community. Finally, there is an upcoming Arts and Culture committee Funding Workshop where participants will learn everything needed to know about applying for funding and the two programs they offer, one being the organizational Support Program, the other about the Creative Community SD, I will post the link on the RTD website.

- **7:49pm San Diego City Council, Fifth District Marni von Wilpert joins our meeting:**

Hello everyone, I just hopped off another zoom. I was hoping to introduce Khayri. He's already learning the ropes so quickly. And I am really proud of him because he has decided to leave a career in the private sector because he wants to do public service. Since I took office back in December of last year streetlight repair has been one of our most backlogged requests in City Hall. And I'm trying to figure out why. And what I hear a lot from our capital engineering department, who works with streetlight and sidewalks is that the city can't keep electrical engineers. We keep losing them to the private sector, which is not okay. The city is currently working to change our hiring practices and pay structure to remedy this. Please email my office so that we can make sure we push areas of concern, we will highlight those to get them fixed and remember to use the Get it Done App, so that repairs and fixes can get pushed through, honestly I get over a thousand emails a day so utilizing the app is much more efficient way to submit requests.

- **7:54pm San Diego City Council Sixth District Chris Cate- Sheldon Zeman:**

(Szeman@sandiego.gov)

Hello everyone, my experience after six and half years working in city positions is that getting lights repaired always take time. Please email me and I will do what I can to assist. Also, Brian please send me the report for the Carmel Mountain accident. There is a project underway to give free annual passes to lower income students and families to museums etc. If anyone on the planning board would send me names of schools that we should target that would be greatly appreciated, it's a wonderful program.

- **San Diego City Planning Department- Shannon Mulderig: (SLMulderig@sandiego.gov)
Not Present**

- **San Diego County, District 3 Supervisor -Terra Lawson Remer**

Evlyn Andrade (Evlyn.Andrade@sdcounty.ca.gov)

I am a policy advisor for supervisor Tara Lawson Remer with a focus on land use and environment. I also manage our community engagement program. Really great to be here with you all. The supervisors been really taking action to ensure that everyone in the community completes the full vaccine regimen, allowing us to overcome this COVID pandemic. And we do have some good news to report on that 78% of those that are eligible to be vaccinated or fully vaccinated in the county have been and 88% have received at least their first dose. So compared to the state, which is at 59%, we're doing really great. Additionally, I do have a couple of announcements regarding the booster shots, according to the CDC and the California Department of Public Health, anybody who is immunocompromised, or over the age of 65, who received the Pfizer vaccine is now recommended to get a booster and should make an appointment. If you are eligible. There are additional groups are eligible for that Pfizer booster so please



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consult with your primary care physician for more information on that, please know that there is sufficient supply of the Pfizer vaccine locally to fill that demand. We are also encouraging people to get a flu shot. It is that time of year so you can get your flu shot at the same time as your booster. Again, check with your primary care provider for more details. Lastly, the Supervisor really wants to ensure that everyone is fire ready. As you know, climate change has made every season fire season throughout our state, so make sure that you will be prepared to utilize resources in the event of an emergency. We have alert San Diego where you can receive telephone updates. And then we also have the SD emergency app for emergency updates. It has interactive maps as well as checklists. I will be putting both of those links in the chat.

- **CA State 77th Assembly District, Member Brian Maienschein -**
Rikard.Hauptfeld (Rikard.Hauptfeld@asm.ca.gov) **Not Present**
- **CA State Senate District 39, Senator Toni Atkins- Diana Lara**
(Diana.Lara@sen.ca.gov) **Not Present**
- **US Congressman 52nd District, Scott Peters -Jason Bercovitch**
(Jason.Bercovitch@mail.house.gov) **Not Present**

8:05pm BUSINESS: Hello, my name is Ramesses Surban for those of you who haven't met me previously, I serve as a commissioner of the Center on the County of San Diego's Independent Redistricting Commission. So just to make that clear, this is the county of San Diego not the city of San Diego, they're two different Commission's doing two different things. Redistricting in San Diego County, what is it? Let me tell you, redistricting is the process of redrawing district boundaries for each of our five supervisorial districts so that each has reasonably equal population. We redraw new boundaries every 10 years based on census data. As you know, our federal government conducts a census every 10 years when it counts all individuals residing in the United States at the location where they live. The census data reveals what population changes have occurred over the past 10 years, and there are usually quite a few changes, growth in some areas, declines in others. We must create a map that complies with the Federal Voting Rights Act to ensure that minorities have a fair opportunity to elect representatives of their choice. Districts must be contiguous so that all parts of the district are connected to each other, districts must minimize the division of cities, neighborhoods, and communities of interest to the extent possible, and districts should be geographically compact, such that nearby areas of population are not bypassed. This requirement refers to density not shape. In addition, we cannot consider the place of residents of any incumbent or political candidates in the creation of a map, nor can we draw districts for the purpose of favoring or discriminating against an incumbent political candidate or political party. For more information and details on the full presentation please refer to this link and/or contact Ramesses, as well you can utilize the draw my community link:

<https://www.sandiegocounty.gov/content/sdc/redistricting.html>

<https://drawmycommunity.org>

ramesses.surban@sdcounty.ca.gov



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8:29pm cont'd BUSINESS: Geoffrey Hueter – Neighbors for a Better San Diego – ADU Presentation:



CPC 9-27-21 - Final
G.Hueter 10 6 21.pdf

Geoff will be put on the agenda again next month so that our planning board can stay informed on this issue, new ruling does not go into effect until 1/2022 so there is time to provide feedback. Good places to contact: Marni Von Wilpert's office, Mayor Gloria's office, Mike Hansen's office (Head of SD Planning Department) and all the other individual council offices.

9:12pm – ACTION ITEM – Merge 56 PDP Amendment – Gary Levitt

Confirm the scientific use referenced in the Community Plan, our PDP needs to be amended to expressly identify scientific uses. As confirmed by the city, the word “scientific” is synonymous with “research and development”. We are asking to insert the words “research and development” into our PDP.

In 2013, we acquired the property we came to the planning board, and we said we'd like to re-do the existing plan and create a mixed-use project and we've work with you for nearly five years in virtually unanimous support of a mixed-use project. Previously, we had 180,000 square feet allocated for a retail center with movies, grocery store, and other retail outlets. Since the changes brought about due to COVID-19 most of these prospective tenants have removed their interest so we have brought in office buildings, we showed you some images of those earlier this year and inserted language that said we were allowed to do professional corporate scientific and medical offices, however we need to specifically add the PDP amendment as required by the City for Bio-tech tenants to be included, this is not a zoning change.

9:39pm Motion: Approval of PDP Amendment for Merge 56 Project. **Steve Leffler/second Jon Becker, Vote 13-0 Motion passes unanimously.** (Christina Cornell not present for vote).

9:40pm – ACTION ITEM – RPPB Redistricting – Jeanette Waltz-Poole

Discussion and approval of letter from RPPB to the City of San Diego Redistricting Commission outlining the need for RP to be made whole again. The 2020 census redistricting commission two weeks ago distributed results from the latest census and the commission is starting to get input from different interest groups.

I got on the website, looking at the letters that had recently been received by the redistricting commission and noticed, that a group called APAC, which is the Asian Pacific American Coalition, we had a lot of interactions with that same group in the past. I noticed that they have been submitting various maps. One of the maps shows Rancho Peñasquitos, Torrey Highlands, and all the way up to Black Mountain Ranch, moving into District Six, which would combine it in with Mira Mesa and Kearny Mesa, so I feel it is important to get on record now with our position to see the district boundaries be drawn contiguously keeping our District whole versus how it ended up in 2010, so I have put together this letter to the commission and hope it will be approved unanimously by our planning group.

DISCUSSION: We don't want to disparage other communities, I agree, this letter does not do that. General consensus of the group is that more editing is needed before this letter can be sent.



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10:15pm Motion: Create a special session in the next 30 days to address the content of this letter to the commission regarding redistricting. **Brian Reschke/second Steve Leffler, Vote 13-0 Motion passes unanimously.** (Christina Cornell not present for vote).

10:19pm INFORMATION ITEM – Brian Reschke – Project #696683 – March & Ash - Sabre Springs CO CU. Ash is going to petition the Sabre Springs planning group, regarding this store location. For those of you who don't know March is a marijuana dispensary.

10:20pm INFORMATION ITEM – Brian Reschke – Steve Hoffman who holds the Renter at Large seat has resigned, will post for 90 days and then we can appoint a replacement.

10:21pm REPORTS:

Chair Report: Brian Reschke (rppb.chair@gmail.com) None

Vice-Chair: Jon Becker – CPC discussions this month were about interest in eliminating drive thru restaurants in high transit areas. Real estate owners all along Mira Mesa Boulevard, will push back on that idea and the other topic was about municipal multi-family housing and eliminating any storage requirements within units.

Secretary: Hollie Kahn (rppb.secretary@gmail.com) None

Standing Committee Reports:

- **Land Use (Jeanette W.P.)**
No Report
- **Wireless Communications Facilities (Randy Steffler)**
No Report

Ad Hoc Committee Reports:

- **Media/Communications/Website (Matt Megna)**
No Report
- **Extra Ordinary Benefits Subcommittee (Kelly Lemker) Not Present**
Brian R: Committee working on finalizing list so we can move forward on addressing funding etc. Will be holding an EOB Sub-committee meeting in the next few weeks.



**Rancho de los Peñasquitos Planning Board
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Liaison and Organization Reports:

- **Black Mountain Open Space Park (Hollie Kahn)**
 1. Pilot - Volunteer Bell Program starting in RP the weekend of Oct 2/3 and then Black Mtn. weekend of Oct 9/10.
 2. New Volunteer Program is taking shape. Registration and on-line classes will only be required for ongoing volunteers. Short-term volunteers will not be required to participate however there will probably be a short on-line form to be filled out. Still waiting for specifics to be provided from the City.
 3. Waiting for City to approve connection of trail on eastern side of Black Mountain (entrance on Cuca Street) This will provide better access.
- **Community Funds (Jeanette Waltz-Poole)**
No Report
- **MCAS Miramar CLF (Stephen Egbert)**
Col. Bedell has been in place for a few months now and is getting up to speed. He is interested in being out in the community, so if there is any interest in having him speak at an RP Planning Board and/or Town Council Meeting let me know. As well I will be having a CLF meeting on Oct. 21st with Col Bedell as the guest speaker to introduce him to the group, an email will be going out in the next day or two.
- **PQ Fire Safe Council (Stephen Egbert)**
No Report
- **PQ Town Council (Tim Dougherty)**
Move to combine Fiesta & Fireworks event into one event to be held at Westview High School on the last Saturday in June. Upcoming e-waste recycling fundraiser and Halloween yard decorating contest, check website for updates.
- **PQ Recreation Council (Steve Leffler)**
No Report
- **Los Peñasquitos Canyon Preserve CAC (Ken Heinz)**
No Report
- **Park Village LMAD (Jon Becker)**
No Report
- **Peñasquitos East LMAD (Brian Reschke)**
No Report
- **Torrey Highlands LMAD (Sabrina Leitner)**
Still looking to get a hold of maps.



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- **Black Mountain Ranch South MAD (Ken Heinz)**
Working on setting up a pre-budget meeting for those interested in attending, hope to have Mike Cook and Joe Taylor in attendance, I will be sending out an invite to the Zoom meeting so look for that in the next couple weeks.
- **Transportation Agencies (Corey Buckner)**
No Report – Corey Not Present

10:28pm ADJOURNMENT - Next Meeting on November 3, 2021

NEXT MEETINGS:

11/3/2021, 12/01/2021, 1/05/2022, 02/2/2022, 03/2/2022, 04/07/2022,
05/04/2022, 06/01/2022

SEATS AVAILABLE BASED ON DISTRICT VACANCIES

District 3/District 5/Town Council/Renter at Large



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Intentionally Blank

DRAFT

	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1 style="text-align: center;">Ownership Disclosure Statement</h1>	FORM DS-318 October 2017
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Approval Type: Check appropriate box for type of approval(s) requested: ☐ Neighborhood Use Permit ☐ Coastal Development Permit
☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit ☐ Variance
☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment • ☐ Other _____

Project Title: _____ **Project No. For City Use Only:** _____

Project Address: _____

Specify Form of Ownership/Legal Status (please check):

☐ Corporation ☐ Limited Liability -or- ☐ General – What State? _____ Corporate Identification No. _____

☐ Partnership ☐ Individual

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

Property Owner

Name of Individual: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: _____

City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Signature: _____ Date: _____

Additional pages Attached: ☐ Yes ☐ No

Applicant

Name of Individual: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: _____

City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Signature: _____ Date: _____

Additional pages Attached: ☐ Yes ☐ No

Other Financially Interested Persons

Name of Individual: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: _____

City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Signature: _____ Date: _____

Additional pages Attached: ☐ Yes ☐ No

Ownership Disclosure Statement – Additional Pages

Ownership: Sea Breeze 56, LLC

Members owning 10% or more: (see below)

Name: Algorithm Investments, LLC, Alan Viterbi
Ownership: 15.63%
Address: 1020 Prospect Street, Suite 303, La Jolla, CA 92037

Name: Cliffridge, LLC, Andrew Viterbi
Ownership: 15.63%
Address: 2712 Glenwick Place, La Jolla, CA 92037

ATTACHMENT 10

No changes to these previously approved plan sets are proposed by the PDP amendment application.

PARKING					
COMMERCIAL:					
	FOOTPRINT SQ FT	# FLOORS	TOTAL AREA	PARKING RATIO	REQUIRED PARKING
LARGE RETAIL TENANTS:					
1. CINEMA (1,250 SEATS)	50,000	1.00	50,000	1 per 3 seats	417
2. GROCERY	21,000	1.00	21,000	0.001	21
3. JR. ANCHOR 1	15,000	1.00	15,000	0.001	15
4. FITNESS (JR. ANCHOR 2)	22,500	1.56	35,000	0.001	35
5. JR. ANCHOR 3	13,000	1.00	13,000	0.001	13
SUBTOTAL LARGE RETAIL TENANTS	121,500		134,000		501
SMALL RETAIL TENANTS:					
6. MARKET HALL (2 BUILDINGS)	10,500				
7. RETAIL AREA 1 (CENTRAL PLAZA)	17,500				
8. RETAIL AREA 2 (EAST PLAZA)	6,250				
9. RETAIL AREA 3 (SOUTH SIDE OF STREET M)	8,200				
10. RETAIL AREA 4 (SOUTH SIDE OF STREET M)	6,000				
SUBTOTAL SMALL RETAIL TENANTS	50,450	1.00	50,450	0.001	50
11. HOTEL (120 rooms)	13,500	4.00	54,000	1 per room	120
SUBTOTAL COMMERCIAL + HOTEL			238,450		671

OFFICE:					
	TYPE	# FLOORS	TOTAL AREA	PARKING RATIO	REQUIRED PARKING
1. OFFICE BUILDING 1A	GENERAL	6.00	98,528	0.0033	325
2. OFFICE BUILDING 1B	GENERAL	4.00	45,840	0.0033	151
3. OFFICE BUILDING 2 (OVER JR. ANCHOR 1)	MEDICAL	2.00	12,600	0.004	50
4. OFFICE BUILDING 3 (OVER RETAIL 1)	MEDICAL	2.00	28,400	0.004	114
5. OFFICE BUILDING 4A	MEDICAL	3.00	38,460	0.004	154
6. OFFICE BUILDING 4B	MEDICAL	2.00	17,300	0.004	69

	SHARED PARKING DEDUCTION			0%	0
	SUBTOTAL OFFICE		241,128		863

	SUBTOTAL COMMERCIAL & OFFICE		479,578		1,535
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AFFORDABLE HOUSING					
	SQ FT	# FLOORS	TOTAL AREA	UNITS	REQUIRED PARKING
1. FLAT APARTMENTS	21,635	3.00	64,905	47	63
2-BEDROOM				14	20
3-BEDROOM				24	26
1-BEDROOM				9	5
VISITOR PARKING					8
STATE PARKING					6
ASSIGNED PARKING					6

	TOTAL PARKING REQUIRED		544,483		1,603
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PARKING [COMMERCIAL AREA]:					
	TOTAL AREA	SPACES	ACCESSIBLE	MOTORCYCLE	L/T BICYCLE
1. PARKING STRUCTURE 1 (WEST)					
basement	71,880	209	12	0	80
1st floor	33,840	92	2	4	
2nd floor	33,840	98	10		
3rd floor	33,840	99	10		
4th floor	33,840	99	10		
SUBTOTAL	207,240	597	34	14	34

2. PARKING STRUCTURE 2 (CENTRAL)					
basement	50,380	161			28
1st floor	50,102	157	17	20	
2nd floor	50,102	163			
3rd floor	50,102	163			
SUBTOTAL	150,306	644	17	20	

3. PARKING STRUCTURE 3 (EAST)					
basement	29,542	70			36
1st floor	28,576	69	6	12	
2nd floor	29,390	70			36
SUBTOTAL	87,508	209	6	12	

4. PARKING STRUCTURE 4 (OFFICE BLDG. 4)					
basement	89,512	115		6	18
1st floor	140,937	40	3	6	
SUBTOTAL	539,449	155	3	12	

5. SURFACE PARKING					
ON-STREET (PARALLEL) - STREET M		30			
OFFICE BUILDING 1 SURFACE LOT		27	4		
SERVICE LOT		21			
SUBTOTAL		78	4		
TOTAL		1,683	44	78	120
	SURPLUS/(DEFICIT)	85			

COMMERCIAL					
	# SPACES	RATIO	REQUIRED ACCESSIBLE PARKING	REQUIRED VAN ACCESSIBLE (1 per 8)	PROVIDED
TOTAL PARKING REQUIRED	1598				1,683

Accessible (per IB305)					
Parking Structure 1	597	2%	12	1	14
Parking Structure 2	644	2%	4	1	6
Parking Structure 3	209	2%	4	0	3
Parking Structure 4	155	2%	3	0	3
Subtotal			29	4	40

Carpool & ZEV		8%	128		128
Loading Spaces					13
Motorcycle		2%	32		78
Long Term Bicycle		5%	80		198
Short Term Bicycle		5%	80		112
Showers/Lockers					Provided

MULTI-FAMILY RESIDENTIAL					
	# UNITS	RATIO	REQUIRED PARKING	PROVIDED	
M/F TOWNHOMES	87	2.25	196		
M/F FLAT APARTMENTS	24	2.25	54		
TOTAL M/F	111		250		
COMMON AREA PARKING		20%	300		
Subtotal			300		

Bicycle	0.6		67	89 (in private garage)	
Motorcycle	0.1		11	11 (on site)	

PROVIDED:					
PARKING IN PRIVATE GARAGES			174		
ON-SITE - RESIDENTS			29		
ON-STREET (PRIVATE DRIVE IN) - RESIDENTS			47		
SHARED IN PARKING STRUCTURE 2, 3			54		
Subtotal			300		

PARKING REQUIRED (SINGLE FAMILY)
TOTAL 3 & 4 BEDROOMS: 84 x 2 = 168

COMMON PARKING SPACES 168 X 0.20 = 34
TOTAL: 202 SPACES

PARKING REQUIRED (SINGLE FAMILY)
TOTAL THREE & FOUR BEDROOMS: 84 X 2 = 168 SPACES

PARKING PROVIDED (SINGLE FAMILY)
COVERED = 168 SP
(GARAGES)
STANDARD = 11 SP
PARALLEL = 52 SP
DISABLED = 2 SP
TOTAL: 233 SP

COMMERCIAL PARKING NOTE:
COMPLIES: OR OF REQUIRED PARKING WILL BE LOCATED WITHIN THE PUBLIC RIGHT OF WAY. ALL PARKING WILL BE LOCATED AT THE REAR OF THE PROPERTY.

COMMERCIAL VEHICLES ACCESS NOTE:
COMPLIES: VEHICLE PARKING AISLES HAVE REQUIRED TURN AROUND AREA PROVIDED. ACCESS TO ADJACENT DRIVEWAY OR PUBLIC RIGHT OF WAY PROVIDED.

SITE SUMMARY		
SETBACKS (RX 1-2):	REQUIRED	PROPOSED
MIN FRONT YARD	15'	VARIES 7'-26'
MIN SIDE YARD	3'	VARIES 4'-21'
REAR YARD	10'	VARIES 5'-21'
SETBACKS (CC 3-5):	REQUIRED	PROPOSED
MAX FRONT/STREET SIDE	10'	VARIES 0'-0"
MIN SIDE/REAR	10' OR 0'	VARIES 5'-10' MIN
UNIT 4	REQUIRED	PROPOSED
MAX FRONT/STREET SIDE	10'	VARIES 0'-29'
MIN SIDE/REAR	10' OR 0'	10' OR 0'

DENSITY:
NUMBER OF EXISTING UNITS TO REMAIN ON SITE: NONE
NUMBER OF PROPOSED DWELLING UNITS ON SITE: 242

DEVELOPMENT SUMMARY UNIT 10	
Total	23.41 acres (1,019,851 SF)
Net Total (Lots 1-7)	532,066 SF
Gross Floor Area (Area 10)	521,923 SF
Proposed Lot Coverage	288,745 SF
Minimum Lot Coverage	35%
Landscape Area	288,745/532,066=54%
Landscape Area	111,037 SF
Floor Area Summary	
Multi Family (Market Rate)	19 units
Townhome - A	1,200 SF
13 units x 2,300 SF	= 29,900 SF
Townhome - B	3,250 SF
6 units x 3,250 SF	= 19,500 SF
Market Rate Subtotal	49,400 SF
Multi Family (Affordable)	47 units
Flat Apartment	47 units x 1,380 SF = 64,905 SF
Residential GFA Total	= 114,305 SF
Commercial	
Jr. Anchor 1	15,000
Cinema	50,000
Retail 1	17,500
Market Hall	10,500
Grocery	21,000
Fitness (Jr. Anchor 2)	35,000
Hotel	54,000
Jr. Anchor 3	13,000
Commercial GFA Total	= 227,250 SF
Office	
Office 1A, 1B	144,368
Office 2	12,600
Office 3	28,400
Office GFA Total	= 185,368 SF
Parking Structures	
Parking Structure 1 West	207,240 SF
Parking Structure 2 Central	150,306 SF
Parking Structure 3 East	87,508 SF
Parking Structures Total	= 445,054 SF
Parking Structures excluded from GFA per 113.0234(d)(3)(B)(ii) and (iii)	
Total Unit 10 GFA Total	= 521,923

DEVELOPMENT SUMMARY UNIT 5	
Total	11.43 AC (497,672 SF)
Gross Floor Area (Area 5)	241,789 SF
Proposed Lot Coverage	160,982 SF
Landscape Area	6,278 SF
Floor Area Summary	
Single Family Homes	84 units
Plan 1	1st Floor: 1,220 SF
2nd Floor: 1,557 SF	
Unit Total	= 2,777 SF
Plan 1 Total	12 units x 2,777 SF = 74,979 SF
Plan 2	1st Floor: 1,270 SF
2nd Floor: 1,628 SF	
Unit Total	= 2,898 SF
Plan 2 Total	29 units x 2,898 = 84,042 SF
Plan 3	1st Floor: 1,325 SF
2nd Floor: 1,627 SF	
Unit Total	= 2,956 SF
Plan 3 Total	28 units x 2,956 SF = 82,768 SF
Total Unit 5 GFA Total	= 241,789

DEVELOPMENT SUMMARY UNIT 4	
Total	7.68 acres (334,520 SF)
Net Total (Lots 1-5)	5.35 acres (241,605 SF)
Gross Floor Area (Area 4)	277,140 SF
Proposed Lot Coverage	114,522 SF
Minimum Lot Coverage	35%
Landscape Area	114,522/241,605 = 47%
Floor Area Summary	
Multi Family Residential	92 units
Flat Apartments	1,795 SF
24 units x 1,795 SF	= 43,080 SF
Townhome - A	2,300 SF
62 units x 2,300 SF	= 142,600 SF
Townhome - B	3,250 SF
6 units x 3,250 SF	= 19,500 SF
GFA Residential Total	= 205,180 SF
Commercial	
Retail 3	8,200 SF
Retail 4	8,000 SF
GFA Commercial Total	= 16,200 SF
Office	
Office 4A	38,460 SF
Office 4B	17,300 SF
GFA Office Total	= 55,760 SF
Parking Structures	
Parking Structure 4 (Office 4)	53,549 SF
Parking Structures excluded from GFA per 113.0234(d)(3)(B)(ii) and (iii)	
Total Unit 4 GFA Total	= 277,140

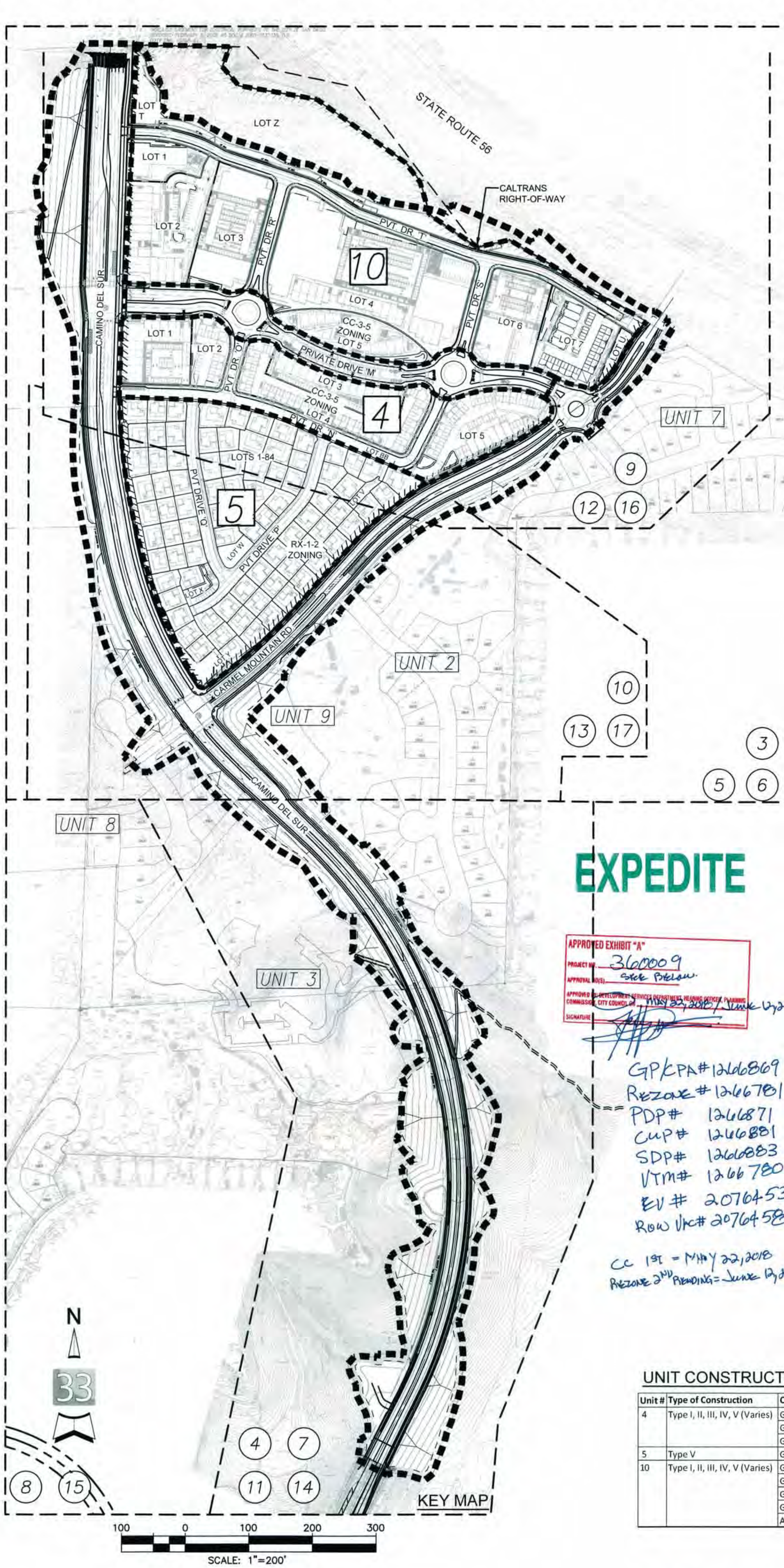
DEVIATION SUMMARY					
REQUIRED	LOTS				
MIN 15' FRONT YARD SETBACK	27, 32, 33, 35, 36, 38, 42, 43, 48, 49, 54, 55, 61				
MIN 10' REAR YARD SETBACK	40, 54, 55, 61				
REQUIRED	CC 3-5 ZONE DEVIATIONS				
MAX 10' FRONT/STREET SIDE SETBACK	Unit 10 Lot 1-5 and 7 (Plaza, Hotel from CDS, Townhomes, from CMB), Unit 4 Lot 1, 2, and 5 (Street M)				
GROUND FLOOR RESTRICTION	Unit 4 - Lots 2, 4 and 5, Unit 10 Lot 7 (Ground Floor Restriction, Residential on Ground Floor)				
REQUIRED	WALL HEIGHT DEVIATIONS				
12' MAX	WALL 21 (20'), WALL 22 (25'), WALL 27 (14'), WALL 31 (22'), WALL 32 (22')				

UNIT ACREAGE SUMMARY					
Lot #	Lot Size (SF)	A.C.	Lot Description	GFA (SF)	Permitted FAR / Proposed FAR
Unit 4, Lot 1	46,687	1.07	Office	55,760	1.19
Unit 4, Lot 2	24,381	0.56	Multi-Family	20,700	0.88
Unit 4, Lot 3	38,715	0.89	Commercial/Retail/Multi	59,280	0.69
Unit 4, Lot 4	61,223	1.41	Multi-Family	73,600	0.83
Unit 4, Lot 5	70,599	1.62	Multi-Family	67,800	0.96
Unit 4, Lot 6	64,902	1.49	Private Drive	-	N/A
Unit 5, Lot 1-BB	406,668	9.34	Single Family	241,789	0.59
Unit 5, Lot CC	53,432	1.23	Private Drive	-	N/A
Unit 5, Lot W	3,240	0.07	Open Space	-	N/A
Unit 5, Lot V	6,278	0.14	Open Space	-	N/A
Unit 5, Lot X	4,298	0.10	Open Space	-	N/A
Unit 5, Lot Y	23,756	0.55	Open Space	-	N/A
Unit 10, Lot 1	27,367	0.63	Commercial	54,000	1.97
Unit 10, Lot 2	82,355	1.89	Office	144,368	1.75
Unit 10, Lot 3	70,231	1.61	Commercial/Retail/Office	40,600	0.58
Unit 10, Lot 4	192,189	4.43	Commercial/Retail	123,350	0.64
Unit 10, Lot 5	47,446	1.09	Commercial/Retail	30,500	0.22
Unit 10, Lot 6	56,244	1.29	Commercial/Multi-Family	99,905	1.78
Unit 10, Lot 7	55,640	1.28	Commercial/Multi-Family	49,400	0.89
Unit 10, Lot 1	7,237	0.17	Open Space	-	N/A
Unit 10, Lot 2	17,362	0.40	Open Space	-	N/A
Unit 10, Lot 3	220,747	5.07	Open Space	-	N/A
Unit 10, Lot AA	131,269	3.01	Private Street	-	N/A
Unit 10, Lot DD	111,150	2.55	Private Street	-	N/A
Total	1,824,090	41.87		1,040,852	0.57

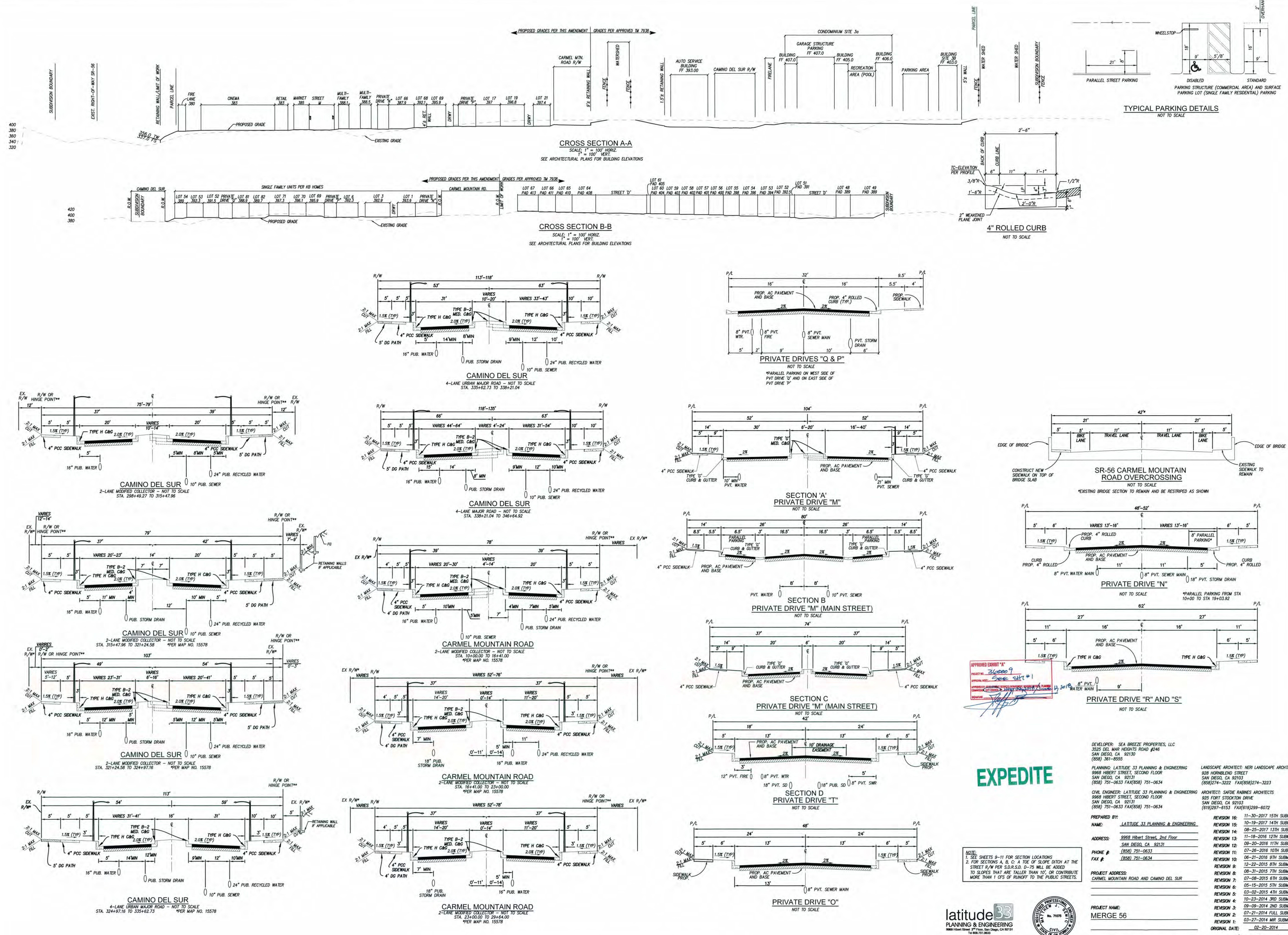
MERGE | 56

(FORMERLY RHODES CROSSING)

AMENDMENT TO THE FOLLOWING: VESTING TENTATIVE MAP (NO. 1266880), PLANNED DEVELOPMENT PERMIT NO. 1266871, SITE DEVELOPMENT PERMIT NO. 1266883, CONDITIONAL USE PERMIT 1266881, SITE DEVELOPMENT PERMIT (CDS SOUTH) NO. 1353616, PUBLIC RIGHT-OF-WAY /EASEMENT VACATION Camino del Sur and Carmel Mountain Road, San Diego, CA



STREET DESIGN TABLE			
STREET NAME	STREET CLASSIFICATION	DESIGN SPEED	
CAMINO DEL SUR (TORREY SANTA FE ROAD TO PVT. DRIVE M)	4-LANE MAJOR	55	



**NOTE: SEE SHEETS 9-11 FOR RIGHT-OF-WAY ADJACENT TO LOTS 2,3,8 AND 9

EXPEDITE

latitud33
PLANNING & ENGINEERING
9808 Hibert Street, 2nd Floor
San Diego, CA 92131
(619) 751-0633 FAX(619) 751-0634

PROJECT NAME:
MERGE 56

SHEET TITLE:
CROSS SECTIONS & DETAILS

SHEET
2
OF
37

DEVELOPER: SEA BREEZE PROPERTIES, LLC
3525 DEL MAR HEIGHTS ROAD #246
SAN DIEGO, CA 92130
(619) 561-8555

PLANNING: LATITUDE 33 PLANNING & ENGINEERING
9808 HIBERT STREET, SECOND FLOOR
SAN DIEGO, CA 92131
(619) 751-0633 FAX(619) 751-0634

CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING
9808 HIBERT STREET, SECOND FLOOR
SAN DIEGO, CA 92131
(619) 751-0633 FAX(619) 751-0634

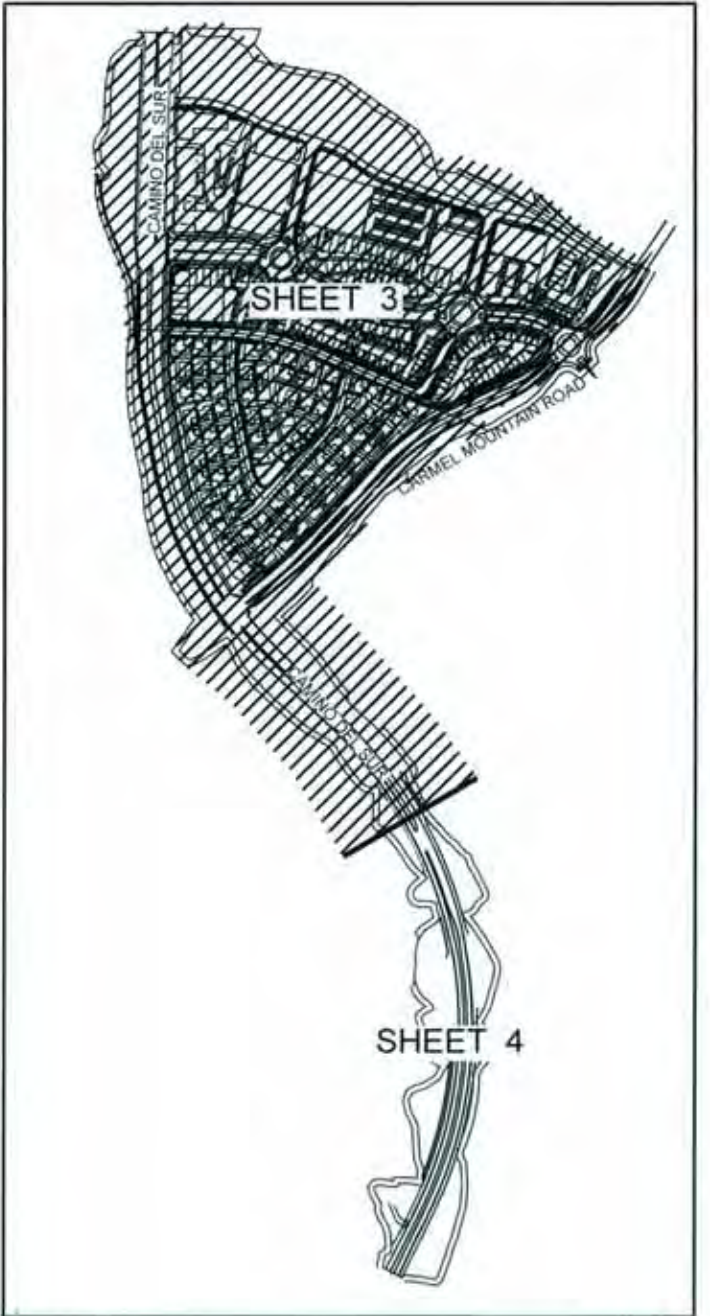
LANDSCAPE ARCHITECT: NEH LANDSCAPE ARCHITECTURE
928 HORNLEND STREET
SAN DIEGO, CA 92103
(619) 274-3223 FAX(619) 274-3223

ARCHITECT: SAGE RAINES ARCHITECTS
925 FORT STODOLN DRIVE
SAN DIEGO, CA 92103
(619) 297-6153 FAX(619) 299-6072

REVISION 16: 11-30-2017 15TH SUBMITTAL
REVISION 15: 10-19-2017 14TH SUBMITTAL
REVISION 14: 08-25-2017 13TH SUBMITTAL
REVISION 13: 11-18-2016 12TH SUBMITTAL
REVISION 12: 09-20-2016 11TH SUBMITTAL
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REVISION 9: 12-22-2015 8TH SUBMITTAL
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REVISION 6: 05-15-2015 5TH SUBMITTAL
REVISION 5: 03-02-2015 4TH SUBMITTAL
REVISION 4: 10-23-2014 3RD SUBMITTAL
REVISION 3: 09-08-2014 2ND SUBMITTAL
REVISION 2: 07-21-2014 1ST SUBMITTAL
REVISION 1: 03-27-2014 MR SUBMITTAL
ORIGINAL DATE: 02-20-2014

- LEGEND**
- SUBDIVISION BOUNDARY
 - CONTOUR
 - SLOPE (2:1 U.O.N.)
 - DAYLIGHT LINE
 - EX. TREE / BRUSH
 - EX. FENCE
 - EX. STORM DRAIN
 - EX. WATER MAIN
 - EX. SEWER MAIN
 - EX. SWR MANHOLE
 - EX. WATER LATERAL
 - EX. SEWER LATERAL
 - EX. IRRIGATION LATERAL
 - EX. PEDESTRIAN RAMP
 - EXISTING VERNAL POOL & WATERSHED (TO BE MITIGATED OFFSITE)
 - EXISTING ABUTTERS RIGHTS RELINQUISHED PER APPROVED MAP NO. 15578

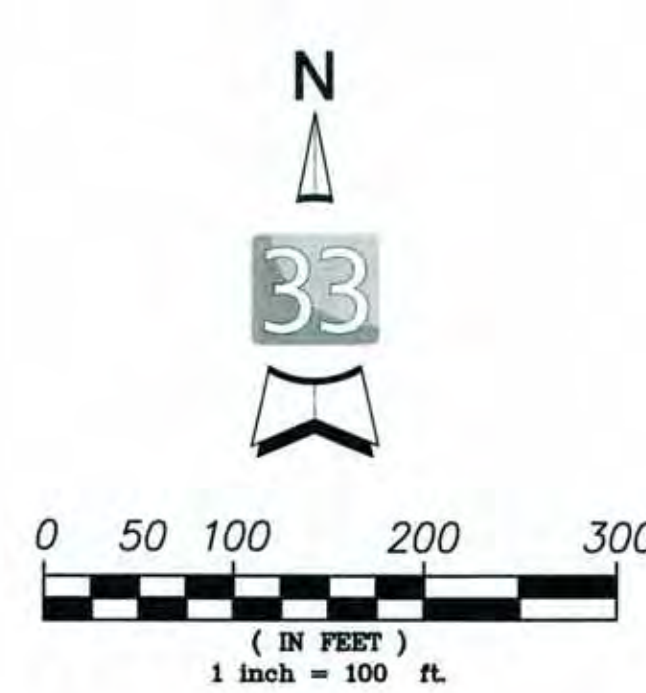
- EASEMENT LEGEND**
- (A) INDICATES PORTION OF CARMEL MOUNTAIN ROAD DEDICATED RECORDED JANUARY 3, 1997 AS DOC # 1997-0003892, O.R. (CITY DWG. 25484-D)
 - (B) INDICATES EASEMENT FOR DRAINAGE, SLOPE AND TEMPORARY PUBLIC ACCESS PURPOSES TO THE CITY OF SAN DIEGO RECORDED JUNE 29, 2001 AS DOC # 2001-0445396, O.R. (CITY DWG. 18964-B)
 - (C) INDICATES EASEMENT FOR ELECTRICAL PURPOSES TO THE CITY OF SAN DIEGO RECORDED FEBRUARY 6, 2003 AS DOC # 2003-0137735, O.R. (CITY DWG. 18765-B)
 - (D) INDICATES ABUTTERS RIGHTS OF ACCESS RELINQUISHED TO THE CITY OF SAN DIEGO PER FINAL ORDER OF CONDEMNATION RECORDED JUNE 29, 2001 AS DOC # 2001-0445396, O.R. (CITY DWG. 18964-B)
 - (E) INDICATES ROAD SURVEY 65 DEDICATED PER DOCUMENT NOVEMBER 10, 1899 IN BOOK 257, PAGE 475 OF DEEDS.



KEY MAP NTS

APPROVED EXHIBIT "A"
PROJECT NO. 36009
APPROVAL NO. See Sheet #1
APPROVED BY: [Signature]
DATE: 11/10/2014

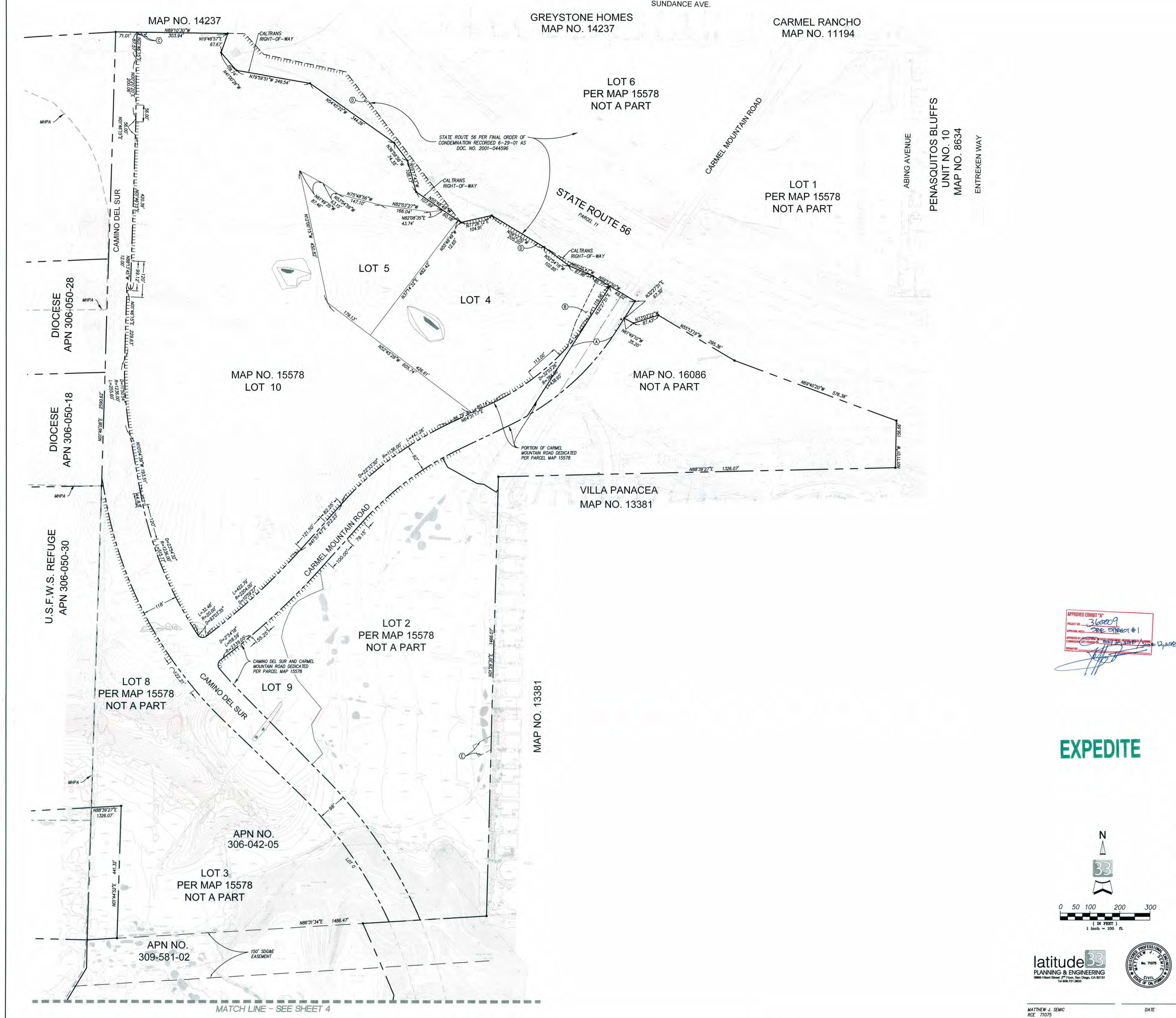
EXPEDITE



latitude 33
PLANNING & ENGINEERING
9968 Hibert Street, 2nd Floor, San Diego, CA 92131
Tel: 619.751.0633

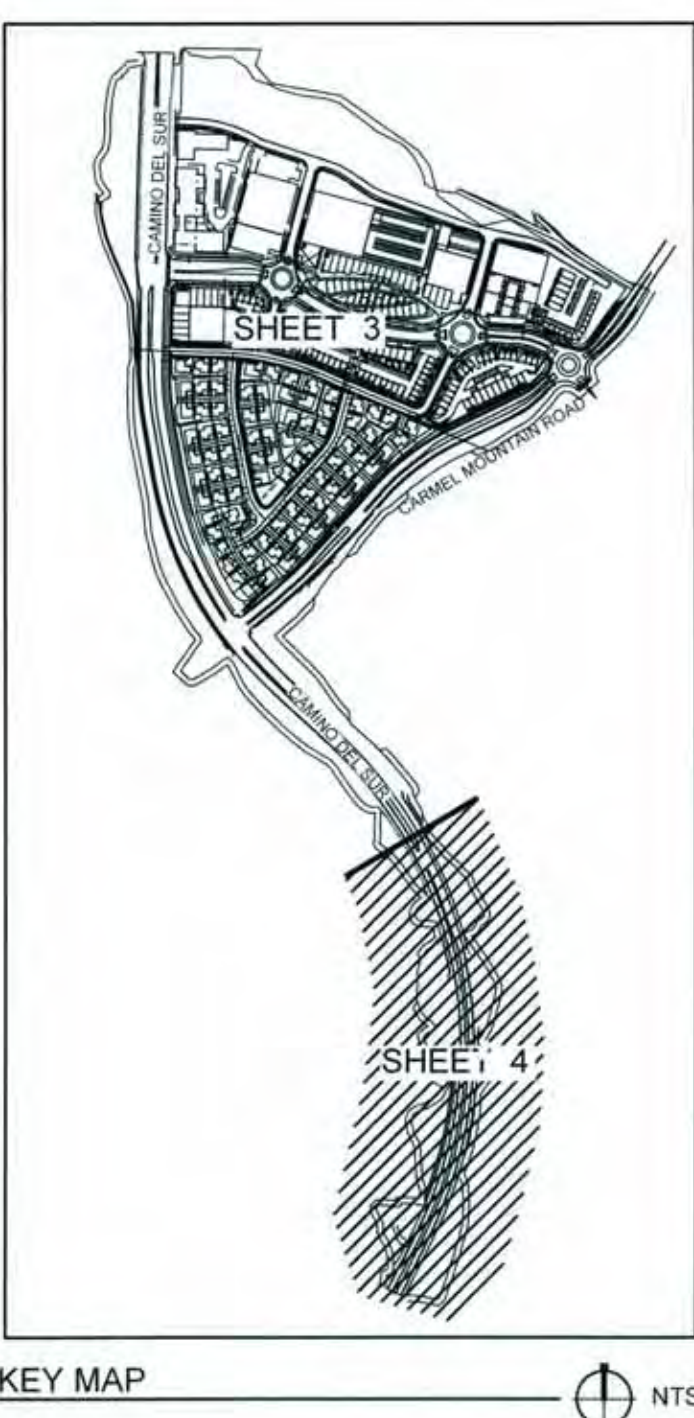


DEVELOPER: SEA BREEZE PROPERTIES, LLC 3525 DEL MAR HEIGHTS ROAD #246 SAN DIEGO, CA 92130 (619) 381-8550	
PLANNING: LATITUDE 33 PLANNING & ENGINEERING 9968 HIBERT STREET, SECOND FLOOR SAN DIEGO, CA 92131 (619) 751-0633 FAX(619) 751-0634	
CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING 9968 HIBERT STREET, SECOND FLOOR SAN DIEGO, CA 92131 (619) 751-0633 FAX(619) 751-0634	
LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE 928 HORNBLAND STREET SAN DIEGO, CA 92103 (619) 274-3222 FAX(619) 274-3223	
ARCHITECT: SAYDE RABINES ARCHITECTS 925 FORT STOCKTON DRIVE SAN DIEGO, CA 92103 (619) 297-6153 FAX(619) 299-6072	
PREPARED BY: NAME: LATITUDE 33 PLANNING & ENGINEERING ADDRESS: 9968 Hibert Street, 2nd Floor SAN DIEGO, CA 92131 PHONE #: (619) 751-0633 FAX #: (619) 751-0634	REVISION 16: 11-30-2017 15TH SUBMITTAL REVISION 15: 10-19-2017 14TH SUBMITTAL REVISION 14: 08-25-2017 13TH SUBMITTAL REVISION 13: 11-18-2016 12TH SUBMITTAL REVISION 12: 09-20-2016 11TH SUBMITTAL REVISION 11: 07-26-2016 10TH SUBMITTAL REVISION 10: 06-21-2016 9TH SUBMITTAL REVISION 9: 12-22-2015 8TH SUBMITTAL REVISION 8: 08-31-2015 7TH SUBMITTAL REVISION 7: 07-08-2015 6TH SUBMITTAL REVISION 6: 05-15-2015 5TH SUBMITTAL REVISION 5: 03-02-2015 4TH SUBMITTAL REVISION 4: 10-23-2014 3RD SUBMITTAL REVISION 3: 09-09-2014 2ND SUBMITTAL REVISION 2: 07-21-2014 FULL SUBMITTAL REVISION 1: 03-27-2014 MR SUBMITTAL ORIGINAL DATE: 02-26-2014
PROJECT ADDRESS: CARMEL MOUNTAIN ROAD AND CAMINO DEL SUR	PROJECT NAME: MERGE 56
SHEET TITLE: EXISTING CONDITIONS	
SHEET 3 OF 37	
DEPT NO.	



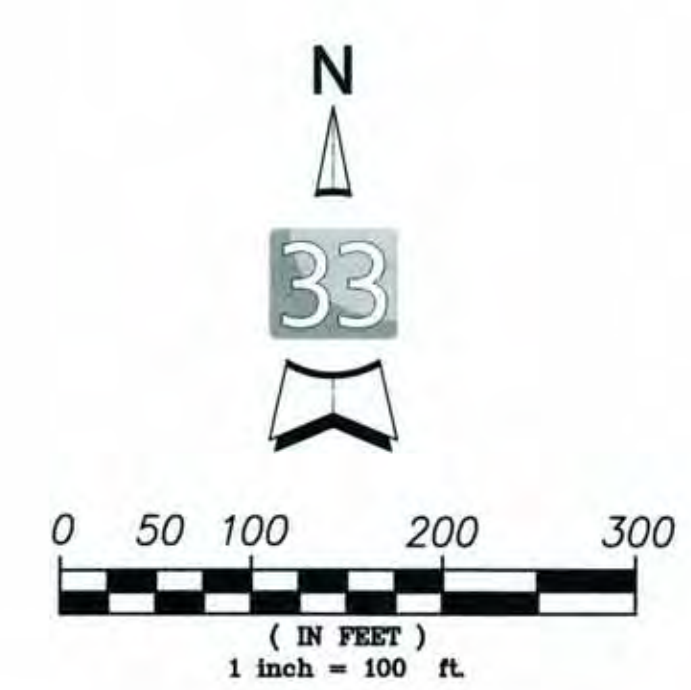
- LEGEND**
- SUBDIVISION BOUNDARY
 - CONTOUR
 - SLOPE (2:1 U.O.N.)
 - DAYLIGHT LINE
 - EX. TREE / BRUSH
 - EX. FENCE
 - EX. STORM DRAIN
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 - EX. SEWER LATERAL
 - EX. IRRIGATION LATERAL
 - EX. PEDESTRIAN RAMP
 - EXISTING VERNAL POOL & WATERSHED (TO BE MITIGATED OFFSITE)

- EASEMENT LEGEND**
- (A) INDICATES PORTION OF CARMEL MOUNTAIN ROAD DEDICATED RECORDED JANUARY 3, 1997 AS DOC # 1997-0003892, O.R. (CITY DWG. 25484-D)
 - (B) INDICATES EASEMENT FOR DRAINAGE, SLOPE AND TEMPORARY PUBLIC ACCESS PURPOSES TO THE CITY OF SAN DIEGO RECORDED JUNE 29, 2001 AS DOC # 2001-0445396, O.R. (CITY DWG. 18964-B)
 - (C) INDICATES EASEMENT FOR ELECTRICAL PURPOSES TO THE CITY OF SAN DIEGO RECORDED FEBRUARY 6, 2003 AS DOC # 2003-0137735, O.R. (CITY DWG. 19765-B)
 - (D) INDICATES ABUTTER'S RIGHTS OF ACCESS RELINQUISHED TO THE CITY OF SAN DIEGO PER FINAL ORDER OF CONDEMNATION RECORDED JUNE 29, 2001 AS DOC # 2001-0445396, O.R. (CITY DWG. 18964-B)
 - (E) INDICATES ROAD SURVEY 65 DEDICATED PER DOCUMENT NOVEMBER 10, 1899 IN BOOK 257, PAGE 475 OF DEEDS.



APPROVED EXHIBIT "A"
PROJECT NO. 330009
APPROVAL DATE: 12/20/18
APPROVED BY: [Signature]
CITY ENGINEER: [Signature]

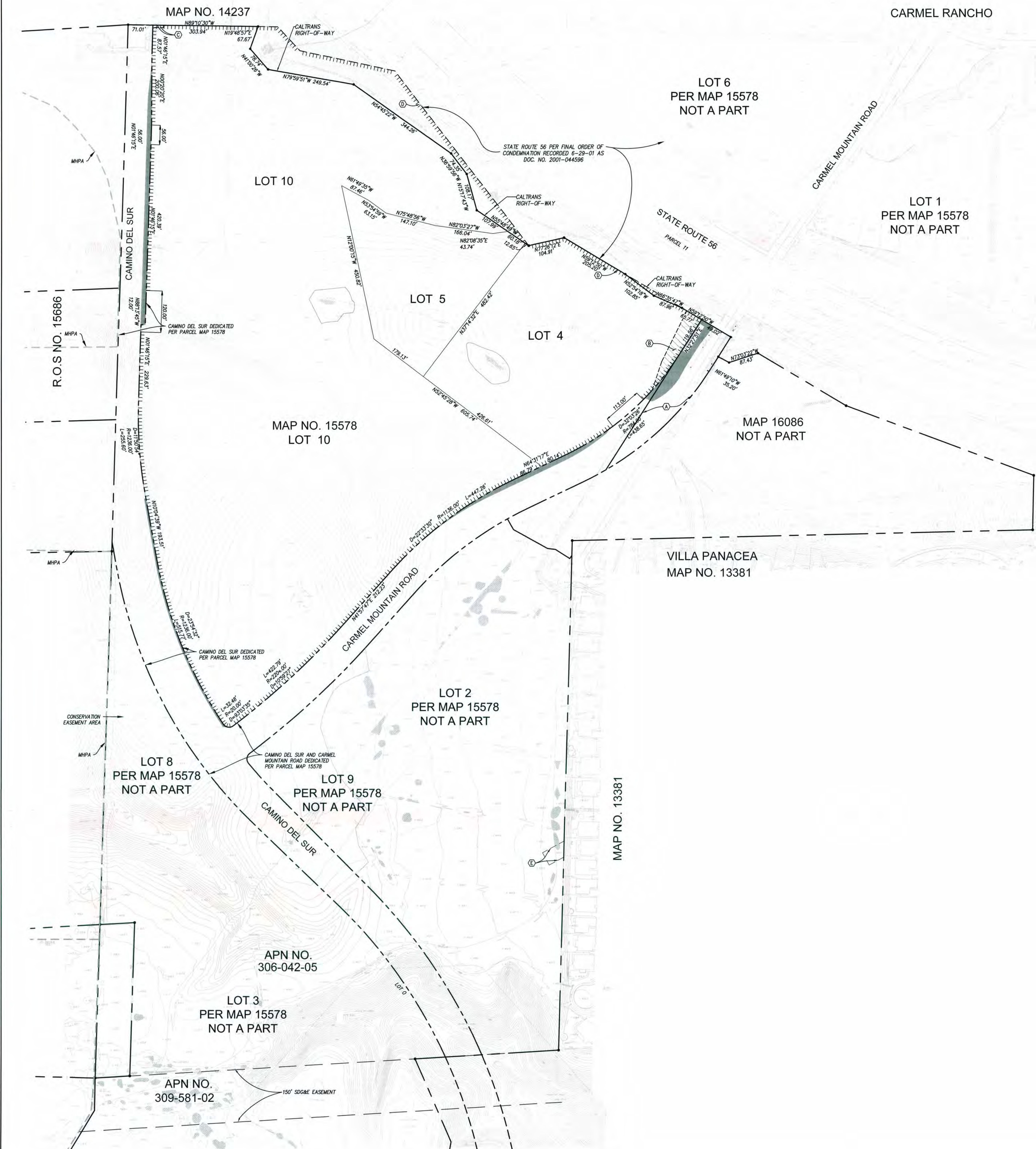
EXPEDITE



latitude 33
PLANNING & ENGINEERING
9968 Hibert Street, 2nd Floor, San Diego, CA 92131
Tel 608.751.0033



DEVELOPER: SEA BREEZE PROPERTIES, LLC 3525 DEL MAR HEIGHTS ROAD #246 SAN DIEGO, CA 92130 (858) 361-8555	
PLANNING: LATITUDE 33 PLANNING & ENGINEERING 9968 HIBERT STREET, SECOND FLOOR SAN DIEGO, CA 92131 (858) 751-0633 FAX(858) 751-0634	LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE 928 HORNBLAND STREET SAN DIEGO, CA 92103 (858)274-3222 FAX(858)274-3223
CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING 9968 HIBERT STREET, SECOND FLOOR SAN DIEGO, CA 92131 (858) 751-0633 FAX(858) 751-0634	ARCHITECT: SAFDIE RABINES ARCHITECTS 825 FORT STOCKTON DRIVE SAN DIEGO, CA 92103 (619)287-6153 FAX(619)289-6072
PREPARED BY: LATITUDE 33 PLANNING & ENGINEERING	REVISION 16: 11-30-2017 15TH SUBMITTAL
NAME: LATITUDE 33 PLANNING & ENGINEERING	REVISION 15: 10-19-2017 14TH SUBMITTAL
ADDRESS: 9968 Hibert Street, 2nd Floor SAN DIEGO, CA 92131	REVISION 14: 08-25-2017 13TH SUBMITTAL
PHONE #: (858) 751-0633	REVISION 13: 11-18-2016 12TH SUBMITTAL
FAX #: (858) 751-0634	REVISION 12: 09-20-2016 11TH SUBMITTAL
PROJECT ADDRESS: CARMEL MOUNTAIN ROAD AND CAMINO DEL SUR	REVISION 11: 07-26-2016 10TH SUBMITTAL
PROJECT NAME: MERGE 56	REVISION 10: 06-21-2016 9TH SUBMITTAL
SHEET TITLE: EXISTING CONDITIONS CONTINUED	REVISION 9: 12-22-2015 8TH SUBMITTAL
DATE: _____	REVISION 8: 08-31-2015 7TH SUBMITTAL
DEPT NO. _____	REVISION 7: 07-09-2015 6TH SUBMITTAL
	REVISION 6: 05-19-2015 5TH SUBMITTAL
	REVISION 5: 03-02-2015 4TH SUBMITTAL
	REVISION 4: 10-23-2014 3RD SUBMITTAL
	REVISION 3: 09-09-2014 2ND SUBMITTAL
	REVISION 2: 07-21-2014 FULL SUBMITTAL
	REVISION 1: 03-27-2014 MIR SUBMITTAL
	ORIGINAL DATE: 02-20-2014



LEGEND

SUBDIVISION BOUNDARY
 CONTOUR
 SLOPE (2:1 U.O.N.)
 DAYLIGHT LINE
 EX. TREE / BRUSH
 EX. FENCE
 EX. STORM DRAIN
 EX. WATER MAIN
 EX. SEWER MAIN
 EX. SWR MANHOLE
 EX. WATER LATERAL
 EX. SEWER LATERAL
 EX. IRRIGATION LATERAL
 EX. PEDESTRIAN RAMP

EXISTING VERNAL POOL & WATERSHED (TO BE MITIGATED OFFSITE)

EXISTING ABUTTERS RIGHTS RELINQUISHED PER APPROVED MAP NO. 15578

EASEMENT LEGEND

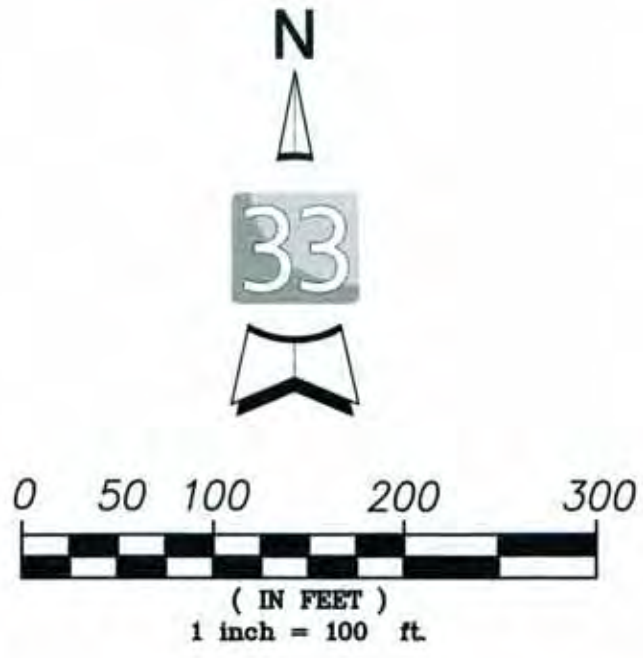
- ① INDICATES PORTION OF CARMEL MOUNTAIN ROAD DEDICATED RECORDED JANUARY 3, 1997 AS DOC # 1997-0003692, O.R. (CITY DWG. 25484-D) PORTION TO BE VACATED.
- ② INDICATES EASEMENT FOR DRAINAGE, SLOPE AND TEMPORARY PUBLIC ACCESS PURPOSES TO THE CITY OF SAN DIEGO RECORDED JUNE 29, 2001 AS DOC # 2001-0445396, O.R. (CITY DWG. 18964-B); TO BE VACATED
- ③ INDICATES EASEMENT FOR ELECTRICAL PURPOSES TO THE CITY OF SAN DIEGO RECORDED FEBRUARY 6, 2003 AS DOC # 2003-0137735, O.R. (CITY DWG. 19765-B); TO REMAIN
- ④ INDICATES ABUTTER'S RIGHTS OF ACCESS RELINQUISHED TO THE CITY OF SAN DIEGO PER FINAL ORDER OF CONDEMNATION RECORDED JUNE 29, 2001 AS DOC # 2001-0445396, O.R. (CITY DWG. 18964-B)
- ⑤ INDICATES ROAD SURVEY R5 DEDICATED PER DOCUMENT NOVEMBER 10, 1899 IN BOOK 257, PAGE 475 OF DEEDS.

INDICATES VACATION OF CARMEL VALLEY ROAD AND CAMINO DEL SUR RIGHT-OF-WAY

INDICATES EASEMENT TO BE VACATED

APPROVED EXHIBIT "A"
 PROJECT NO. 15686
 SPECIAL NOTE: SEE SHEET #1
 APPROVED BY: [Signature]
 DATE: 11/29/18
 DENOMINATOR: [Signature]

EXPEDITE



latitude 33
 PLANNING & ENGINEERING
 9968 Hibel Street, 2nd Floor, San Diego, CA 92131
 Tel 608.751.0633



MATTHEW J. SEMIC
 RCE 71075

DATE

DEVELOPER: SEA BREEZE PROPERTIES, LLC
 3525 DEL MAR HEIGHTS ROAD #246
 SAN DIEGO, CA 92130
 (858) 361-8555

PLANNING: LATITUDE 33 PLANNING & ENGINEERING
 9968 HIBEL STREET, SECOND FLOOR
 SAN DIEGO, CA 92131
 (858) 751-0633 FAX(858) 751-0634

CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING
 9968 HIBEL STREET, SECOND FLOOR
 SAN DIEGO, CA 92131
 (858) 751-0633 FAX(858) 751-0634

ARCHITECT: SAFIRE RABINES ARCHITECTS
 925 FORT STOCKTON DRIVE
 SAN DIEGO, CA 92103
 (619) 297-6153 FAX(619) 299-6072

PREPARED BY: LATITUDE 33 PLANNING & ENGINEERING
 NAME:
 ADDRESS: 9968 Hibel Street, 2nd Floor
 SAN DIEGO, CA 92131
 PHONE #: (858) 751-0633
 FAX #: (858) 751-0634

PROJECT ADDRESS: CARMEL MOUNTAIN ROAD AND CAMINO DEL SUR

PROJECT NAME: MERGE 56

SHEET TITLE: STREET RIGHT-OF-WAY AND EASEMENT VACATION

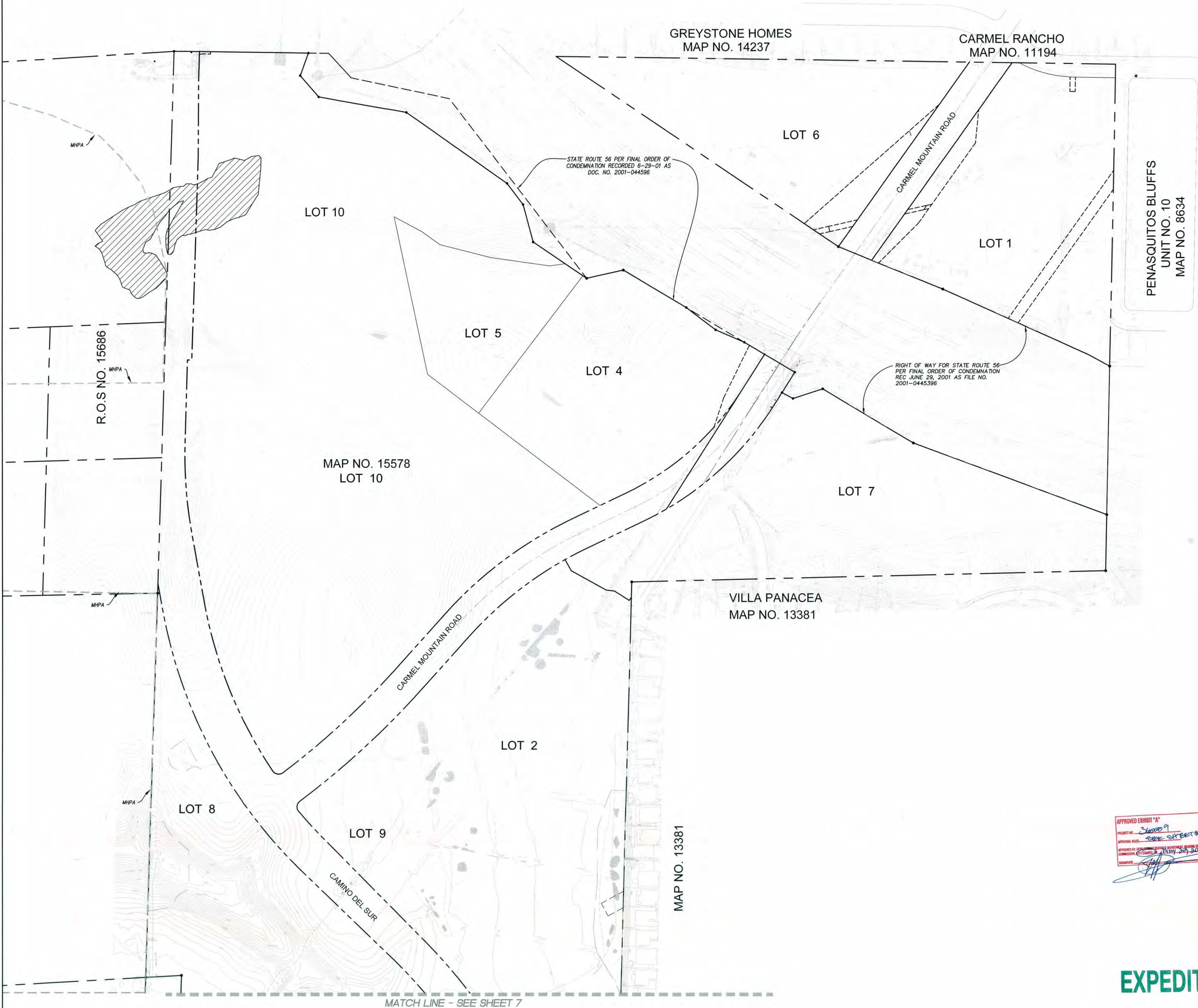
DEPT NO.

LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE
 928 HORNBLAND STREET
 SAN DIEGO, CA 92103
 (858) 274-3222 FAX(858) 274-3223

ARCHITECT: SAFIRE RABINES ARCHITECTS
 925 FORT STOCKTON DRIVE
 SAN DIEGO, CA 92103
 (619) 297-6153 FAX(619) 299-6072

REVISION 16: 11-30-2017 15TH SUBMITTAL
 REVISION 15: 10-19-2017 14TH SUBMITTAL
 REVISION 14: 08-25-2017 13TH SUBMITTAL
 REVISION 13: 11-18-2016 12TH SUBMITTAL
 REVISION 12: 09-20-2016 11TH SUBMITTAL
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 REVISION 7: 05-15-2015 6TH SUBMITTAL
 REVISION 6: 03-02-2015 4TH SUBMITTAL
 REVISION 5: 10-23-2014 3RD SUBMITTAL
 REVISION 4: 09-09-2014 2ND SUBMITTAL
 REVISION 3: 07-21-2014 FULL SUBMITTAL
 REVISION 2: 03-27-2014 MIR SUBMITTAL
 REVISION 1: 02-20-2014

SHEET 5 OF 37



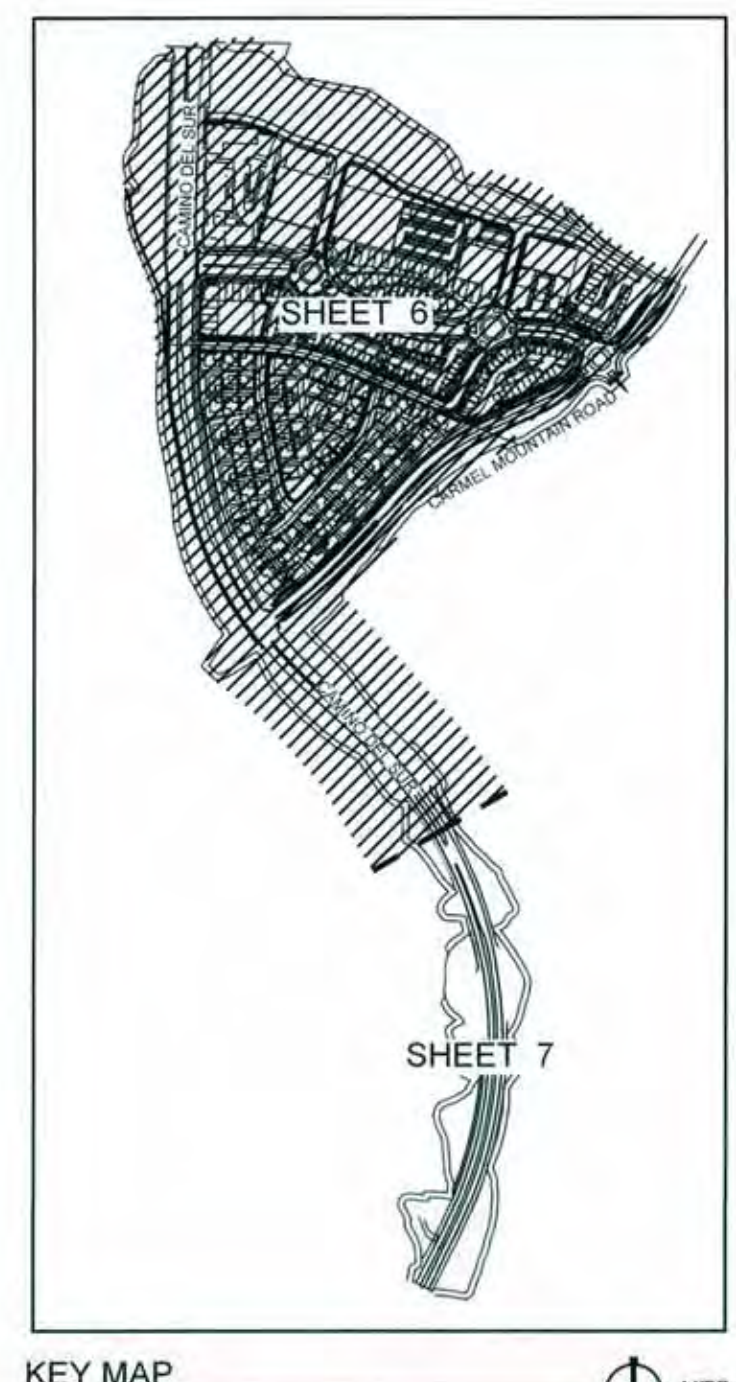
LEGEND

PROJECT BOUNDARY	---
RIGHT-OF-WAY	----
EXISTING CONTOUR
EXISTING TREE	○
LIMITS OF DISTURBANCE	----
0%-25% SLOPE	□
25% OR STEEPER	▨

AREA SUMMARY (NORTH AND SOUTH)

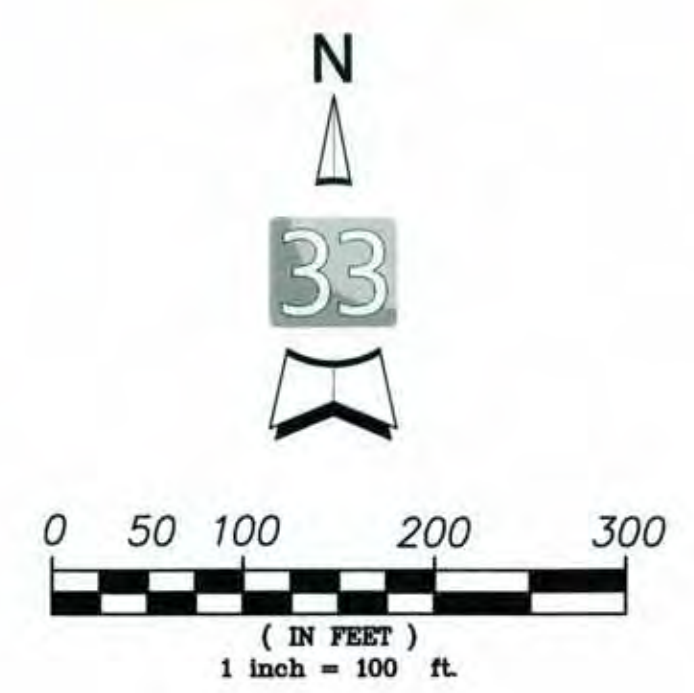
0% TO 25% SLOPE	86.5%
25% OR STEEPER	13.5%
TOTAL	100%

NOTE:
UNITS 2, 3, 7, 8 AND 11 ARE NOT A PART OF THIS AMENDMENT



APPROVED EXHIBIT "A"
PROJECT NO. 15578
SHEET # 1
APPROVED BY: [Signature]
DATE: May 29, 2012
[Signature]

EXPEDITE



DEVELOPER: SEA BREEZE PROPERTIES, LLC
3525 DEL MAR HEIGHTS ROAD #246
SAN DIEGO, CA 92130
(858) 361-8555

PLANNING: LATITUDE 33 PLANNING & ENGINEERING
9968 HERBERT STREET, SECOND FLOOR
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SAN DIEGO, CA 92131
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LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE
828 HORNBLAND STREET
SAN DIEGO, CA 92103
(858) 274-3222 FAX(858) 274-3223

ARCHITECT: SAFDIE RAHMINE ARCHITECTS
925 FORT STOCKTON DRIVE
SAN DIEGO, CA 92103
(619) 297-5153 FAX(619) 299-6072

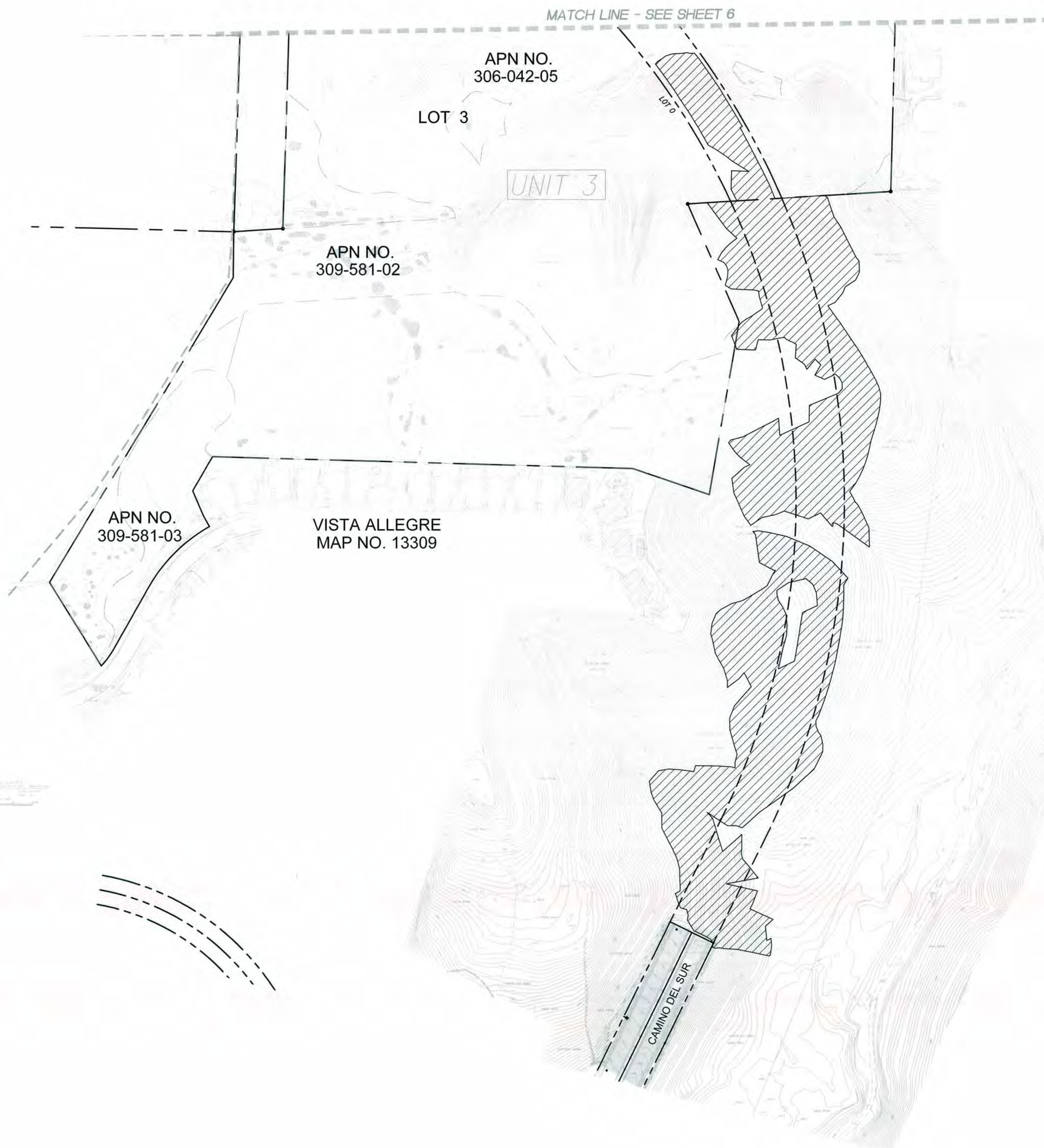
PREPARED BY: LATITUDE 33 PLANNING & ENGINEERING

NAME:	LATITUDE 33 PLANNING & ENGINEERING	REVISION 16:	11-30-2017 15TH SUBMITTAL
ADDRESS:	9968 Herbert Street, 2nd Floor SAN DIEGO, CA 92131	REVISION 15:	10-19-2017 14TH SUBMITTAL
PHONE #:	(858) 751-0633	REVISION 14:	08-25-2017 13TH SUBMITTAL
FAX #:	(858) 751-0634	REVISION 13:	11-18-2016 12TH SUBMITTAL
PROJECT ADDRESS:	CARMEL MOUNTAIN ROAD AND CAMINO DEL SUR	REVISION 12:	09-20-2016 11TH SUBMITTAL
PROJECT NAME:	MERGE 56	REVISION 11:	07-26-2016 10TH SUBMITTAL
SHEET TITLE:	STEEP SLOPE ANALYSIS	REVISION 10:	06-21-2016 9TH SUBMITTAL
DEPT NO.:		REVISION 9:	12-22-2015 8TH SUBMITTAL
		REVISION 8:	08-31-2015 7TH SUBMITTAL
		REVISION 7:	07-08-2015 6TH SUBMITTAL
		REVISION 6:	05-15-2015 5TH SUBMITTAL
		REVISION 5:	03-12-2015 4TH SUBMITTAL
		REVISION 4:	10-23-2014 3RD SUBMITTAL
		REVISION 3:	09-08-2014 2ND SUBMITTAL
		REVISION 2:	07-21-2014 FULL SUBMITTAL
		REVISION 1:	03-27-2014 MIR SUBMITTAL
		ORIGINAL DATE:	02-20-2014

latitude 33
PLANNING & ENGINEERING
9968 Herbert Street, 2nd Floor
San Diego, CA 92131
Tel 858.751.0633

MATTHEW J. SEMIC
RCE 71075

DATE



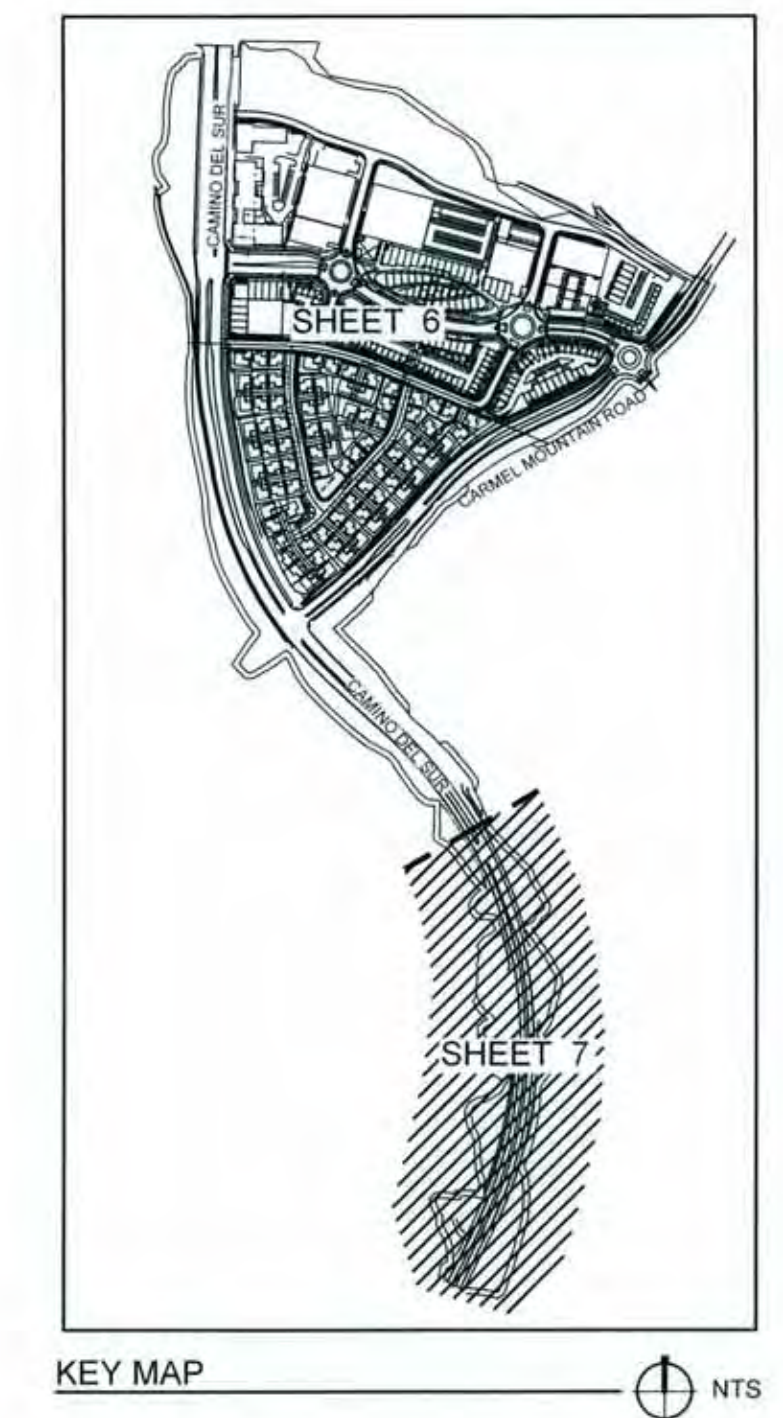
LEGEND

PROJECT BOUNDARY	-----
RIGHT-OF-WAY	-----
EXISTING CONTOUR
EXISTING TREE
LIMITS OF DISTURBANCE	-----
0%-25% SLOPE
25% OR STEEPER

AREA SUMMARY (NORTH AND SOUTH)

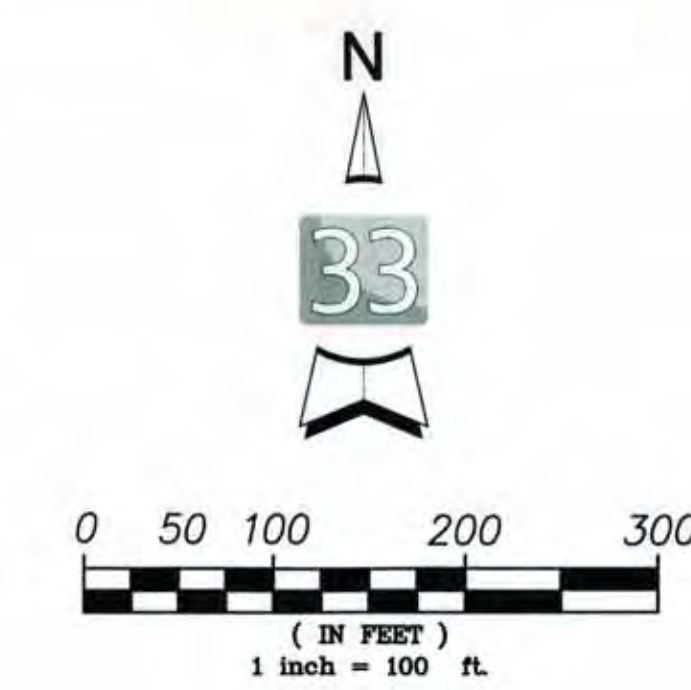
0% TO 25% SLOPE	86.5%
25% OR STEEPER	13.5%
TOTAL	100%

NOTE:
UNITS 2, 3, 7, 8 AND 11 ARE NOT A PART OF THIS MOVEMENT



APPROVED EXHIBIT "A"
PROJECT NO. 306009
APPROVAL DATE: SEE SHEET #1
APPROVED BY: JERRY J. JONES, State 12306
LOCATION: [Signature]

EXPEDITE



DEVELOPER: SEA BREEZE PROPERTIES, LLC
3555 DEL MAR HEIGHTS ROAD #246
SAN DIEGO, CA 92130
(858) 361-8555

PLANNING: LATITUDE 33 PLANNING & ENGINEERING
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CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING
9968 HIBERT STREET, SECOND FLOOR
SAN DIEGO, CA 92131
(858) 751-0633 FAX(858) 751-0634

LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE
928 HORNBLAND STREET
SAN DIEGO, CA 92103
(858)274-3222 FAX(858)274-3223

ARCHITECT: SAFDIE RABINES ARCHITECTS
925 FORT STOCKTON DRIVE
SAN DIEGO, CA 92103
(619)297-6153 FAX(619)299-6072

PREPARED BY: LATITUDE 33 PLANNING & ENGINEERING

NAME: 9968 Hibert Street, 2nd Floor
ADDRESS: SAN DIEGO, CA 92131
PHONE #: (858) 751-0633
FAX #: (858) 751-0634

PROJECT ADDRESS: CARMEL MOUNTAIN ROAD AND CAMINO DEL SUR

PROJECT NAME: MERGE 56

SHEET TITLE: STEEP SLOPE ANALYSIS

REVISION 16: 11-30-2017 15TH SUBMITTAL
REVISION 15: 10-19-2017 14TH SUBMITTAL
REVISION 14: 08-25-2017 13TH SUBMITTAL
REVISION 13: 11-18-2016 12TH SUBMITTAL
REVISION 12: 09-20-2016 11TH SUBMITTAL
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REVISION 5: 03-02-2015 4TH SUBMITTAL
REVISION 4: 10-23-2014 3RD SUBMITTAL
REVISION 3: 09-09-2014 2ND SUBMITTAL
REVISION 2: 07-21-2014 FULL SUBMITTAL
REVISION 1: 03-27-2014 MIR SUBMITTAL
ORIGINAL DATE: 02-20-2014

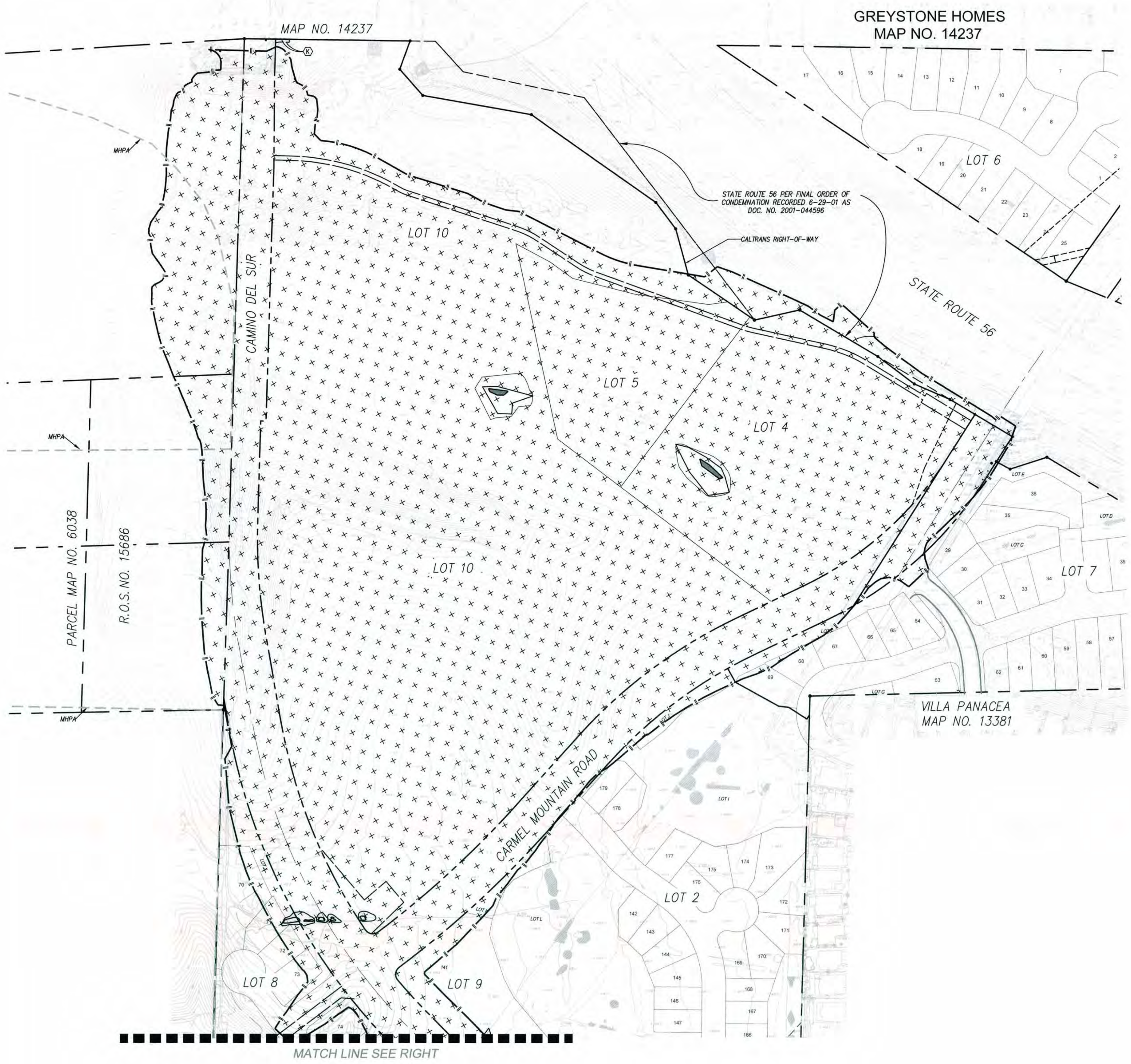
latitude 33
PLANNING & ENGINEERING
9968 Hibert Street, 2nd Floor, San Diego, CA 92131
Tel 858.751.0633



MATTHEW J. SEMIC
RCE 71075

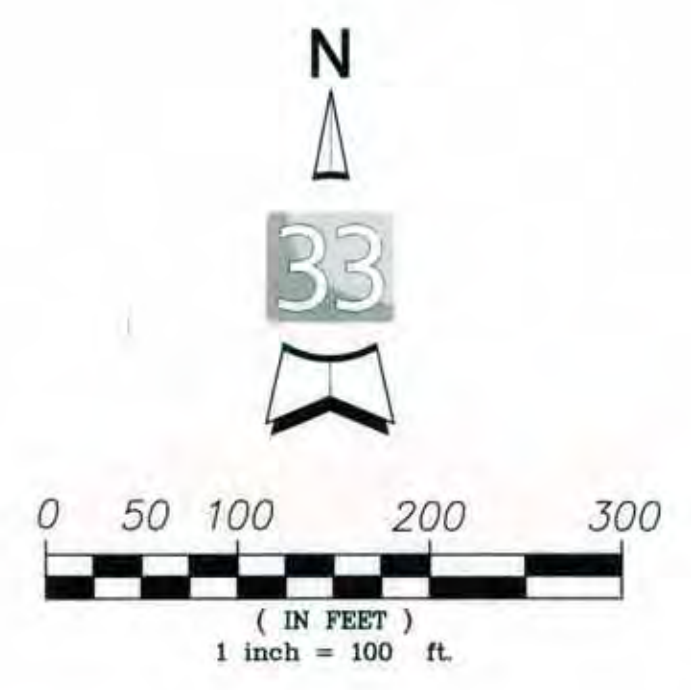
DATE

DEPT NO.



- LEGEND**
- PROPERTY LINE
 - DAYLIGHT LINE
 - CONTOUR
 - SLOPE (2:1 U.O.N.)
 - DAYLIGHT LINE
 - EX. TREE / BRUSH
 - EX. FENCE
 - EX. STORM DRAIN
 - EX. WATER MAIN
 - EX. SWR MANHOLE
 - EX. WATER LATERAL
 - EX. SEWER LATERAL
 - EX. IRRIGATION LATERAL
 - EX. PEDESTRIAN RAMP
 - EXISTING VERNAL POOL & WATERSHED (TO BE MITIGATED OFFSITE)
 - MHPA BOUNDARY
 - ESL AREA

NOTE:
REFER TO BIOLOGICAL STUDY PREPARED
BY ALDEN ENVIRONMENTAL FOR ESL AREA
DESCRIPTIONS



APPROVED EXHIBIT "A"
PROJECT NO. 30609
APPROVAL NO. 30609
CITY ENGINEER: [Signature]
DATE: 11/19/2015

EXPEDITE

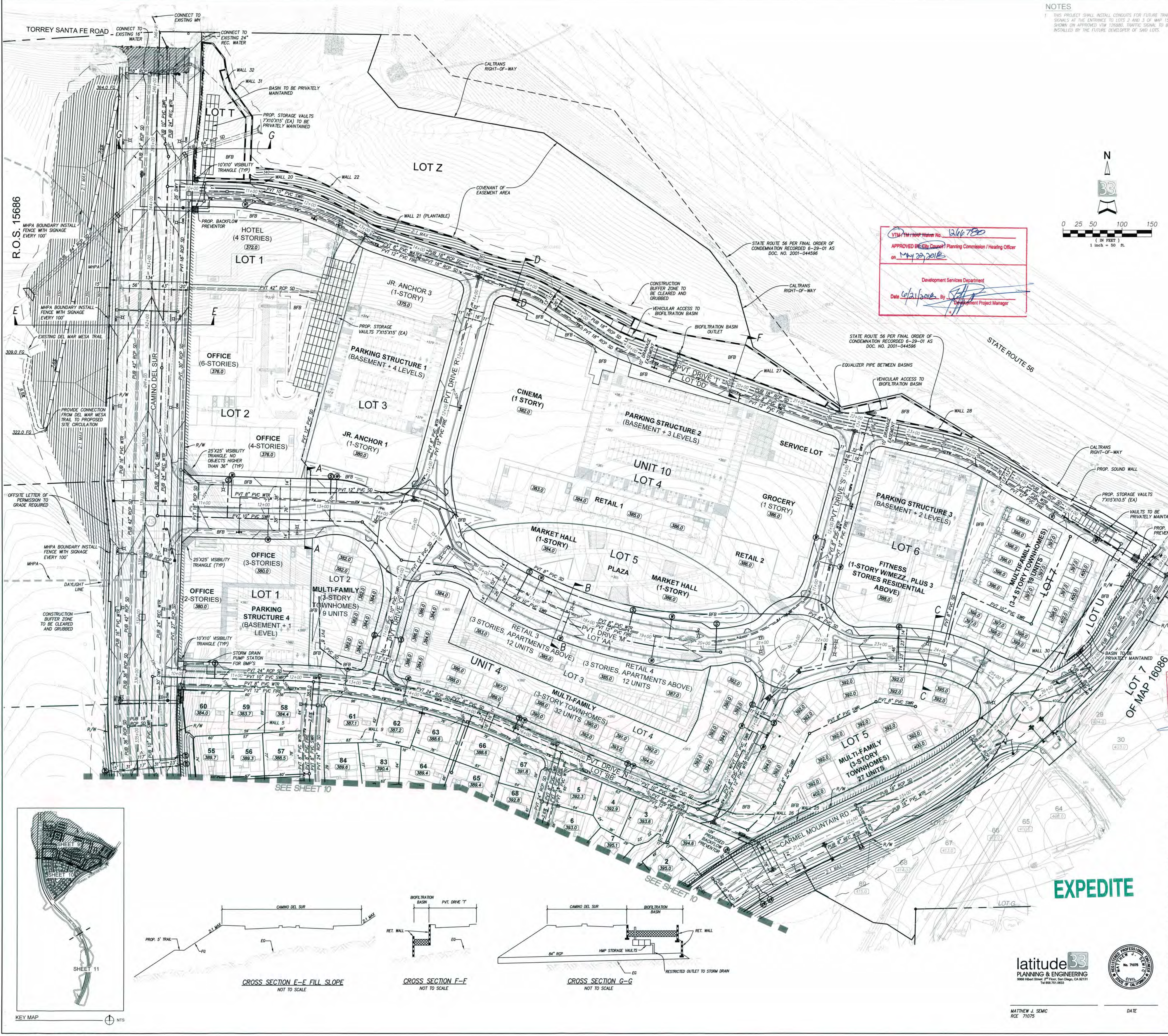
DEVELOPER: SEA BREEZE PROPERTIES, LLC 3525 DEL MAR HEIGHTS ROAD #246 SAN DIEGO, CA 92130 (858) 361-8555																																																							
PLANNING: LATITUDE 33 PLANNING & ENGINEERING 9968 HIBERT STREET, SECOND FLOOR SAN DIEGO, CA 92131 (858) 751-0633 FAX(858) 751-0634	LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE 928 HORNBLAND STREET SAN DIEGO, CA 92103 (858)274-3222 FAX(858)274-3223																																																						
CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING 9968 HIBERT STREET, SECOND FLOOR SAN DIEGO, CA 92131 (858) 751-0633 FAX(858) 751-0634	ARCHITECT: SAFIRE RABINES ARCHITECTS 925 FORT STOCKTON DRIVE SAN DIEGO, CA 92103 (619)297-6153 FAX(619)299-6072																																																						
PREPARED BY: <u>LATITUDE 33 PLANNING & ENGINEERING</u>																																																							
NAME: <u>9968 Hibert Street, 2nd Floor</u>																																																							
ADDRESS: <u>SAN DIEGO, CA 92131</u>																																																							
PHONE #: <u>(858) 751-0633</u>																																																							
FAX #: <u>(858) 751-0634</u>																																																							
PROJECT ADDRESS: <u>CAMEL MOUNTAIN ROAD AND CAMINO DEL SUR</u>																																																							
PROJECT NAME: <u>MERGE 56</u>																																																							
SHEET TITLE: <u>ENVIRONMENTALLY SENSITIVE LANDS</u>																																																							
DEPT NO.: _____																																																							
REVISIONS:																																																							
<table><tr><th>REVISION</th><th>DATE</th><th>DESCRIPTION</th></tr><tr><td>16</td><td>11-30-2017</td><td>15TH SUBMITTAL</td></tr><tr><td>15</td><td>10-19-2017</td><td>14TH SUBMITTAL</td></tr><tr><td>14</td><td>08-25-2017</td><td>13TH SUBMITTAL</td></tr><tr><td>13</td><td>11-18-2016</td><td>12TH SUBMITTAL</td></tr><tr><td>12</td><td>09-20-2016</td><td>11TH SUBMITTAL</td></tr><tr><td>11</td><td>07-26-2016</td><td>10TH SUBMITTAL</td></tr><tr><td>10</td><td>06-21-2016</td><td>9TH SUBMITTAL</td></tr><tr><td>9</td><td>12-22-2015</td><td>8TH SUBMITTAL</td></tr><tr><td>8</td><td>08-31-2015</td><td>7TH SUBMITTAL</td></tr><tr><td>7</td><td>07-08-2015</td><td>6TH SUBMITTAL</td></tr><tr><td>6</td><td>05-15-2015</td><td>5TH SUBMITTAL</td></tr><tr><td>5</td><td>03-02-2015</td><td>4TH SUBMITTAL</td></tr><tr><td>4</td><td>10-23-2014</td><td>3RD SUBMITTAL</td></tr><tr><td>3</td><td>09-09-2014</td><td>2ND SUBMITTAL</td></tr><tr><td>2</td><td>07-21-2014</td><td>FULL SUBMITTAL</td></tr><tr><td>1</td><td>03-27-2014</td><td>MIR SUBMITTAL</td></tr><tr><td>ORIGINAL DATE:</td><td colspan="2"><u>02-20-2014</u></td></tr></table>		REVISION	DATE	DESCRIPTION	16	11-30-2017	15TH SUBMITTAL	15	10-19-2017	14TH SUBMITTAL	14	08-25-2017	13TH SUBMITTAL	13	11-18-2016	12TH SUBMITTAL	12	09-20-2016	11TH SUBMITTAL	11	07-26-2016	10TH SUBMITTAL	10	06-21-2016	9TH SUBMITTAL	9	12-22-2015	8TH SUBMITTAL	8	08-31-2015	7TH SUBMITTAL	7	07-08-2015	6TH SUBMITTAL	6	05-15-2015	5TH SUBMITTAL	5	03-02-2015	4TH SUBMITTAL	4	10-23-2014	3RD SUBMITTAL	3	09-09-2014	2ND SUBMITTAL	2	07-21-2014	FULL SUBMITTAL	1	03-27-2014	MIR SUBMITTAL	ORIGINAL DATE:	<u>02-20-2014</u>	
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ORIGINAL DATE:	<u>02-20-2014</u>																																																						
SHEET 8 OF 37																																																							

latitude 33
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9968 Hibert Street, 2nd Floor
San Diego, CA 92131
Tel 858.751.0633

PROFESSIONAL SEAL
No. 71075
CIVIL
STATE OF CALIFORNIA

MATTHEW J. SEMIC
RCE 71075

DATE

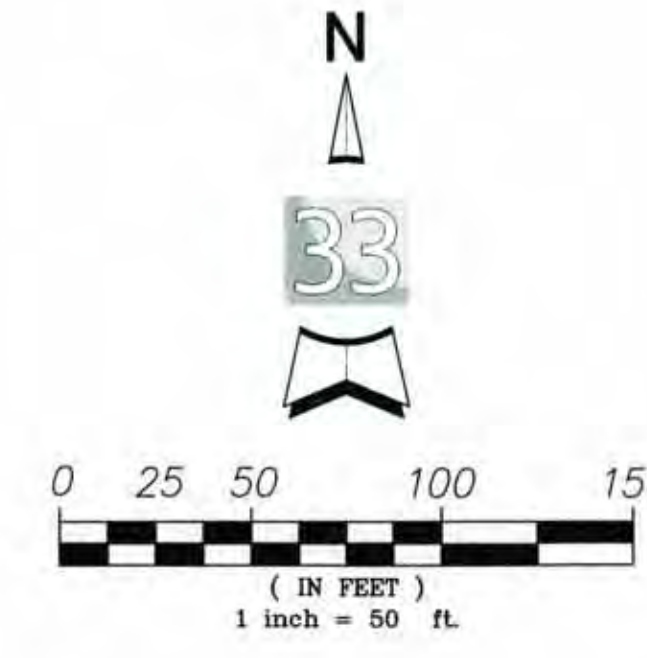


NOTES

1. THIS PROJECT SHALL INSTALL CONDUITS FOR FUTURE TRAFFIC SIGNALS AT THE ENTRANCE TO LOTS 2 AND 3 OF MAP 15576, AS SHOWN ON APPROVED YIM 125880. TRAFFIC SIGNAL TO BE INSTALLED BY THE FUTURE DEVELOPER OF SAID LOTS.

LEGEND

- TM BOUNDARY
- RIGHT OF WAY
- PROPERTY LINE
- PUBLIC EASEMENT
- SEWER PER ZONING
- SLOPES 2:1 MAX (10.0%)
- DAYLIGHT LINE
- PROPOSED CONCRETE SHALE
- RETAINING WALL
- DIRECTION OF FLOW
- STORM DRAIN
- STORM DRAIN INLET
- SEWER MAIN
- STORM DRAIN FORCE MAIN
- FIRE SERVICE
- WATER SERVICE
- SEWER LATERAL
- RECLAIMED WATER SERVICE
- UNIT NUMBER
- PROPOSED CURB AND GUTTER
- PROPOSED CROSS CUTTER
- FIRE HYDRANT ASSY.
- PROPOSED ACORN ST. LIGHT
- PROPOSED COMMERCIAL DRIVEWAY
- FINISH FLOOR ELEV.
- TRANSIT STOP
- EXISTING SURVEY MONUMENTS
- ADJUTER'S RIGHTS OF RELINQUISHED
- GUARD RAIL
- PROPOSED SOUND ATTENUATION WALL
- PROPOSED BIOFILTRATION BASIN (BFB)
- MHPA FENCE AND SIGNS



DRAINAGE NOTES

- THE PROJECT PROPOSES A SYSTEM OF PRIVATE STORM DRAIN PIPES, STRUCTURES, AND BIO-SHALES FOR DRAINAGE. THE PORTION SOUTH OF PRIVATE DRIVE 'M' WILL DRAIN WESTERLY TO A WATER POLYMER FOR TREATMENT AND TO AN UNDERGROUND VAULT FOR FLOW MITIGATION. THE PORTION NORTH OF PRIVATE DRIVE 'M' WILL DRAIN NORTHWESTERLY TO A WATER POLYMER FOR TREATMENT AND TO AN UNDERGROUND VAULT FOR FLOW MITIGATION. BOTH SYSTEMS WILL DIRECT RUNOFF FROM THE SITE TO THE WEST INTO DEER CANYON.
- ALL DRAINAGE OUTFALLS WITHOUT MAINTENANCE ACCESS SHALL HAVE RIPRAP GROUT IN PLACE.

UTILITY NOTES

- ALL ONSITE WATER, SEWER, AND STORM DRAIN FACILITIES SHALL BE PRIVATE UNLESS NOTED OTHERWISE. PUBLIC EASEMENTS SHALL BE PROVIDED FOR ALL PUBLIC UTILITIES, INCLUDING WATER METERS ON PRIVATE PROPERTY. BACKFLOW DEVICES SHALL BE OUTSIDE OF PUBLIC EASEMENTS & R/W. PRIVATE WATER AND SEWER FACILITIES SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CALIFORNIA UNIFORM PLUMBING CODE AND SHALL BE REVIEWED AS PART OF THE BUILDING PERMIT PLAN CHECK.
- ALL WATER, SEWER, AND STORM DRAIN FACILITIES WITHIN CAMINO DEL SUR MOUNTAIN ROAD TO BE PUBLIC UNLESS OTHERWISE NOTED.
- IF A 3" OR LARGER METER IS REQUIRED FOR THIS PROJECT, THE OWNER/PERMITTEE SHALL CONSTRUCT THE NEW METER AND PRIVATE BACKFLOW DEVICE ON SITE, ABOVE GROUND, IN A MANNER SATISFACTORY TO THE PUBLIC UTILITIES DIRECTOR AND THE CITY ENGINEER.
- NO TREES OR SHRUBS EXCEEDING 3" IN HEIGHT AT MATURETY SHALL BE INSTALLED WITHIN 10' OF ANY SEWER FACILITIES AND 5' OF ANY WATER FACILITIES.
- PROVIDE STREET LIGHTS ALONG PRIVATE DRIVE 'M' PER THE SAN DIEGO DESIGN MANUAL.
- ALL PEDESTRIAN ACCESS POINTS ALONG PRIVATE DRIVE 'M' SHALL BE ADA COMPLIANT. ADA ACCESS SHALL BE PROVIDED TO ALL AREAS OF THE SITE.
- ALL PRIVATE STORMWATER RUNOFF WILL BE TREATED VIA CHASTE BIOFILTRATION BASINS WITH HMP VOLUME PROVIDED VIA UNDERGROUND VAULTS. ALL PUBLIC RIGHT-OF-WAY STORMWATER RUNOFF WILL BE TREATED VIA CHASTE BIOFILTRATION BASINS WITH HMP VOLUME PROVIDED VIA UNDERGROUND VAULTS WITHIN THE PUBLIC RIGHT-OF-WAY.

WALL	LENGTH (FT)	MAX HEIGHT (FT)
1	145	3
2	130	3
3	410	2
4	425	6
5	120	4
6	125	4
7	175	3
8	600	6
9	90	3
10	145	5
11	70	4
12	115	3
13	190	3
14	175	3
15	175	2
16	115	3
17	150	5
18	420	4
19	460	4
20	62	3
21	777	20
22	1,440	25
23	105	12
24	179	8
25	142	7
26	32	3
27	382	14
28	225	11
29	148	4.5
30	82	3
31	500	22
32	200	22

DEVELOPER: SEA BREEZE PROPERTIES, LLC
3525 DEL MAR HEIGHTS ROAD #248
SAN DIEGO, CA 92131
(858) 361-8555

PLANNING: LATITUDE 33 PLANNING & ENGINEERING
9968 HIBERT STREET, SECOND FLOOR
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(858) 751-0633 FAX(858) 751-0634

CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING
9968 HIBERT STREET, SECOND FLOOR
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(858) 751-0633 FAX(858) 751-0634

LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE
828 HORNBLAND STREET
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(858) 274-3224 FAX(858) 274-3223

ARCHITECT: SAFDIE RAHINES ARCHITECTS
925 FORT STOCKTON DRIVE
SAN DIEGO, CA 92103
(619) 297-4743 FAX(619) 299-6072

PREPARED BY:	NAME:	ADDRESS:	PHONE #:	FAX #:
LATITUDE 33 PLANNING & ENGINEERING	9968 HIBERT STREET, 2ND FLOOR	SAN DIEGO, CA 92131	(858) 751-0633	(858) 751-0634

REVISION 16:	REVISION 15:	REVISION 14:	REVISION 13:	REVISION 12:	REVISION 11:	REVISION 10:	REVISION 9:	REVISION 8:	REVISION 7:	REVISION 6:	REVISION 5:	REVISION 4:	REVISION 3:	REVISION 2:	REVISION 1:
11-30-2017 15TH SUBMITTAL	10-19-2017 14TH SUBMITTAL	08-25-2017 13TH SUBMITTAL	11-18-2016 12TH SUBMITTAL	09-20-2016 11TH SUBMITTAL	07-26-2016 10TH SUBMITTAL	06-21-2016 9TH SUBMITTAL	12-22-2015 8TH SUBMITTAL	08-31-2015 7TH SUBMITTAL	07-09-2015 6TH SUBMITTAL	05-15-2015 5TH SUBMITTAL	03-02-2015 4TH SUBMITTAL	10-23-2014 3RD SUBMITTAL	09-09-2014 2ND SUBMITTAL	07-21-2014 FULL SUBMITTAL	03-27-2014 MIR SUBMITTAL

PROJECT ADDRESS: CAMINO DEL SUR AND CAMINO DEL SUR

PROJECT NAME: MERGE 56

SHEET TITLE: VESTING TENTATIVE MAP GRADING AND UTILITIES UNITS 4 & 10

DATE: 02-20-2014

SHEET 9 OF 37

DEPT NO.:

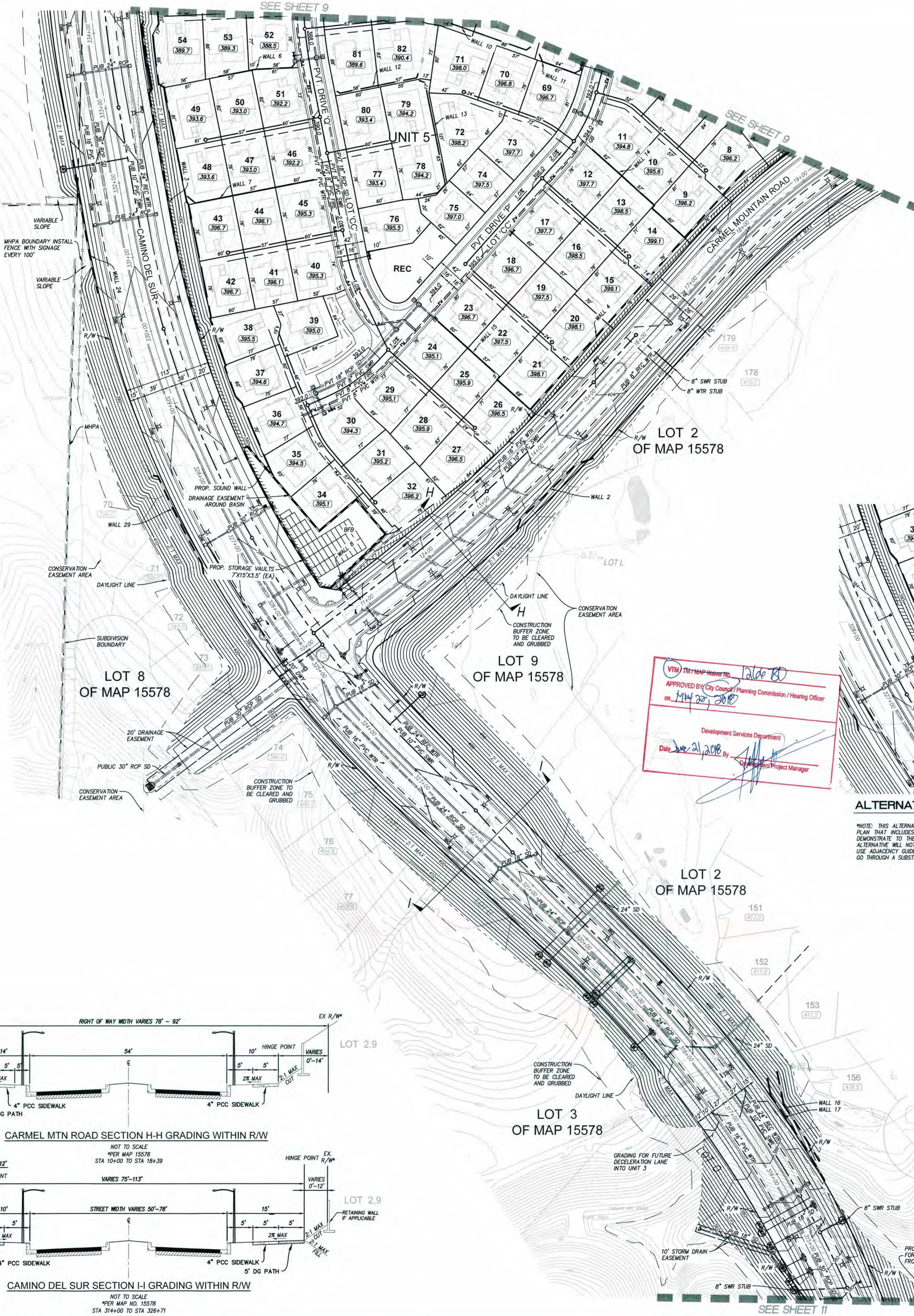
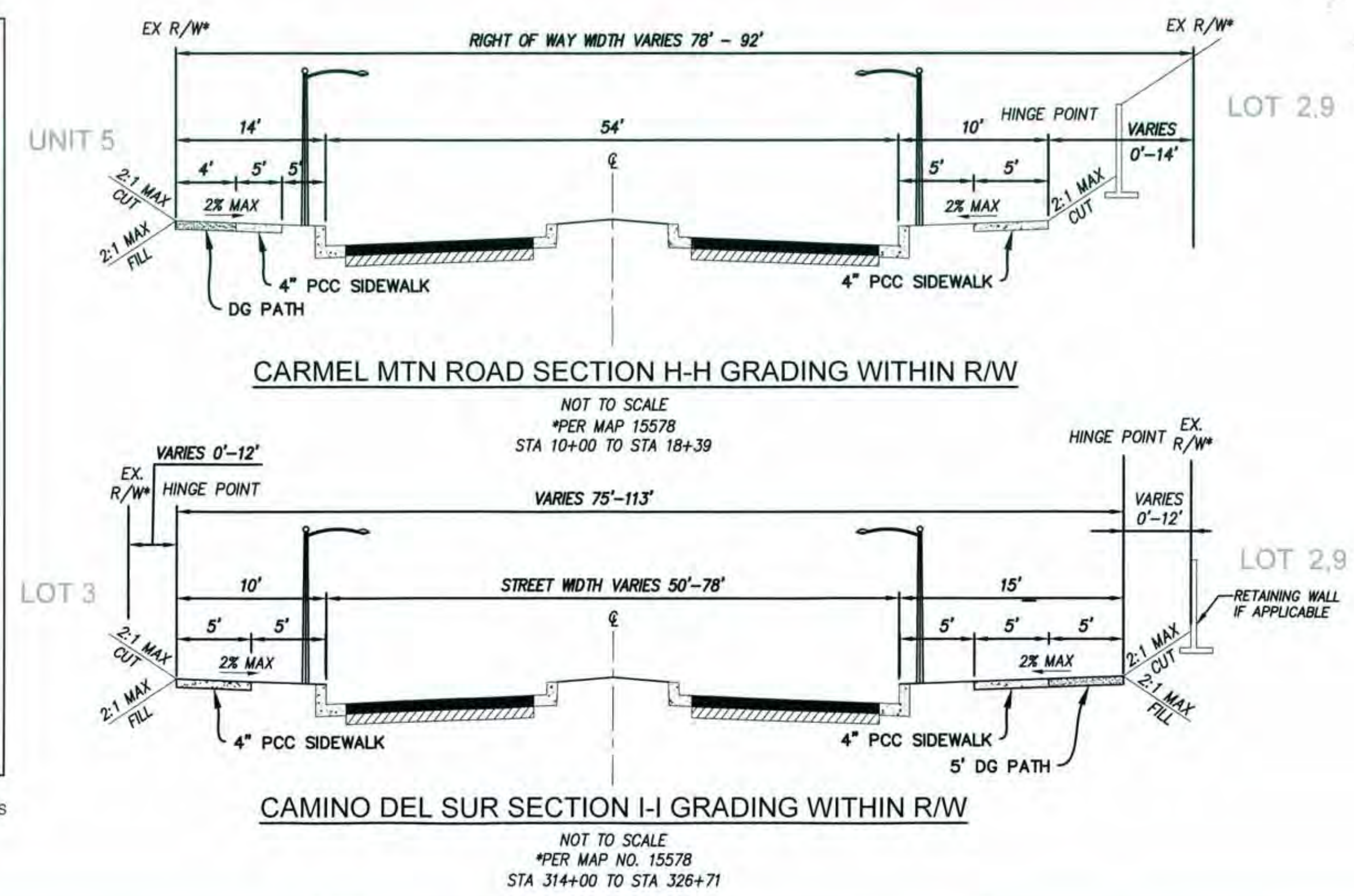
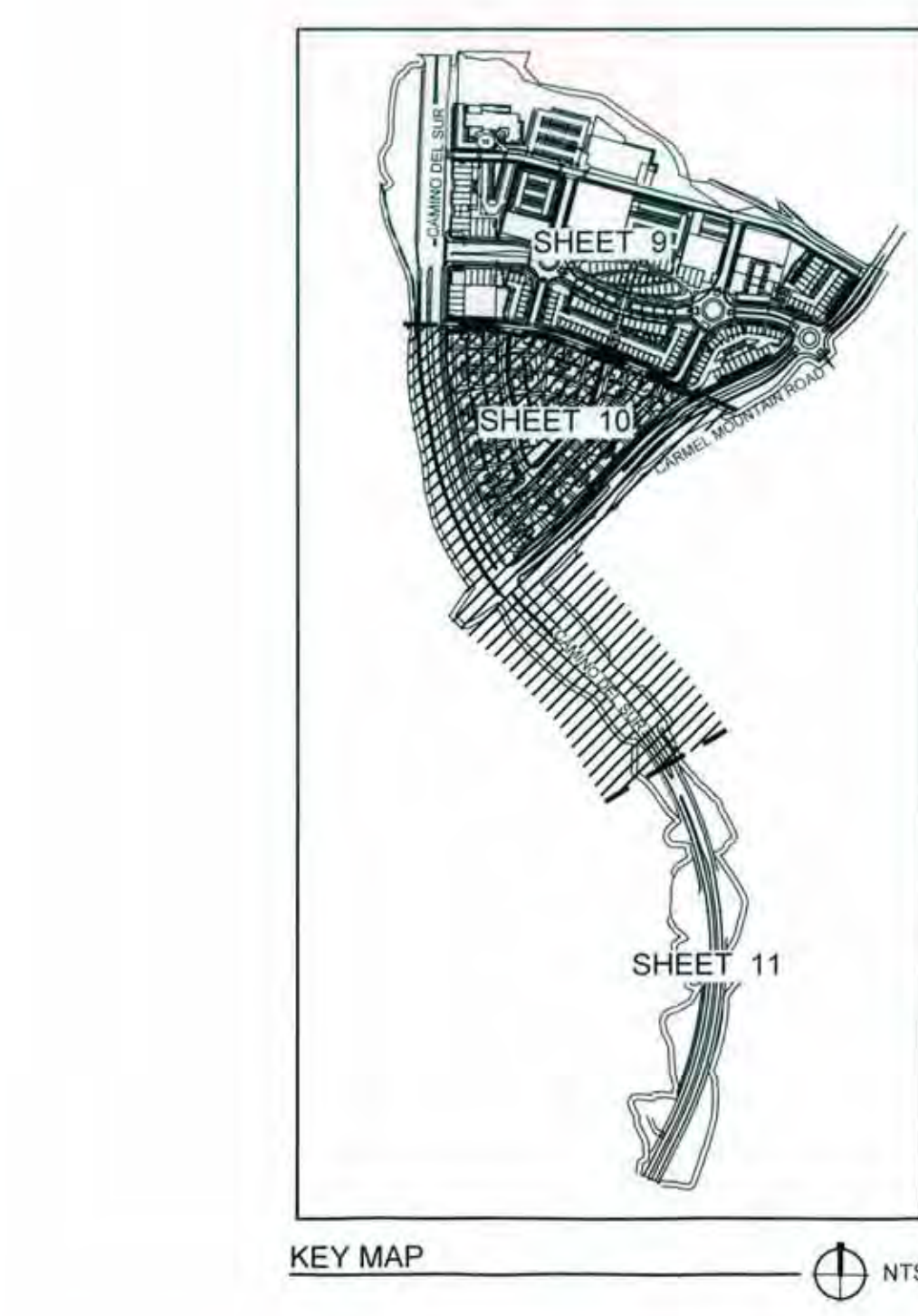
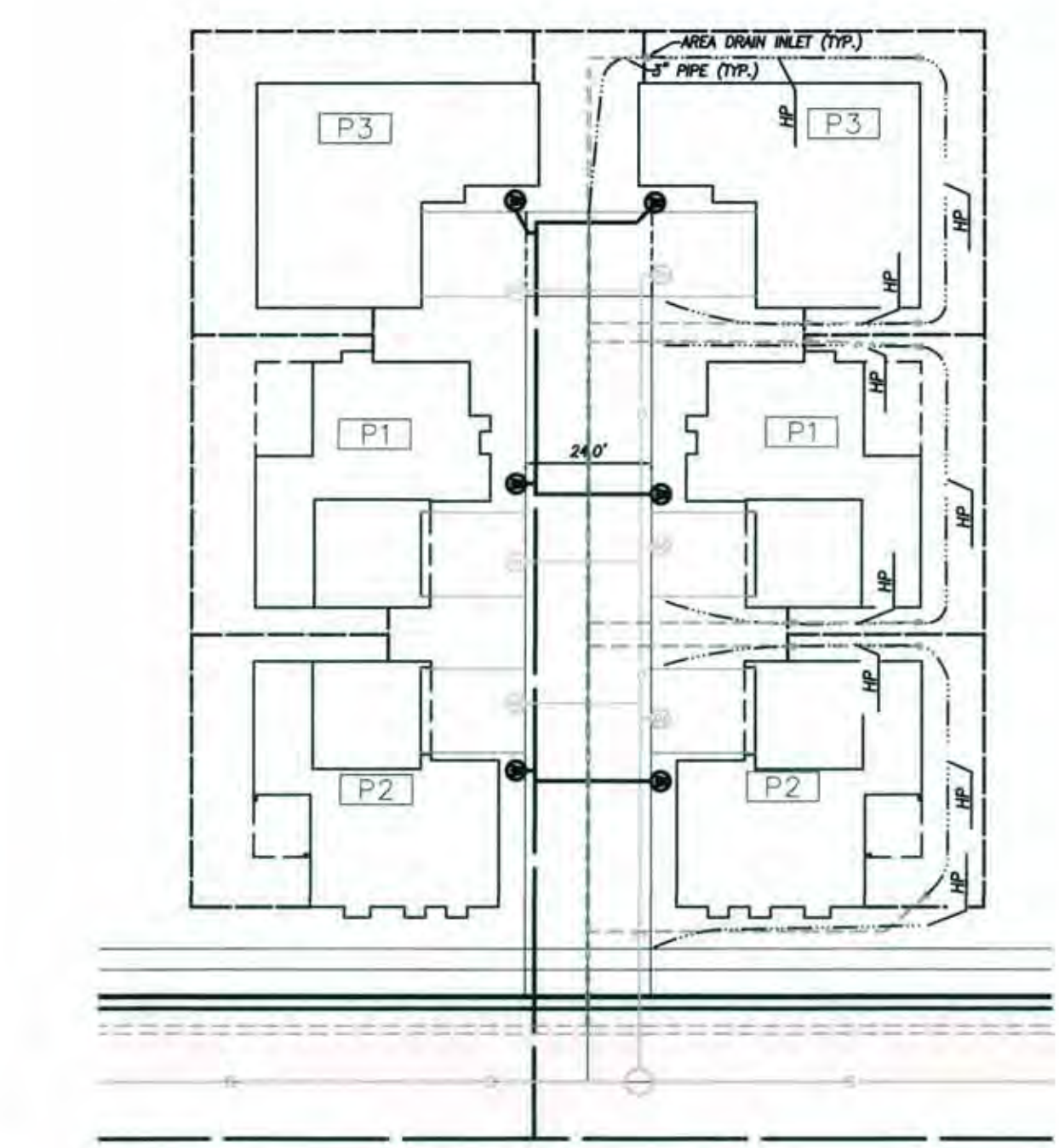
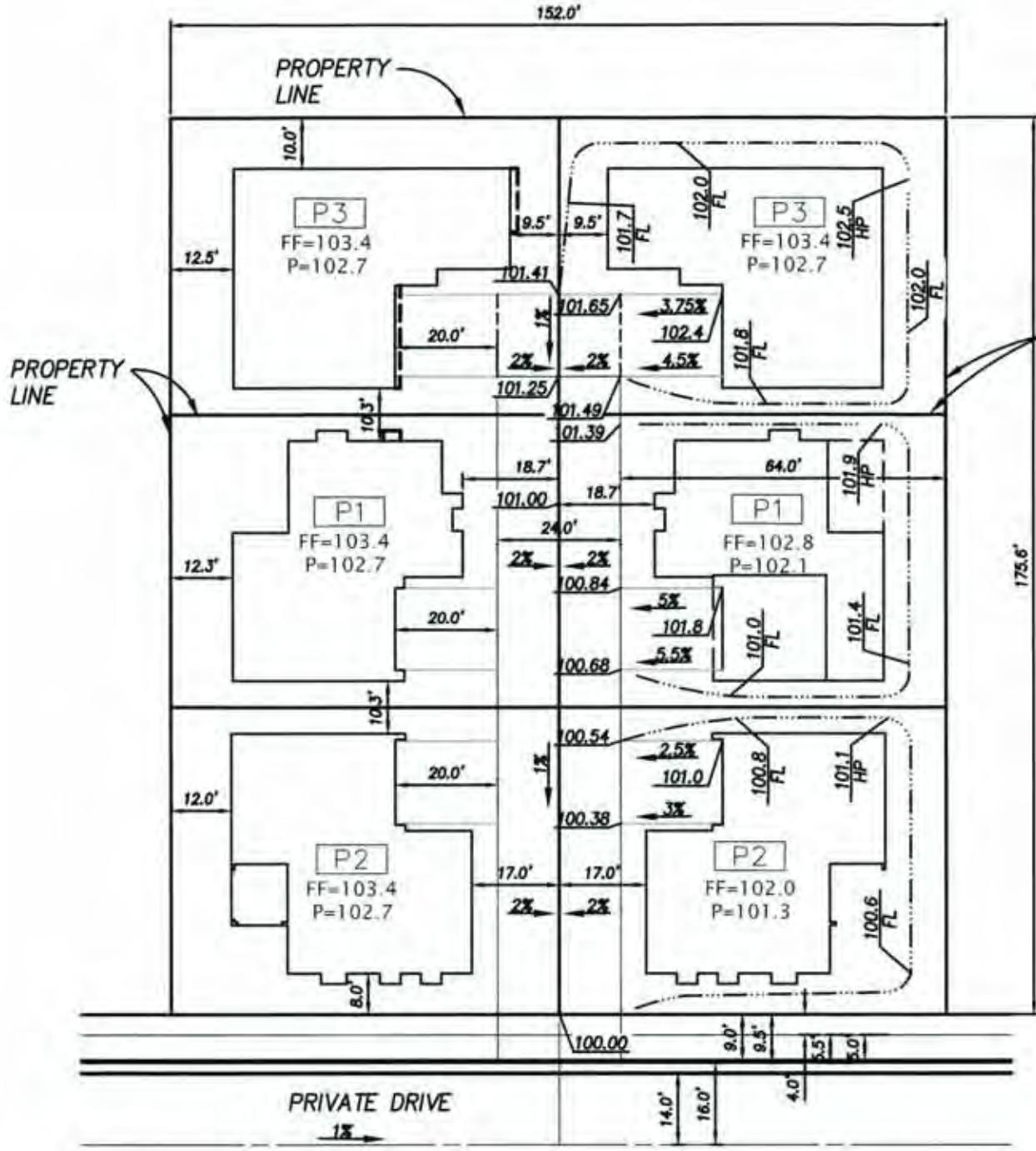
EXPEDITE

latitude 33
PLANNING & ENGINEERING
9968 HIBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131
TEL 858.751.0633



MATTHEW J. SEMIC
RCE 71075

DATE:



APPROVED BY City Council Planning Commission / Hearing Officer on 1/14/2018

Development Services Department Date 1/21/2018 By [Signature] Project Manager



ALTERNATIVE SITE PLAN TO RETAIN LOT 33

SCALE 1"=50'

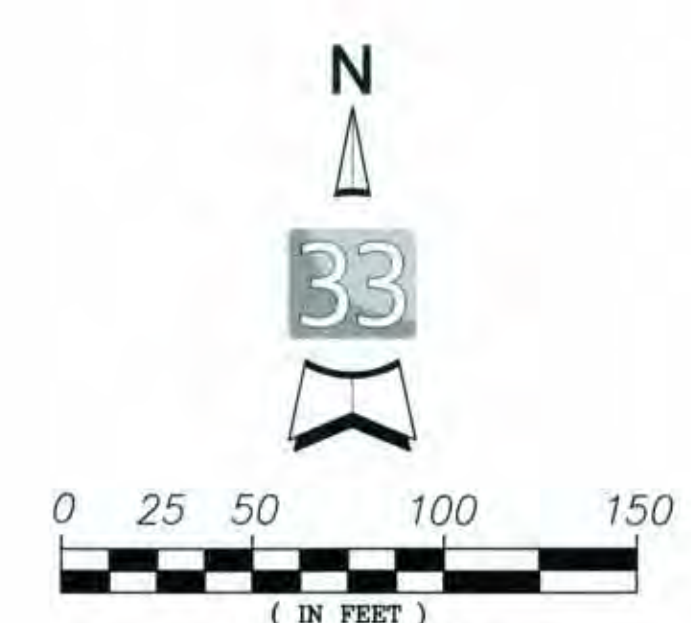
*NOTE: THIS ALTERNATIVE WILL NOT BE IMPLEMENTED UNTIL A STORM WATER QUALITY MANAGEMENT PLAN THAT INCLUDES THIS ALTERNATIVE HAS BEEN APPROVED BY THE CITY ENGINEER AND SHALL DEMONSTRATE TO THE SATISFACTION OF THE ENVIRONMENTAL DESIGNER AND MSCP STAFF THAT THE ALTERNATIVE WILL NOT RESULT IN ADDITIONAL ENVIRONMENTAL IMPACTS OR CONFLICT WITH MSCP LAND USE ADJUDICATION GUIDELINES. IF THIS ALTERNATIVE IS TO BE CONSIDERED, THE PROJECT WILL NEED TO GO THROUGH A SUBSTANTIAL CONFORMANCE REVIEW PROCESS IN ORDER TO OBTAIN APPROVAL.

APPROVED EXHIBIT "B"

PROJECT NO. 340009

APPROVAL: [Signature] DATE 1/21/2018

EXPEDITE



latitude 33

PLANNING & ENGINEERING

9808 HIBERT STREET, 2ND FLOOR

SAN DIEGO, CA 92131

TEL: 619.751.0633

MATTHEW J. SEMIC

RCE 71075



LEGEND:

T.M. BOUNDARY	---
RIGHT OF WAY	---
PROPERTY LINE	---
PUBLIC EASEMENT	---
SETBACK PER ZONING	---
SLOPES 2:1 MAX. (D.O.N.)	---
DAYLIGHT LINE	---
PROPOSED CONCRETE SWALE	---
RETAINING WALL	---
DIRECTION OF FLOW	---
STORM DRAIN	---
STORM DRAIN INLET	---
SEWER MAIN	---
WATER MAIN	---
FIRE SERVICE	---
WATER SERVICE	---
SEWER LATERAL	---
RECLAIMED WATER SERVICE	---
UNIT NUMBER	---
PROPOSED CURB AND GUTTER	---
PROPOSED CROSS GUTTER	---
FIRE HYDRANT ASSY.	---
PROPOSED ACORN ST. LIGHT	---
PROPOSED COMMERCIAL DRIVEWAY	---
FINISH FLOOR ELEV.	---
TRANSIT STOP	---
EXISTING SURVEY MONUMENTS	---
ABUTTER'S RIGHTS OF RELINQUISHED	---
GUARD RAIL	---
PROPOSED SOUND ATTENUATION WALL	---
MHPA FENCE AND SIGNS	---

- DRAINAGE NOTES
1. THE PROJECT PROPOSES A SYSTEM OF PRIVATE STORM DRAIN PIPES, STRUCTURES, AND BOW-OWS FOR DRAINAGE. THE PORTION SOUTH OF PRIVATE DRIVE "M" WILL DRAIN NORTH WESTERLY TO A WATER PULSER FOR TREATMENT AND TO AN UNDERGROUND VAULT FOR FLOW MITIGATION. THE PORTION NORTH OF PRIVATE DRIVE "M" WILL DRAIN NORTHWESTERLY TO A WATER PULSER FOR TREATMENT AND TO AN UNDERGROUND VAULT FOR FLOW MITIGATION. BOTH SYSTEMS WILL DRAIN RUNOFF FROM THE SITE TO THE WEST INTO DEER CANYON.
 2. ALL DRAINAGE OUTFALLS WITHOUT MAINTENANCE ACCESS SHALL HAVE RIPRAP GROUT IN PLACE.
- UTILITY NOTES
1. ALL ON-SITE WATER, SEWER, AND STORM DRAIN FACILITIES WILL BE PRIVATE UNLESS OTHERWISE NOTED. PUBLIC EASEMENTS SHALL BE PROVIDED FOR ALL PUBLIC UTILITIES, INCLUDING WATER METERS ON PRIVATE PROPERTY. BACKFLOW DEVICES SHALL BE OUTSIDE OF PUBLIC EASEMENTS & R/W. PRIVATE WATER AND SEWER FACILITIES SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CALIFORNIA UNIFORM PLUMBING CODE AND SHALL BE REVIEWED AS PART OF THE BUILDING PERMIT PLAN CHECK.
 2. ALL WATER, SEWER, AND STORM DRAIN FACILITIES WITHIN CAMINO DEL SUR AND CARMEL MOUNTAIN ROAD TO BE PUBLIC UNLESS OTHERWISE NOTED.
 3. IF A 3" OR LARGER METER IS REQUIRED FOR THIS PROJECT, THE OWNER/PERMITEE SHALL CONSTRUCT THE NEW METER AND PRIVATE BACKFLOW DEVICE ON SITE, ABOVE GROUND, IN A MANNER SATISFACTORY TO THE PUBLIC UTILITIES DIRECTOR AND THE CITY ENGINEER.
 4. NO TREES OR SHRUBS EXCEEDING 3' IN HEIGHT AT MATURITY SHALL BE INSTALLED WITHIN 10' OF ANY SEWER FACILITIES AND 5' OF ANY WATER FACILITIES.
 5. PROVIDE STREET LIGHTS ALONG PRIVATE DRIVE "M" PER THE SAN DIEGO DESIGN MANUAL.
 6. ALL PEDESTRIAN ACCESS POINTS ALONG PRIVATE DRIVE "M" SHALL BE ADA COMPLIANT. ADA ACCESS SHALL BE PROVIDED TO ALL AREAS OF THE SITE.

WALL	LENGTH (FT)	MAX HEIGHT (FT)
1	145	3
2	130	3
3	410	2
4	425	6
5	120	4
6	125	4
7	175	3
8	600	6
9	90	3
10	145	5
11	70	4
12	115	3
13	190	3
14	175	3
15	175	2
16	115	6
17	160	6
18	420	4
19	460	4
20	62	3
21	777	20
22	1,440	25
24	179	8
25	142	7
26	32	3
27	382	14
28	225	11
29	148	4.5
30	62	3
31	500	22
32	200	22

DEVELOPER: SEA BREEZE PROPERTIES, LLC
3525 DEL MAR HEIGHTS ROAD #246
SAN DIEGO, CA 92131
(858) 361-8555

PLANNING: LATITUDE 33 PLANNING & ENGINEERING
9808 HIBERT STREET, SECOND FLOOR
SAN DIEGO, CA 92131
(858) 751-0633 FAX(858) 751-0634

CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING
9808 HIBERT STREET, SECOND FLOOR
SAN DIEGO, CA 92131
(858) 751-0633 FAX(858) 751-0634

LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE
928 HORNBLAND STREET
SAN DIEGO, CA 92103
(619)274-3222 FAX(619)274-3223

ARCHITECT: SATIRE RABINES ARCHITECTS
925 FORT STOCKTON DRIVE
SAN DIEGO, CA 92103
(619)297-6153 FAX(619)299-6072

PREPARED BY: LATITUDE 33 PLANNING & ENGINEERING

NAME: 9808 HIBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131
(858) 751-0633
PHONE: (858) 751-0633
FAX: (858) 751-0634

PROJECT ADDRESS: CARMEL MOUNTAIN ROAD AND CAMINO DEL SUR

PROJECT NAME: MERGE 56

SHEET TITLE: VESTING TENTATIVE MAP
GRADING AND UTILITIES
UNIT 5

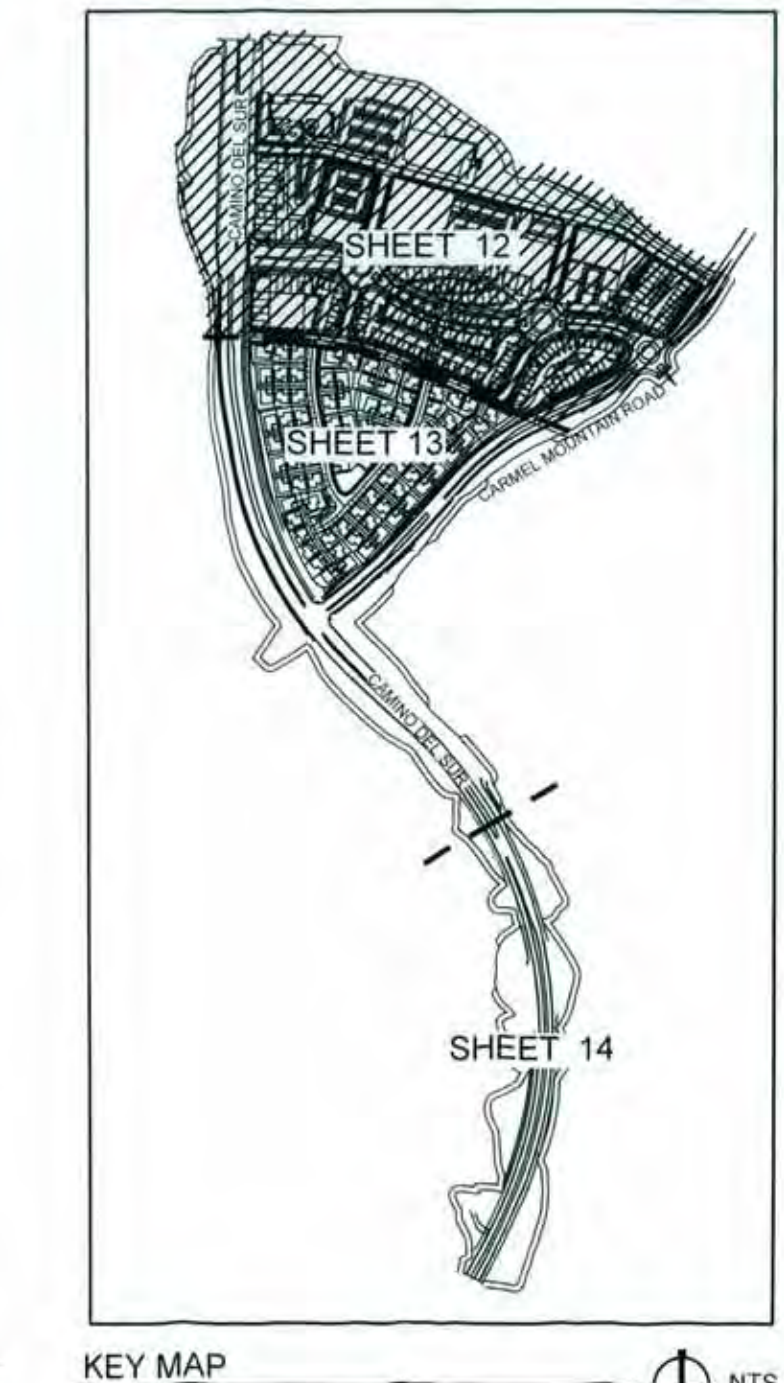
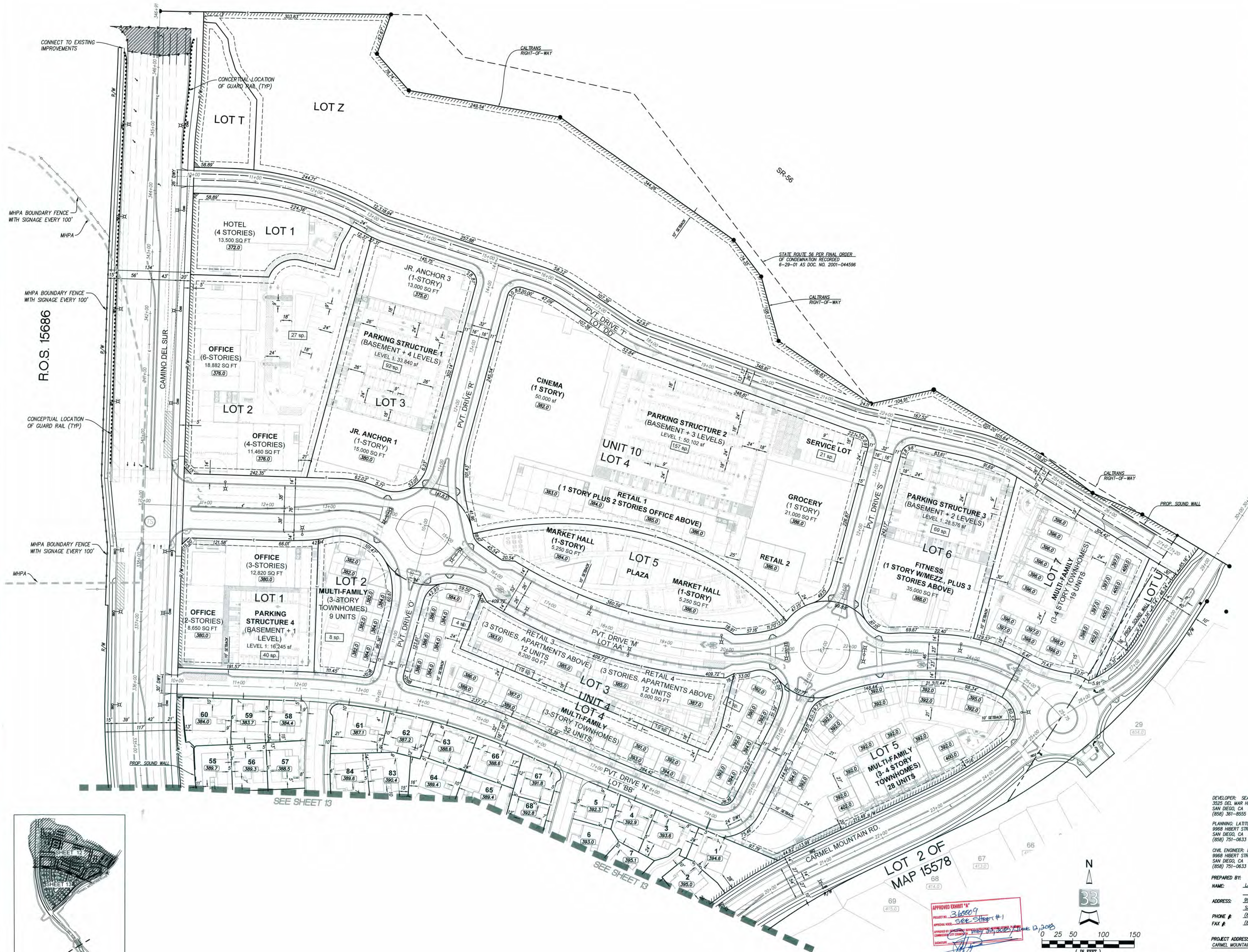
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REVISION 15: 10-19-2017 14TH SUBMITTAL
REVISION 14: 08-25-2017 13TH SUBMITTAL
REVISION 13: 11-18-2016 12TH SUBMITTAL
REVISION 12: 09-20-2016 11TH SUBMITTAL
REVISION 11: 07-26-2016 10TH SUBMITTAL
REVISION 10: 06-21-2016 9TH SUBMITTAL
REVISION 9: 12-22-2015 8TH SUBMITTAL
REVISION 8: 08-31-2015 7TH SUBMITTAL
REVISION 7: 07-08-2015 6TH SUBMITTAL
REVISION 6: 05-15-2015 5TH SUBMITTAL
REVISION 5: 03-02-2015 4TH SUBMITTAL
REVISION 4: 10-23-2014 3RD SUBMITTAL
REVISION 3: 09-09-2014 2ND SUBMITTAL
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REVISION 1: 03-27-2014 MR SUBMITTAL
ORIGINAL DATE: 02-20-2014

SHEET 10 OF 37

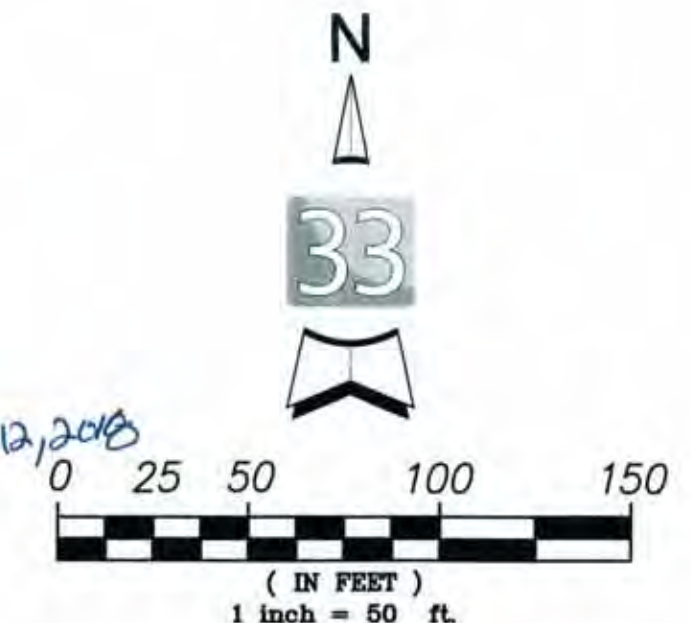
DEPT NO.

LEGEND:	SYMBOL
DESCRIPTION	
BUILDING SETBACKS	---
SUBDIVISION BOUNDARY	---
RIGHT-OF-WAY	---
PROPERTY LINE	---
CURB/ARIZIAN	---
SIDEWALK	---
PROPOSED RETAINING WALL	---
EXISTING RETAINING WALL	---
SOUND WALLS	---
LOT NUMBER	14
BUILDING	---
ADJUTER'S RIGHTS OF ACCESS RELINQUISHED	---
FENCE (SEE LANDSCAPE PLANS FOR DETAILS)	---
GUARD RAIL	---
STREET LIGHT	---
NUMBER OF PARKING SPACES	76 sp
DRIVEWAY	---
MHPA FENCE AND SIGNS	---
PROPOSED TRAFFIC SIGNAL	---

NOTES:
1. PROVIDE RAISED ROADWAY ALONG PRIVATE STREET 'N' AT
ROUNDABOUTS AND MAJOR PEDESTRIAN CROSSINGS



APPROVED EXHIBIT "A"
PROJECT # 360509
SHEET # 1
DATE 12/20/2018
BY [Signature]



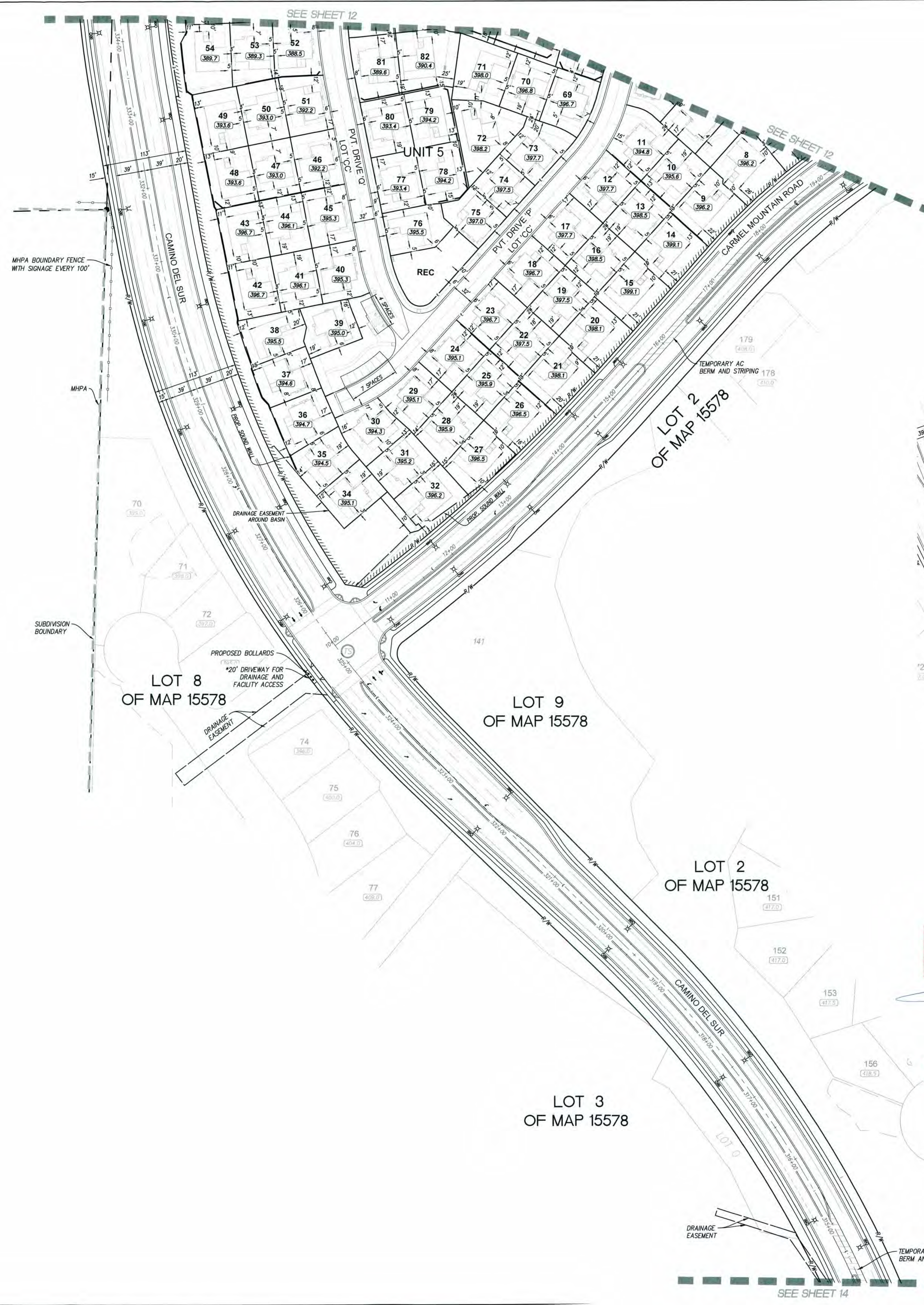
latitude 33
PLANNING & ENGINEERING
9968 Hibert Street, 2nd Floor
SAN DIEGO, CA 92131
Tel 619.751.0633

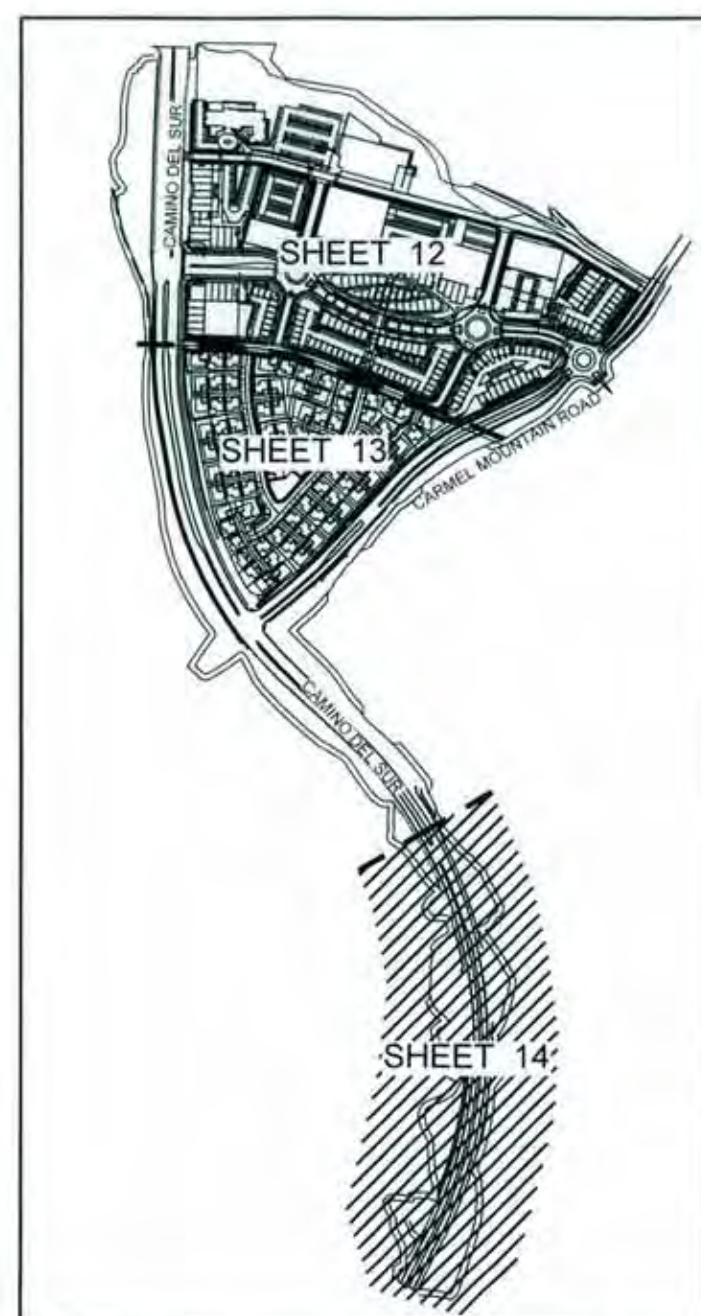
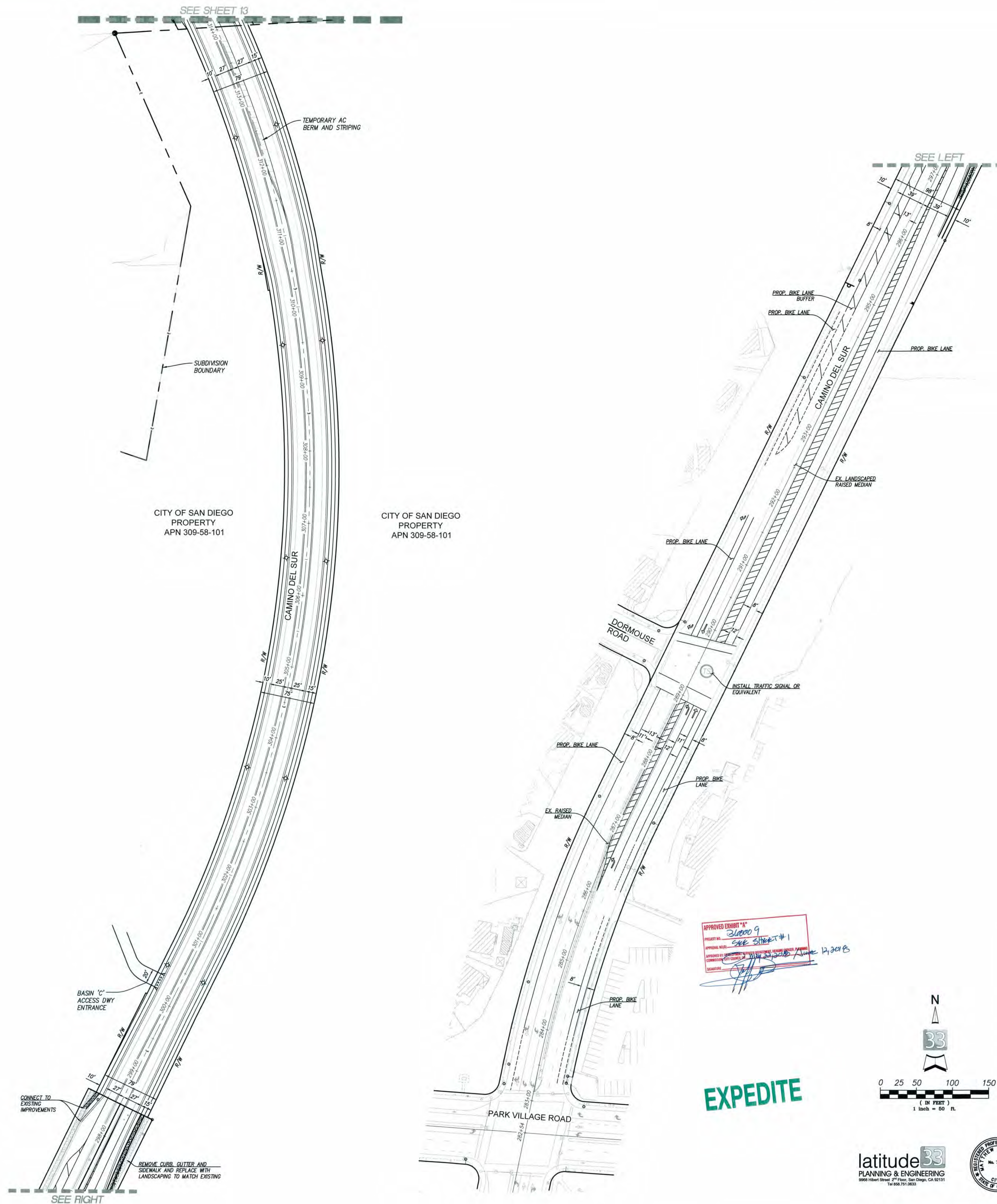


DEVELOPER: SEA BREEZE PROPERTIES, LLC 3525 DEL MAR HEIGHTS ROAD #246 SAN DIEGO, CA 92130 (858) 361-8555	PLANNING: LATITUDE 33 PLANNING & ENGINEERING 9968 HIBERT STREET, SECOND FLOOR SAN DIEGO, CA 92131 (858) 751-0633 FAX(858) 751-0634	CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING 9968 HIBERT STREET, SECOND FLOOR SAN DIEGO, CA 92131 (858) 751-0633 FAX(858) 751-0634	LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE 928 HORNBLAND STREET SAN DIEGO, CA 92103 (619)274-3222 FAX(619)274-3223	ARCHITECT: SARTRE RHANES ARCHITECTS 825 FORT STOCKTON DRIVE SAN DIEGO, CA 92103 (619)297-6153 FAX(619)299-6072
PREPARED BY: LATITUDE 33 PLANNING & ENGINEERING	NAME: 9968 Hibert Street, 2nd Floor	ADDRESS: SAN DIEGO, CA 92131	PHONE #: (858) 751-0633	FAX #: (858) 751-0634
PROJECT ADDRESS: CARMEL MOUNTAIN ROAD AND CAMINO DEL SUR	PROJECT NAME: MERGE 56	SHEET TITLE: SITE PLAN	UNITS 4 AND 10	DEPT NO.
REVISION 16: 11-30-2017 15TH SUBMITTAL	REVISION 15: 10-19-2017 14TH SUBMITTAL	REVISION 14: 08-25-2017 13TH SUBMITTAL	REVISION 13: 11-18-2016 12TH SUBMITTAL	REVISION 12: 09-20-2016 11TH SUBMITTAL
REVISION 11: 07-26-2016 10TH SUBMITTAL	REVISION 10: 06-21-2016 9TH SUBMITTAL	REVISION 9: 12-22-2015 8TH SUBMITTAL	REVISION 8: 08-31-2015 7TH SUBMITTAL	REVISION 7: 07-08-2015 6TH SUBMITTAL
REVISION 6: 05-15-2015 5TH SUBMITTAL	REVISION 5: 03-02-2015 4TH SUBMITTAL	REVISION 4: 10-23-2014 3RD SUBMITTAL	REVISION 3: 09-09-2014 2ND SUBMITTAL	REVISION 2: 07-21-2014 FULL SUBMITTAL
REVISION 1: 03-27-2014 MIR SUBMITTAL	ORIGINAL DATE: 02-20-2014	SHEET 12 OF 37	DATE	

EXPEDITE

LEGEND:	SYMBOL
BUILDING SETBACKS	---
SUBDIVISION BOUNDARY	---
RIGHT-OF-WAY	---
PROPERTY LINE	---
CURB/MEDIAN	---
SIDEWALK	---
PROPOSED RETAINING WALL	---
EXISTING RETAINING WALL	---
SOUND WALLS	---
LOT NUMBER	14
BUILDING	---
ABUTTER'S RIGHTS OF ACCESS RELINQUISHED	---
FENCE (SEE LANDSCAPE PLANS FOR DETAILS)	---
GUARD RAIL	---
STREET LIGHT	---
NUMBER OF PARKING SPACES	75 sp.
*DRIVEWAY TO BE REMOVED UPON DEVELOPMENT OF MASTER LOT 8	---
MHPA FENCE AND SIGNS	---
PROPOSED TRAFFIC SIGNAL	---





KEY MAP

H:\1100\1176.10\TM\1176.10 TM-12-14 SITE PLAN.dwg

latitude 33
PLANNING & ENGINEERING
9906 Hilbert Street, 2nd Floor, San Diego, CA 92131
Tel 858.751.0933

MATTHEW J. SEMIC
RCE 71075

DATE _____

DEVELOPER: SEA BREEZE PROPERTIES, LLC
3525 DEL MAR HEIGHTS ROAD #246
SAN DIEGO, CA 92130
(858) 361-8555

PLANNING: LATITUDE 33 PLANNING & ENGINEERING
9968 HIBERT STREET, SECOND FLOOR
SAN DIEGO, CA 92131
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CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING
9968 HIBERT STREET, SECOND FLOOR
SAN DIEGO, CA 92131
(858) 751-0633 FAX(858) 751-0634

PREPARED BY:
NAME: LATITUDE 33 PLANNING & ENGINEERING

ADDRESS: 9968 Hibert Street, 2nd Floor
SAN DIEGO, CA 92131
PHONE # (858) 751-0633

FAX # (858) 751-0634

PROJECT ADDRESS:
CARMEL MOUNTAIN ROAD AND CAMINO DEL SUR

PROJECT NAME:
MERGE 56

SHEET TITLE:
SITE PLAN

LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE
928 HORNBLEND STREET
SAN DIEGO, CA 92103
(858)274-3222 FAX(858)274-3223

ARCHITECT: SAFDIE RABINES ARCHITECTS
925 FORT STOCKTON DRIVE
SAN DIEGO, CA 92103
(619)297-6153 FAX(619)299-6072

REVISION 16: 11-30-2017 15TH SUBMITTAL
REVISION 15: 10-19-2017 14TH SUBMITTAL
REVISION 14: 08-25-2017 13TH SUBMITTAL

REVISION 13:	11-18-2016 12TH SUBMITTAL
REVISION 12:	09-20-2016 11TH SUBMITTAL
REVISION 11:	07-26-2016 10TH SUBMITTAL

REVISION 10:	06-21-2016 9TH SUBMITTAL
REVISION 9:	12-22-2015 8TH SUBMITTAL
REVISION 8:	08-31-2015 7TH SUBMITTAL
REVISION 7:	07-08-2015 6TH SUBMITTAL

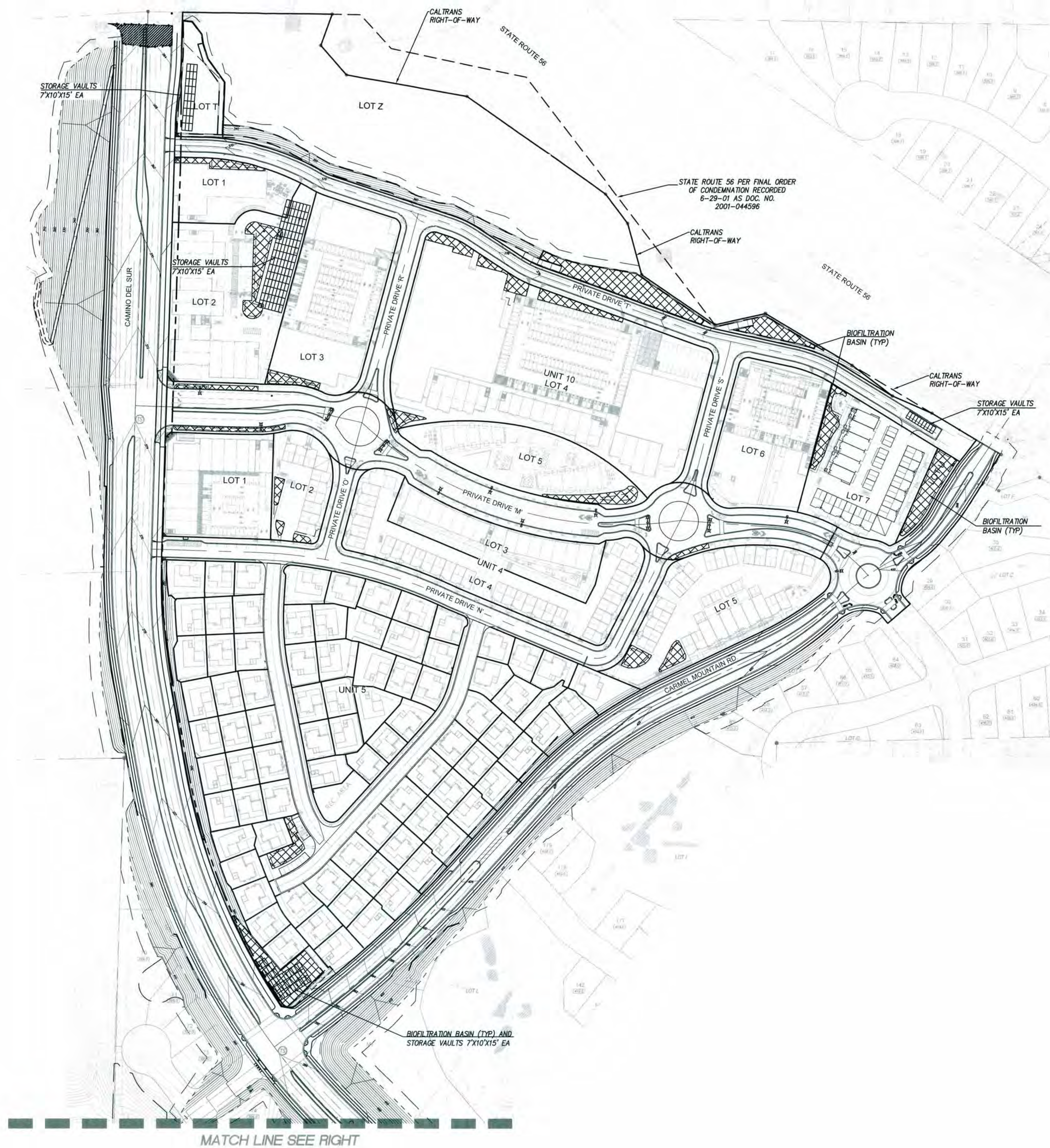
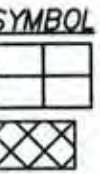
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REVISION 4:	10-23-2014 3RD SUBMITTAL

REVISION 3:	<u>09-09-2014 2ND SUBMITTAL</u>
REVISION 2:	<u>07-21-2014 FULL SUBMITTAL</u>
REVISION 1:	<u>03-27-2014 MIR SUBMITTAL</u>

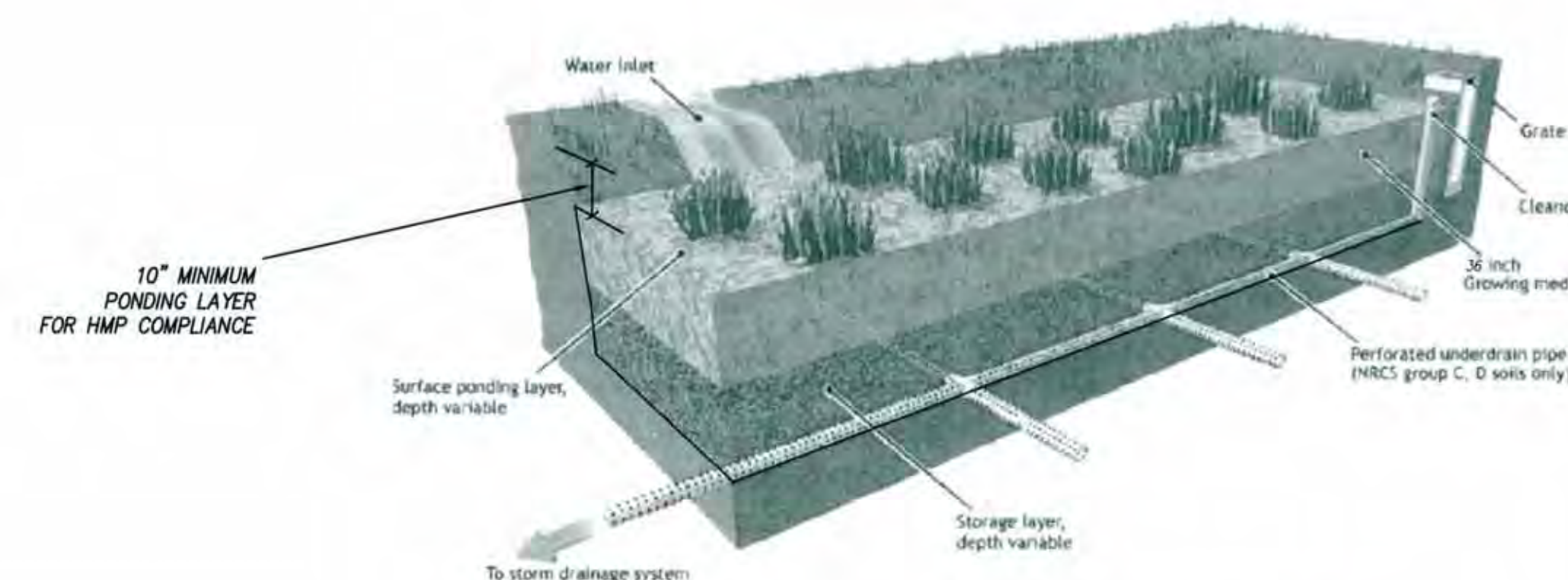
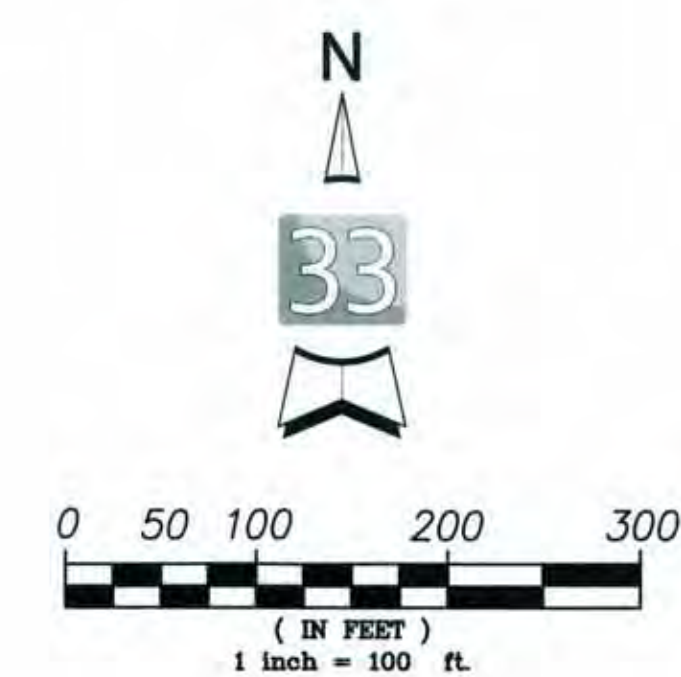
ORIGINAL DATE: 02-20-2014
SHEET 14 OF 37

DEPT NO. _____

LEGEND:
 DESCRIPTION
 STORM CAPTURE VAULTS
 BIOFILTRATION BASIN



EXPEDITE



TYPICAL DETAIL - BIO-RETENTION BASIN
 NO SCALE

latitude 33
 PLANNING & ENGINEERING
 9908 Hibert Street, 2nd Floor, San Diego, CA 92131
 Tel 619.751.0633

MATTHEW J. SEMC
 RCE 71075



DEVELOPER: SEA BREEZE PROPERTIES, LLC
 3525 DEL MAR HEIGHTS ROAD #246
 SAN DIEGO, CA 92130
 (619) 381-5555

PLANNING: LATITUDE 33 PLANNING & ENGINEERING
 9908 HIBERT STREET, SECOND FLOOR
 SAN DIEGO, CA 92131
 (619) 751-0633 FAX(619) 751-0634

CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING
 9908 HIBERT STREET, SECOND FLOOR
 SAN DIEGO, CA 92131
 (619) 751-0633 FAX(619) 751-0634

PREPARED BY:
 NAME: LATITUDE 33 PLANNING & ENGINEERING
 ADDRESS: 9908 Hibert Street, 2nd Floor
 SAN DIEGO, CA 92131
 (619) 751-0633
 PHONE #: (619) 751-0633
 FAX #: (619) 751-0634

PROJECT ADDRESS:
 CARMEL MOUNTAIN ROAD AND CAMINO DEL SUR

PROJECT NAME:
 MERGE 56

SHEET TITLE:
 POST CONSTRUCTION
 BMP PLAN

LANDSCAPE ARCHITECT: NEW LANDSCAPE ARCHITECTURE
 928 HORNBLAND STREET
 SAN DIEGO, CA 92103
 (619) 274-3222 FAX(619) 274-3223

ARCHITECT: SARDIE RABINES ARCHITECTS
 925 FORT STOCKTON DRIVE
 SAN DIEGO, CA 92103
 (619) 297-6153 FAX(619) 299-6072

REVISION 16: 11-30-2017 15TH SUBMITTAL
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 REVISION 4: 10-23-2014 3RD SUBMITTAL
 REVISION 3: 09-09-2014 2ND SUBMITTAL
 REVISION 2: 07-21-2014 FULL SUBMITTAL
 REVISION 1: 03-27-2014 MIR SUBMITTAL
 ORIGINAL DATE: 02-20-2014

SHEET 15 of 37

DEPT NO.

FIRE DEPARTMENT NOTES

1. FIRE APPARATUS ACCESS ROADS AND WATER SUPPLIES FOR FIRE PROTECTION, SHALL BE INSTALLED AND MADE SERVICEABLE PRIOR TO AND DURING TIME OF CONSTRUCTION CFC 501.4.
2. PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS P-00-6.
3. FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS AND SHALL BE SURFACED SO AS TO PROVIDE ALL WEATHER DRIVING CAPABILITIES. CFC 503.2.3.
4. PROVIDE FIRE ACCESS ROADWAY SIGNS OR RED CURBS IN ACCORDANCE WITH FHPS POLICY A-08-01.
5. POST INDICATOR VALVES, FIRE DEPARTMENT CONNECTIONS, AND ALARM BELL ARE TO BE LOCATED ON THE ADDRESS/ACCESS SIDE OF THE BUILDING.
6. ALL ON-SITE FIRE HYDRANTS SHALL BE IDENTIFIED BY BLUE REFLECTIVE MAKERS AND SHALL COMPLY WITH FHPS POLICY F5-0410.
7. CFC 507.5.5 - CLEAR SPACE AROUND HYDRANTS - A 3 FOOT CLEAR SPACE SHALL BE MAINTAINED AROUND THE CIRCUMFERENCE OF FIRE HYDRANTS, EXCEPT AS OTHERWISE REQUIRED OR APPROVED.
8. CFC 507.5.6 - PHYSICAL PROTECTION - WHERE FIRE HYDRANTS ARE SUBJECT TO IMPACT BY A MOTOR VEHICLE, GUARD POSTS OR OTHER APPROVED MEANS SHALL COMPLY WITH SECTION CFC 312.
9. DEAD-END FIRE APPARATUS ACCESS ROADS IN EXCESS OF 150 FEET IN LENGTH SHALL BE PROVIDED WITH AN APPROVED AREA FOR TURNING AROUND FIRE APPARATUS. CFC 503.2.5.
10. WHERE SECURITY GATES ARE INSTALLED, THEY SHALL HAVE AN APPROVED MEANS OF EMERGENCY OPERATION. THE SECURITY GATES AND EMERGENCY OPERATION SHALL BE MAINTAINED OPERATIONAL AT ALL TIMES. ELECTRIC GATE OPERATORS, WHERE PROVIDED, SHALL BE LISTED IN ACCORDANCE WITH UL 325. GATES INTENDED FOR AUTOMATIC OPERATION SHALL BE DESIGNED, CONSTRUCTED AND INSTALLED TO COMPLY WITH THE REQUIREMENTS OF ASTM F 2200.
11. AN APPROVED VEHICLE STROBE DETECTOR SYSTEM, WITH KNOX KEYSWITCH OVERRIDE, SATISFACTORY TO THE FIRE MARSHAL, SHALL BE PROVIDED ON ALL VEHICLE MAIN ENTRY AND EMERGENCY ENTRY POINTS TO THE PROJECT.
12. STAIRWAYS EXITING DIRECTLY TO THE EXTERIOR OF A BUILDING FOUR OR MORE STORES IN HEIGHT SHALL BE PROVIDED WITH A MEANS FOR EMERGENCY ENTRY FOR FIRE DEPARTMENT ACCESS.
13. VEGETATION SHALL BE SELECTED AND MAINTAINED IN SUCH A MANNER AS TO ALLOW IMMEDIATE ACCESS TO ALL HYDRANTS, VALVES, FIRE DEPARTMENT CONNECTIONS, PULL STATIONS, EXTINGUISHERS, SPRINKLER RISERS, ALARM CONTROL PANELS, RESCUE WINDOWS, AND OTHER DEVICES OR AREAS USED FOR FIREPROTECTING PURPOSES. VEGETATION OR BUILDING FEATURES SHALL NOT OBSTRUCT ADDRESS NUMBERS OR INHIBIT THE FUNCTIONING OF ALARM BELLS, HORNS OR STROBES.
14. CFC 105.4.4 - CONSTRUCTION DOCUMENTS APPROVED BY THE FIRE CODE OFFICIAL ARE APPROVED WITH THE INTENT THAT SUCH CONSTRUCTION DOCUMENTS COMPLY IN ALL RESPECTS WITH THIS CODE. REVIEW AND APPROVAL BY THE FIRE CODE OFFICIAL, SHALL NOT RELIEVE THE APPLICANT OF THE RESPONSIBILITY OF COMPLIANCE WITH THIS CODE.

EXISTING FIRE HYDRANTS

NO FIRE HYDRANTS CURRENTLY EXIST WITHIN 600 FEET OF THE PROJECT BOUNDARIES. ALL HYDRANTS ARE PROPOSED FOR THESE PLANS.

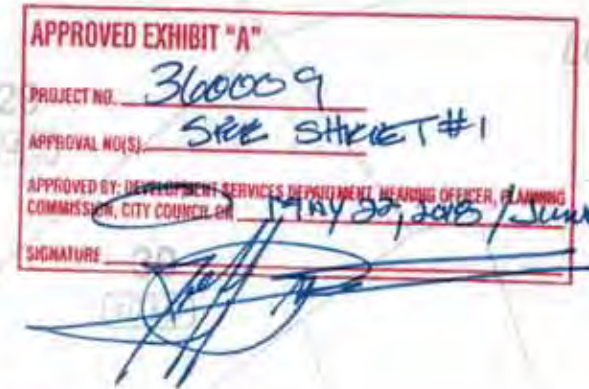
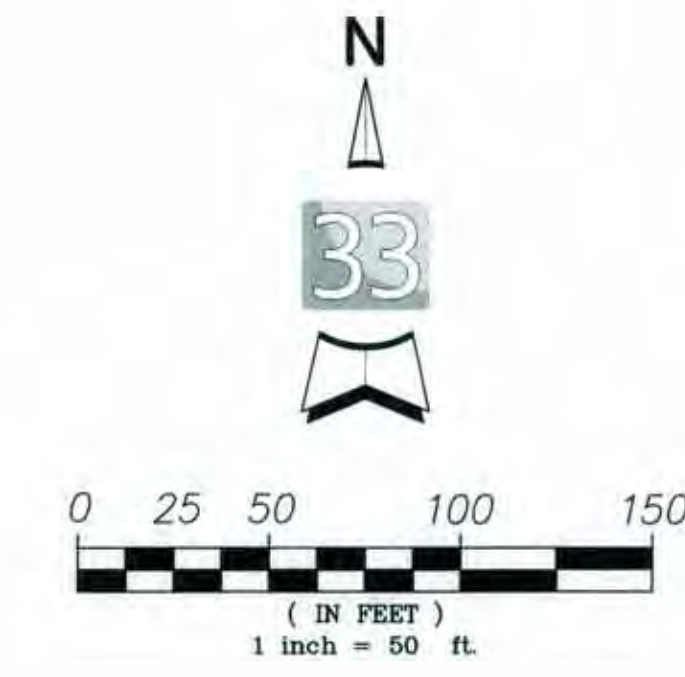
FIRE ACCESS LEGEND

- R26F SIGN AT 100' O.C.
- RED CURB
- AERIAL LADDER ACCESS (FOR BUILDINGS OVER 35')
- FIRE TRUCK ACCESS LANE
- 300' HOSE PULL
- HOSE PULL PATH
- LOWEST ROOF POINT



SIGN	DIMENSIONS (INCHES)											
	A	B	C	D	E	F	G	H	J	K	L	M
STANDARD	12	18	1/4	5 1/2	1 1/2	3 1/2	7/8	3/8	2 1/4	1/2	5/8	5 5/8

R26F SIGN
FIRE ACCESS SIGN



latitude 33
PLANNING & ENGINEERING
9908 Hibert Street, 2nd Floor, San Diego, CA 92131
Tel 619.751.0633

MATTHEW J. SEMIC
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DATE

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PREPARED BY:
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PROJECT ADDRESS:
CARMEL MOUNTAIN ROAD AND CAMINO DEL SUR

PROJECT NAME:
MERGE 56

SHEET TITLE:
FIRE ACCESS PLAN

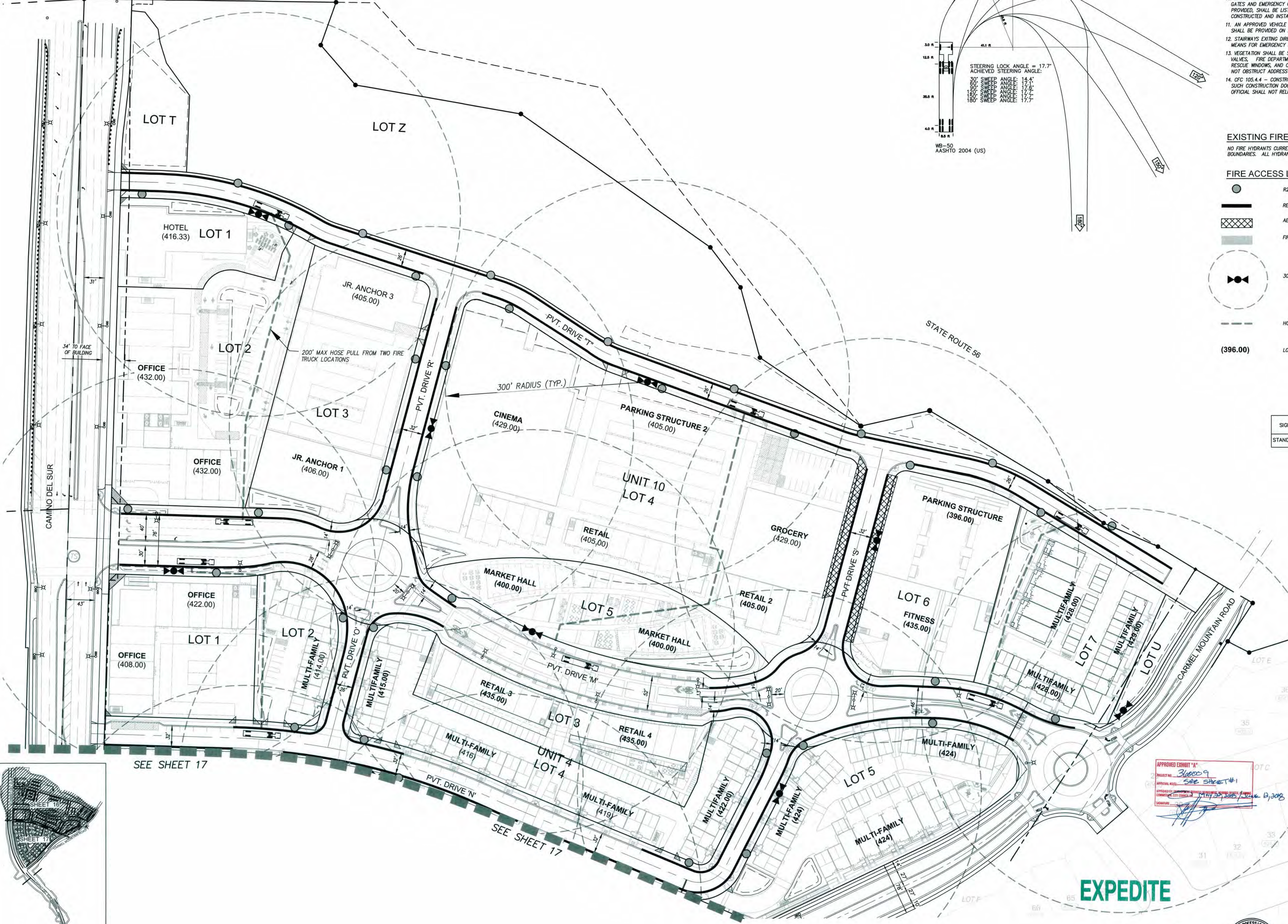
LANDSCAPE ARCHITECT: NEI LANDSCAPE ARCHITECTURE
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(619) 274-3224 FAX(619) 274-3223

ARCHITECT: SAFIRE ARCHITECTS
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REVISION 16:	11-30-2017 15TH SUBMITTAL
REVISION 15:	10-19-2017 14TH SUBMITTAL
REVISION 14:	08-25-2017 13TH SUBMITTAL
REVISION 13:	11-16-2016 12TH SUBMITTAL
REVISION 12:	09-20-2016 11TH SUBMITTAL
REVISION 11:	07-28-2016 10TH SUBMITTAL
REVISION 10:	06-21-2016 9TH SUBMITTAL
REVISION 9:	12-22-2015 8TH SUBMITTAL
REVISION 8:	08-31-2015 7TH SUBMITTAL
REVISION 7:	07-08-2015 6TH SUBMITTAL
REVISION 6:	05-15-2015 5TH SUBMITTAL
REVISION 5:	03-02-2015 4TH SUBMITTAL
REVISION 4:	10-23-2014 3RD SUBMITTAL
REVISION 3:	09-09-2014 2ND SUBMITTAL
REVISION 2:	07-21-2014 FULL SUBMITTAL
REVISION 1:	03-27-2014 MIP SUBMITTAL
ORIGINAL DATE:	02-20-2014

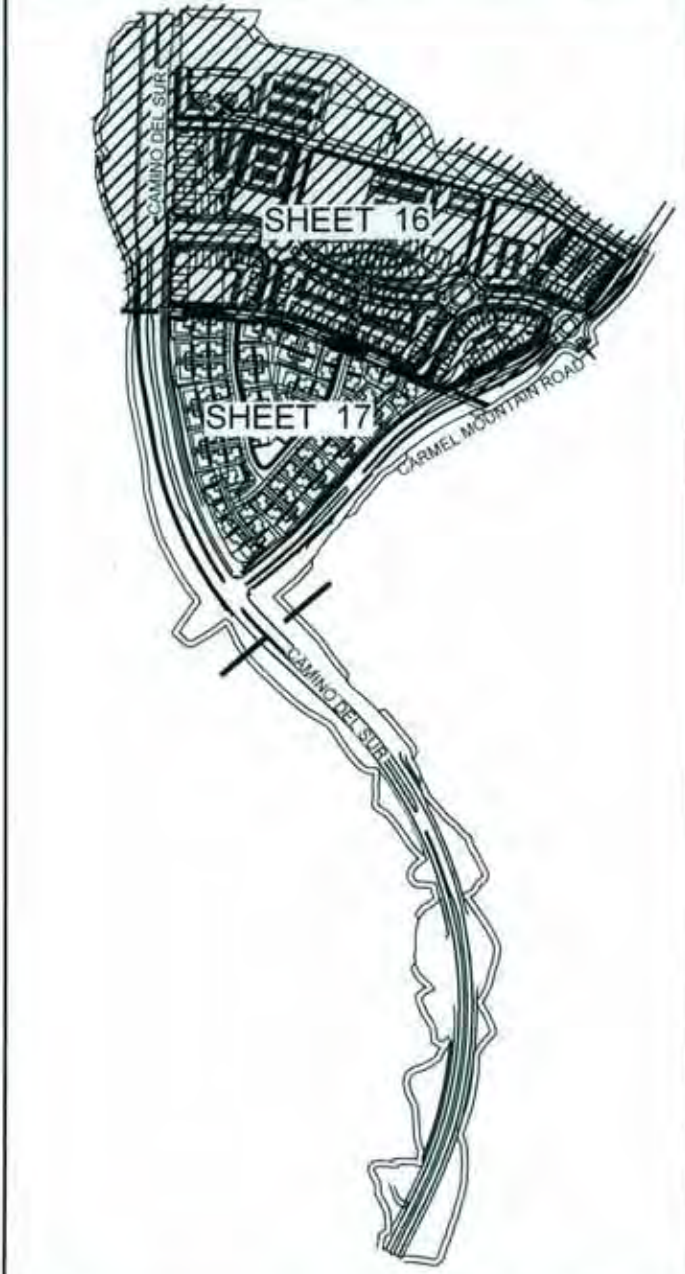
SHEET 16 OF 37

DEPT NO.



SEE SHEET 17

SEE SHEET 17



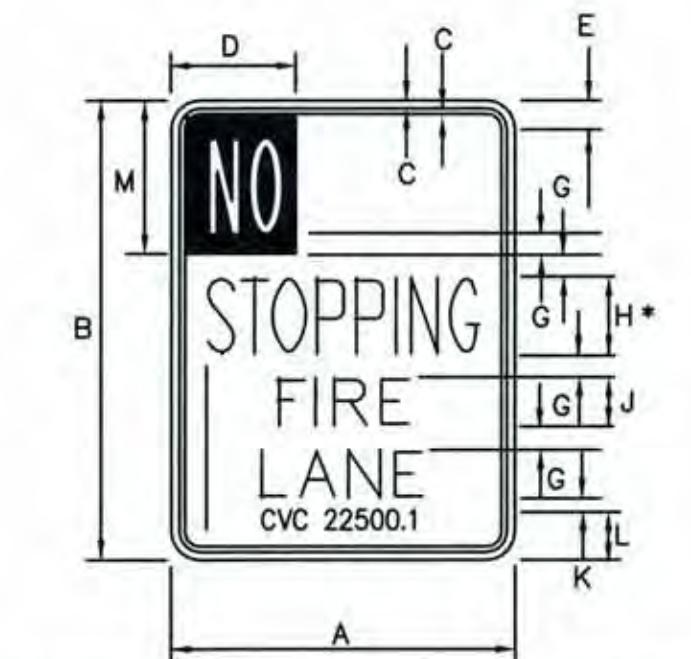
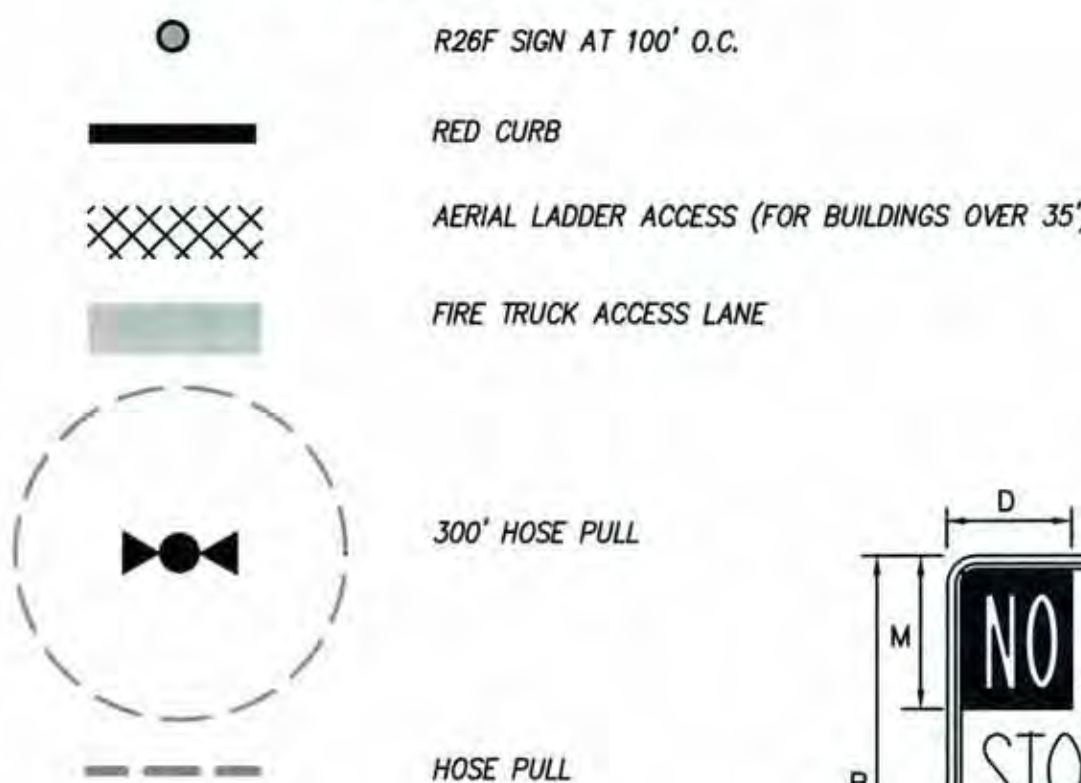
FIRE DEPARTMENT NOTES

1. FIRE APPARATUS ACCESS ROADS AND WATER SUPPLIES FOR FIRE PROTECTION, SHALL BE INSTALLED AND MADE SERVICEABLE PRIOR TO AND DURING TIME OF CONSTRUCTION. CFC 501.4.
2. PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS P-00-6.
3. FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS AND SHALL BE SURFACED SO AS TO PROVIDE ALL WEATHER DRIVING CAPABILITIES. CFC 503.2.3.
4. PROVIDE FIRE ACCESS ROADWAY SIGNS OR RED CURBS IN ACCORDANCE WITH FHPS POLICY A-08-01.
5. POST INDICATOR VALVES, FIRE DEPARTMENT CONNECTIONS, AND ALARM BELL ARE TO BE LOCATED ON THE ADDRESS/ACCESS SIDE OF THE BUILDING.
6. ALL ON-SITE FIRE HYDRANTS SHALL BE IDENTIFIED BY BLUE REFLECTIVE MARKERS AND SHALL COMPLY WITH FHPS POLICY FS-0410.
7. CFC 507.5.5 - CLEAR SPACE AROUND HYDRANTS - A 3 FOOT CLEAR SPACE SHALL BE MAINTAINED AROUND THE CIRCUMFERENCE OF FIRE HYDRANTS, EXCEPT AS OTHERWISE REQUIRED OR APPROVED.
8. CFC 507.5.6 - PHYSICAL PROTECTION - WHERE FIRE HYDRANTS ARE SUBJECT TO IMPACT BY A MOTOR VEHICLE, GUARD POSTS OR OTHER APPROVED MEANS SHALL COMPLY WITH SECTION CFC 312.
9. DEAD-END FIRE APPARATUS ACCESS ROADS IN EXCESS OF 150 FEET IN LENGTH SHALL BE PROVIDED WITH AN APPROVED AREA FOR TURNING AROUND FIRE APPARATUS. CFC 503.2.5.
10. WHERE SECURITY GATES ARE INSTALLED, THEY SHALL HAVE AN APPROVED MEANS OF EMERGENCY OPERATION. THE SECURITY GATES AND EMERGENCY OPERATION SHALL BE MAINTAINED OPERATIONAL AT ALL TIMES. ELECTRIC GATE OPERATORS, WHERE PROVIDED, SHALL BE LISTED IN ACCORDANCE WITH UL 325. GATES INTENDED FOR AUTOMATIC OPERATION SHALL BE DESIGNED, CONSTRUCTED AND INSTALLED TO COMPLY WITH THE REQUIREMENTS OF ASTM F 2200.
11. AN APPROVED VEHICLE STROBE DETECTOR SYSTEM, WITH KNOX KEYSWITCH OVERRIDE, SATISFACTORY TO THE FIRE MARSHAL SHALL BE PROVIDED ON ALL VEHICLE MAIN ENTRY AND EMERGENCY ENTRY POINTS TO THE PROJECT.
12. STAIRWAYS EXTING DIRECTLY TO THE EXTERIOR OF A BUILDING FOUR OR MORE STORIES IN HEIGHT SHALL BE PROVIDED WITH A MEANS FOR EMERGENCY ENTRY FOR FIRE DEPARTMENT ACCESS.
13. VEGETATION SHALL BE SELECTED AND MAINTAINED IN SUCH A MANNER AS TO ALLOW IMMEDIATE ACCESS TO ALL HYDRANTS, VALVES, FIRE DEPARTMENT CONNECTIONS, PULL STATIONS, EXTINGUISHERS, SPRINKLER RISERS, ALARM CONTROL PANELS, RESCUE WINDOWS AND OTHER DEVICES OR AREAS USED FOR FIREFIGHTING PURPOSES. VEGETATION OR BUILDING FEATURES SHALL NOT OBSTRUCT ADDRESS NUMBERS OR INHIBIT THE FUNCTIONING OF ALARM BELLS, HORNS OR STROBES.
14. CFC 105.4.4 - CONSTRUCTION DOCUMENTS APPROVED BY THE FIRE CODE OFFICIAL ARE APPROVED WITH THE INTENT THAT SUCH CONSTRUCTION DOCUMENTS COMPLY IN ALL RESPECTS WITH THIS CODE. REVIEW AND APPROVAL BY THE FIRE CODE OFFICIAL SHALL NOT RELIEVE THE APPLICANT OF THE RESPONSIBILITY OF COMPLIANCE WITH THIS CODE.

EXISTING FIRE HYDRANTS

NO FIRE HYDRANTS CURRENTLY EXIST WITHIN 600 FEET OF THE PROJECT BOUNDARIES. ALL HYDRANTS ARE PROPOSED PER THESE PLANS.

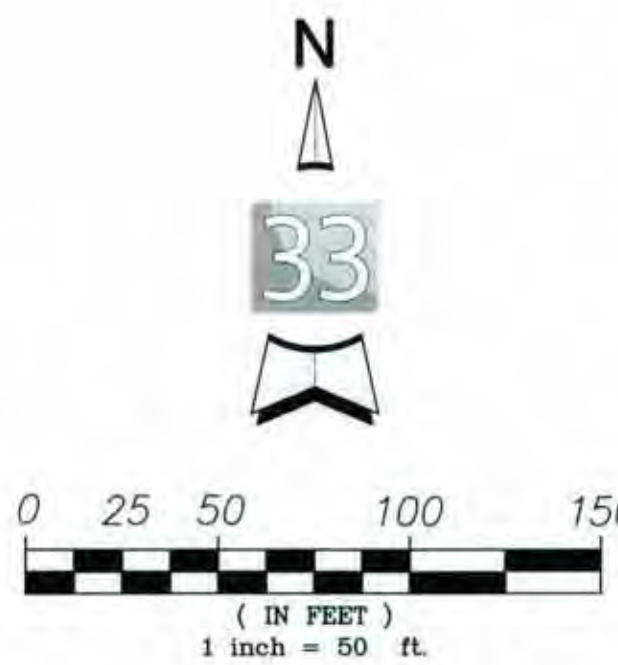
FIRE ACCESS LEGEND



CONDENSE SPACING: 27% FOR STANDARD SIGN
LEGEND AND BORDER - RED
BACKGROUND - WHITE (REFL.)

SIGN	DIMENSIONS (INCHES)												
	A	B	C	D	E	F	G	H	J	K	L	M	
STANDARD	12	18	1/4	5 1/2	1 1/2	3 1/2	7/8	3/8	2 1/4	1/2	5/8	5 5/8	

R26F SIGN
FIRE ACCESS SIGN



APPROVED EXHIBIT "A"
PROJECT NO. 300009
APPROVAL: SEE SHEET #1
APPROVED BY: [Signature]
DATE: 04/20/2016

EXPEDITE

DEVELOPER: SEA BREEZE PROPERTIES, LLC
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PROJECT ADDRESS: CARMEL MOUNTAIN ROAD AND CAMINO DEL SUR

PROJECT NAME: MERGE 56

SHEET TITLE: FIRE ACCESS PLAN

REVISION 16: 11-30-2017 15TH SUBMITTAL

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REVISION 13: 11-18-2016 12TH SUBMITTAL

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REVISION 11: 07-26-2016 10TH SUBMITTAL

REVISION 10: 06-21-2016 9TH SUBMITTAL

REVISION 9: 12-22-2015 8TH SUBMITTAL

REVISION 8: 08-31-2015 7TH SUBMITTAL

REVISION 7: 07-08-2015 6TH SUBMITTAL

REVISION 6: 05-15-2015 5TH SUBMITTAL

REVISION 5: 03-02-2015 4TH SUBMITTAL

REVISION 4: 10-23-2014 3RD SUBMITTAL

REVISION 3: 09-09-2014 2ND SUBMITTAL

REVISION 2: 07-21-2014 FULL SUBMITTAL

REVISION 1: 03-27-2014 MR SUBMITTAL

ORIGINAL DATE: 02-20-2014

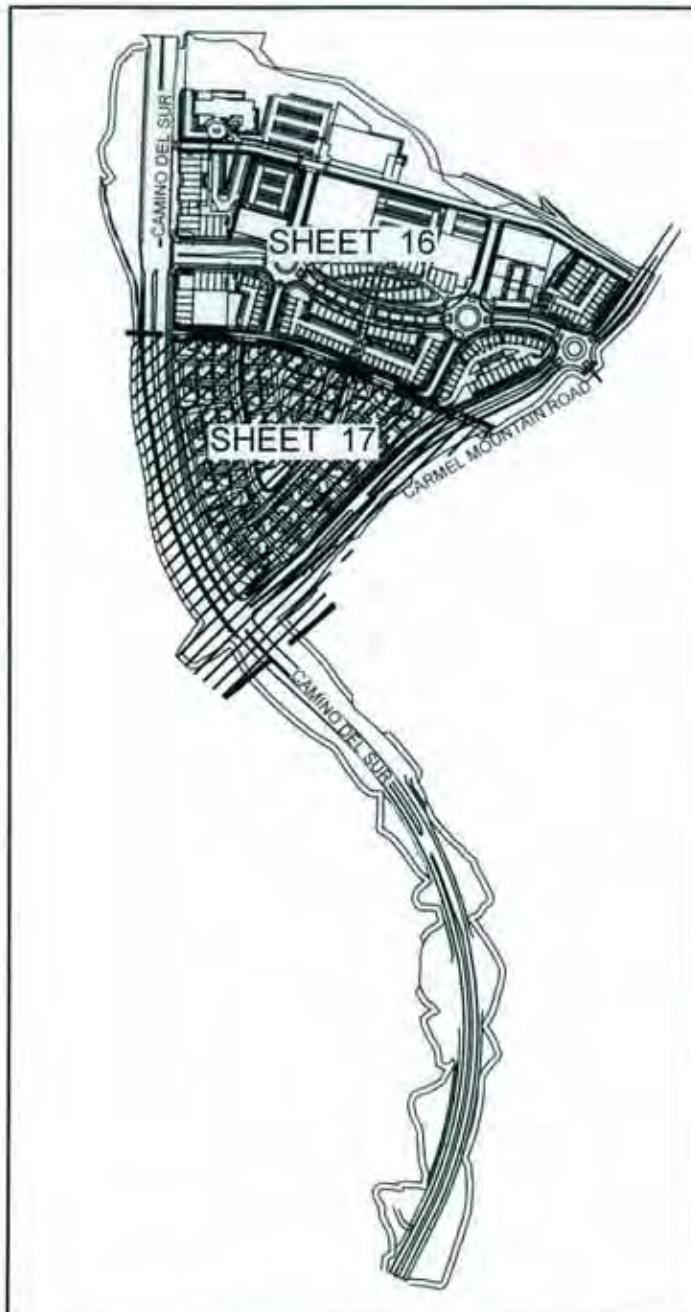
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MATTHEW J. SEMIC
RCE 71075

DATE

DEPT NO.



KEY MAP

HARDSCAPE LEGEND:

- ENHANCED PAVING**
Such as:
Uncoated concrete paving with enhanced finish
Integrally colored concrete with med broom finish
Concrete pavers
Stamped concrete
Textured asphalt topping
- ENHANCED VEHICULAR PAVING**
Such as:
Uncoated concrete paving with enhanced finish
Integrally colored concrete with enhanced finish
Poros pavers

PLANTING LEGEND:

OCCURS IN TORREY HIGHLANDS AND PARK VILLAGE M.A.D. (ADJACENT TO FUTURE DEVELOPMENT) AND ON PRIVATELY MAINTAINED SLOPE (NORTH SIDE OF SITE)

PLANT MATERIAL LEGEND:	QTY / % / SIZE
ORNAMENTAL SLOPE TREES Medium scale deciduous / evergreen trees - 25' tall x 20' wide such as:	100% / 15 GAL
<i>Jacaranda mimosifolia</i>	"Jacaranda"
<i>Metrosideros excelsa</i>	"New Zealand Christmas Tree"
<i>Pinus edulis</i>	"Mondel Pine"
<i>Platanus a. 'Bloodgood'</i>	"London Plane var."
<i>Rhus lancea</i>	"African Sumac"
<i>Tristania conferta</i>	"Brisbane Box"
<i>Platanus racemosa</i>	"California Sycamore"
<i>Quercus agrifolia</i>	"Coast Live Oak"

PLANT MATERIAL LEGEND:	QTY / % / SIZE
NATIVE / ORNAMENTAL SLOPE PLANTING SHRUBS Small / Medium scale evergreen shrubs - 3' - 6' tall x 3' wide such as:	40% / 4" O.C. / 5 GAL 60% / 4" O.C. / 1 GAL
<i>Anigozanthos</i> spp.	"Kangaroo Paw"
<i>Arctostaphylos</i> spp.	"Manzanita var."
<i>Bougainvillea</i> var.	"Bougainvillea var."
<i>Cistus</i> spp.	"Rockrose var."
<i>Deities Lennan Drop</i>	"Fortnight Lily var."
<i>Ceanothus tomentosus</i>	"Wild Lilac"
<i>Fremontodendron californicum</i>	"Flannel Bush"
<i>Heteromeles arbutifolia</i>	"Toyon"
<i>Lavandula</i> spp.	"Lavender var."
<i>Phorumn</i> spp.	"New Zealand Flax var."
<i>Rhus integrifolia</i>	"Lemonade Berry"
<i>Ribes</i> spp.	"Current, Gooseberry"
<i>Rosmarinus</i> spp.	"Rosemary var."
<i>Salvia</i> spp.	"Sage var."

GROUNDCOVERS Small scale evergreen groundcover - 2' tall x 2' wide such as:	100% / 2" O.C. / 1 GAL
<i>Baccharis pilularis</i>	"Dwarf Coyote Bush var."
<i>Carex</i> spp.	"Sedge var."
<i>Dianella</i> spp.	"Lily Flax var."
<i>Festuca o. 'Glaucia'</i>	"Blue Fescue var."
<i>Senecio mandraliscae</i>	"Blue Chalk Sticks"

VINES Occurs on retaining wall (North side) privately maintained slope Self climbing vines - spreading such as:	100% / 10' O.C. / 1 GAL
<i>Macfadyena unguis-cati</i>	"Cat's-claw vine"
<i>Bougainvillea</i> sp.	"Bougainvillea"

OCCURS ON PRIVATELY MAINTAINED LAND

PLANT MATERIAL LEGEND:

PALM TREES Medium scale palm tree - such as:	100% / 8" BTH
<i>Syagrus romanzoffiana</i>	"Queen Palm"
<i>Archontophoenix cunninghamiana</i>	"King Palm"
<i>Rhapis excelsa</i>	"Lady Palm"
<i>Chamaerops humilis</i>	"Mediterranean Fan Palm"

PLANT MATERIAL LEGEND: POOL TREES Medium scale tree - such as:	100% / 15 GAL
<i>Agave attenuata</i>	"Australian Willow"
<i>Magnolia grandiflora</i>	"Little Gem Magnolia"
<i>Platanus racemosa</i>	"New Zealand Christmas Tree"
<i>Quercus agrifolia</i>	"Strawberry Tree"

DRIVEWAY ACCENT PLANTING Small scale evergreen tree - 10' tall x 5' wide, such as:	100% / 15 GAL
<i>Podocarpus neriifolius</i> male	"Shrubby Yew"
<i>Bambusa multiplex</i> 'Golden Goddess'	"Hedge Bamboo"
<i>Cupressus sempervirens</i> 'Tiny Tower'	"Dwarf Italian Cypress"
<i>Cordyline</i> spp.	"Cordylone"
<i>Thuja occidentalis</i> 'Smaragd'	"Northern White Cedar"

PLANT MATERIAL LEGEND: BROAD-HEADED SHADE TREES Large scale evergreen/deciduous tree - 50' tall x 40' wide, such as:	100% / 24" BOX
<i>Quercus agrifolia</i>	"Coast Live Oak"
<i>Umbellularia californica</i>	"California Bay Laurel"
<i>Pinus torreyana</i>	"Torrey Pine"

BROAD-HEADED NATIVE SHADE TREES Large scale evergreen/deciduous tree - 50' tall x 40' wide, such as:	70% / 24" BOX 30% / 36" BOX
<i>Platanus racemosa</i>	"California Sycamore"
<i>Quercus agrifolia</i>	"Coast Live Oak"
<i>Umbellularia californica</i>	"California Bay Laurel"
<i>Pinus torreyana</i>	"Torrey Pine"

NATIVE ACCENT TREES Medium scale evergreen/deciduous tree - 20' tall x 20' wide, such as:	100% R.O.W. TREE / 24" BOX 100% REMAINING / 15 GAL
<i>Aesculus californica</i>	"California Duckeye"
<i>Cercis occidentalis</i>	"Western Redbud"
<i>Heteromeles arbutifolia</i>	"Toyon"

URBAN ACCENT TREES Medium scale evergreen/deciduous tree - 20' tall x 20' wide, such as:	100% / 24" BOX
<i>Colquhounia</i>	"Australian Willow"
<i>Agave flexuosa</i> 'Jervis Bay After Dark'	"After Dark Peppermint Willow"
<i>Cercis canadensis</i> 'Forest Pansy'	"Eastern Redbud"
<i>Lagerstroemia indica</i>	"Crape Myrtle"
<i>Lophospermum confertus</i>	"Brisbane Box"
<i>Hymenocallis flava</i>	"Sweet Shade"

OCCURS ON PRIVATELY MAINTAINED LAND

PLANT MATERIAL LEGEND:

URBAN INTERIOR STREET TREES Medium scale evergreen/deciduous tree - 30' tall x 20' wide, such as:	100% / 3" O.C. / 1 GAL
<i>Pyrus calleryana</i> 'Bradford'	"Japanese Boxwood"
<i>Magrolia grandiflora</i> 'Little Gem'	"Bradford Pear"
<i>Metrosideros excelsa</i>	"Little Gem Magnolia"
<i>Abutilon</i> spp.	"New Zealand Christmas Tree"
<i>Koeleruteria bipinnata</i>	"Japanese Privet"
<i>Lagerstrum japonicum</i>	"Crape Myrtle"
<i>Cassia leptophylla</i>	"Gold Medalion Tree"
<i>Jacaranda mimosifolia</i>	"Jacaranda"
<i>Podocarpus gracilior</i>	"New Pine"
<i>Acacia stenophylla</i>	"Sheetsing Acacia"

URBAN PLANTINGS FOUNDATION SHRUBS Medium scale shrubs - 3'-5' tall and wide, such as:	100% / 3" O.C. / 1 GAL
<i>Buxus microphylla japonica</i>	"Japanese Boxwood"
<i>Carissa macrocarpa</i> 'Boxwood Beauty'	"Natal Plum"
<i>Ligustrum japonicum</i>	"Japanese Privet"
<i>Pittosporum crassifolium</i> 'Compacum'	"Compact Pittosporum"
<i>Hebe</i> spp.	"NCN"
<i>Escallonia</i> 'Newport Dwarf'	"Dwarf Escallonia"
<i>Raphiolepis indica</i> 'Ballerina'	"Dwarf Indian Hawthorne"

ACCENT SHRUBS Medium scale shrubs - 3' tall and wide, such as:	100% / 3" O.C. / 1 GAL
<i>Callistemon Little John</i>	"Dwarf Bottlebrush"
<i>Salvia leucantha</i>	"Mexican Bush Sage"
<i>Rosa noae</i>	"Flower Carpet"
<i>Phorumn</i> spp.	"New Zealand Flax"
<i>Cyrtanthus filamentosus</i>	"Japanese Holly Flax"
<i>Miscanthus transmonsonensis</i>	"Evergreen Miscanthus"
<i>Muhlenbergia rigens</i>	"Deer Grass"
<i>Chondropetalum tectorum</i>	"Cape Rush"

GROUNDCOVER Med / Large scale shrubs 1'-2' tall x 1'-6' wide such as:	100% / 3" O.C. / 1 GAL
<i>Peltanionium petalatum</i>	"Ivy Geranium"
<i>Ceanothus maritimus</i> 'Frosty Dawn'	"Maritime Ceanothus"
<i>Rhus integrifolia</i>	"Spreading Natal Plum"
<i>Heliotrichon sempervirens</i>	"Blue Dot Grass"
<i>Antennaria 'Powers Castle'</i>	"Powers Castle Sage"

TURF such as:	100% / SOD
<i>Buchloe dactyloides</i> 'UC Verde'	"Hybrid Buffalo Grass"
<i>Cynodon dactylon</i> 'Bull's Eye'	"Bulseye Hybrid Bermuda (sterile)"
<i>Leymus tricochloides</i> 'Rio'	"Bareless Wilkiey"
Artificial turf (on structure)	
Turfblock (in drive aisle)	

VERTICAL SCREENING SHRUBS Medium / Large scale shrubs - 5'-10' tall x 4'-8' wide, such as:	100% / 5" O.C. / 5 GAL
<i>Teocoma capensis</i>	"Cape Honeysuckle"
<i>Dodonaea viscosa</i>	"Hopsed Bush"
<i>Escallonia</i> spp.	"Escallonia"
<i>Grewia occidentalis</i>	"Lavender Starflower"
<i>Heteromeles arbutifolia</i>	"Toyon"
<i>Malosma laurina</i>	"Laurel Sumac"
<i>Myrica californica</i>	"Pacific Wax Myrtle"
<i>Thamnos californica</i>	"California Coffeeberry"
<i>Rhus integrifolia</i>	"Lemonadeberry"

SEE SHEET 19 FOR PLANTING LEGEND FOR R.O.W. AND ADJACENT SLOPE PLANTING

OCCURS ON PRIVATELY MAINTAINED LAND

PLANT MATERIAL LEGEND:

POOL AREA SHRUBS AND GROUNDCOVERS Small scale shrubs/groundcovers - 2'-3' tall and wide, such as:	100% / 3" O.C. / 1 GAL
<i>Agave attenuata</i>	"Fountain Agave"
<i>Buxus microphylla japonica</i>	"Japanese Boxwood"
<i>Carissa macrocarpa</i> 'Boxwood Beauty'	"Compact Natal Plum"
<i>Lagerstrum japonicum</i>	"Japanese Privet"
<i>Pittosporum crassifolium</i> 'compacum'	"Compact Pittosporum"
<i>Arctostaphylos</i> spp.	"New Zealand Christmas Tree"
<i>Kalanchoe</i> spp.	"Kalanchoe"
<i>Pelargonium peltatum</i>	"Ivy Geranium"
<i>Echeveria</i> spp.	"Echeveria"
<i>Shrelitzia reginae</i>	"Bird of Paradise"
<i>Hebe</i> spp.	"NCN"

COURTYARD AREA (ON STRUCTURE) SHRUBS AND GROUNDCOVERS Small scale shrubs/groundcovers - 2'-3' tall and wide, such as:	100% / 3" O.C. / 1 GAL
<i>Berberis 'Golden Abundance'</i>	"Mahonia 'Golden Abundance'"
<i>Carpenaria californica</i>	"Bush Anemone"
<i>Dianella tasmanica</i> 'Variegata'	"Tasman Flax Lily"
<i>Grewia occidentalis</i>	"Lavender Starflower"
<i>Heteromeles arbutifolia</i>	"Toyon"
<i>Tecoma capensis</i>	"Cape Honeysuckle"
<i>Buchloe dactyloides</i> 'UC Verde'	"Hybrid Buffalo Grass"
<i>Carex praegracilis</i>	"Dune Sedge"
<i>Leymus tricochloides</i> 'Rio'	"Bareless Wilkiey"
<i>Styrrichium bellum</i>	"Blue Eyed Grass"
<i>Juncus patens</i>	"California Gray Rush"
<i>Allium unifolium</i>	"Single Leaf Onion"
<i>Carex perennis</i>	"California Meadow Sedge"
<i>Sedum</i> species	"Sedum"

NATIVE / DROUGHT TOLERANT PLANTING SCREENING SHRUBS Med / Large scale shrubs 8' tall x 8' wide such as:	100% / 5" O.C. / 15 GAL
<i>Heteromeles arbutifolia</i>	"Toyon"
<i>Myrica californica</i>	"Pacific Wax Myrtle"
<i>Rhus integrifolia</i>	"Lemonadeberry"
<i>Malosma laurina</i>	"Laurel Sumac"

FOUNDATION SHRUBS Medium scale shrubs 5' tall x 5' wide such as:	100% / 4" O.C. / 5 GAL
<i>Ceanothus 'Concha'</i>	"California Mountain Lilac"
<i>Carpenaria californica</i>	"Bush Anemone"
<i>Simmondsia chinensis</i>	"Jojoba"
<i>Arctostaphylos 'Sunset'</i>	"Sunset Manzanilla"
<i>Salvia clevelandii</i>	"Cleveland Sage"

ACCENT SHRUBS Medium scale shrubs 3' tall x 3' wide such as:	100% / 3" O.C. / 1 GAL
<i>Comarostaphylos diversifolia</i>	"Summer Holly"
<i>Garrya elliptica</i>	"Coast Silk Tassel"
<i>Mastigella poppy</i>	"Mastigella Poppy"
<i>Dendromecon harfordii</i>	"Bush Anemone"
<i>Eriogonum gigantea</i>	"Giant Buckwheat"
<i>Galvezia speciosa</i>	"Island Bush Snapperdagon"
<i>Salvia spathacea</i>	"Hummingbird Sage"

GROUNDCOVERS Medium scale evergreen groundcovers 2' tall x 6' wide such as:	100% / 2" O.C. / 1 GAL
<i>Arctostaphylos 'Pacific Mist'</i>	"Pacific Mist Manzanilla"
<i>Mahonia repens</i>	"Creeping Mahonia"
<i>Ribes viburnifolium</i>	"Evergreen Currant"
<i>Rosmarinus officinalis</i> 'Prostratus'	"Creeping Rosemary"
<i>Ceanothus 'Joyce Coulter'</i>	"Joyce Coulter Ceanothus"
<i>Encelia californica</i>	"Coast Sunflower"
<i>Heuchera 'Canyon Pink'</i>	"Canyon Pink Coral Bells"
<i>Heuchera maxima</i>	"Island Alum Root"
<i>Juncus patens</i>	"California Rush"
<i>Mimulus cardinalis</i>	"Scarlet Monkey Flower"
<i>Mimulus guttatus</i>	"Seep Monkey Flower"
<i>Zauschneria californica</i>	"California Fuchsia"
<i>Fragaria chiloensis</i>	"Beach Strawberry"
<i>Mycoporum parvifolium</i> 'Pink'	"NCN"
<i>Iris douglasiana</i>	"Douglas Iris"
<i>Styrrichium bellum</i>	"Blue-eyed Grass"

BIOFILTRATION BASIN PLANTING ACCENT SHRUBS Medium scale shrubs 3' tall x 3' wide such as:	100% / 6" O.C. / 1 GAL
<i>Lomandra longifolia</i> 'Breeze'	"Dwarf Mat Rush"
<i>Chondropetalum tectorum</i>	"Large Cape Rush"
<i>Carex spissa</i>	"San Diego Sedge"
<i>Leymus condensatus</i> 'Canyon Prince'	"Canyon Prince Wild Ry"

GROUNDCOVERS Small scale evergreen groundcovers 1'-2' tall x 1'-3' wide such as:	100% / 2" O.C. / 1 GAL
<i>Carex divisa</i>	"Berkeley Sedge"
<i>Carex elata</i> 'Aurea'	"Bowen's Golden Sedge"
<i>Carex praegracilis</i>	"Dune Sedge"
<i>Mimulus cardinalis</i>	"Scarlet Monkey Flower"
<i>Iris douglasiana</i>	"Douglas Iris"
<i>Mahonia nervosa</i>	"Longleaf Mahonia"
<i>Juncus effusus</i>	"Soft Rush"
<i>Juncus patens</i>	"California Gray Rush"
<i>Juncus pallidus</i>	"Pale Rush"

MINIMUM STREET TREE SEPARATION DISTANCE:

IMPROVEMENT /	MIN. DISTANCE TO STREET TREE
TRAFFIC SIGNALS	20 FEET
UNDERGROUND UTILITY LINES	5 FEET
ABOVE GROUND UTILITY STRUCTURES	10 FEET
DRIVEWAY (ENTRIES)	10 FEET
INTERSECTIONS	25 FEET
SEWER LINES	10 FEET

PREPARED IN THE OFFICE OF:

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Prepared By:
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Address: 828 HORNBLENDE STREET, SUITE 3
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Phone #: (658) 274-3222
Fax #: (658) 274-3223

Project Address:
CARMEL MOUNTAIN ROAD BETWEEN SUNDANCE AVE
AND VIA PANACEA

Project Name:
MERGE 56

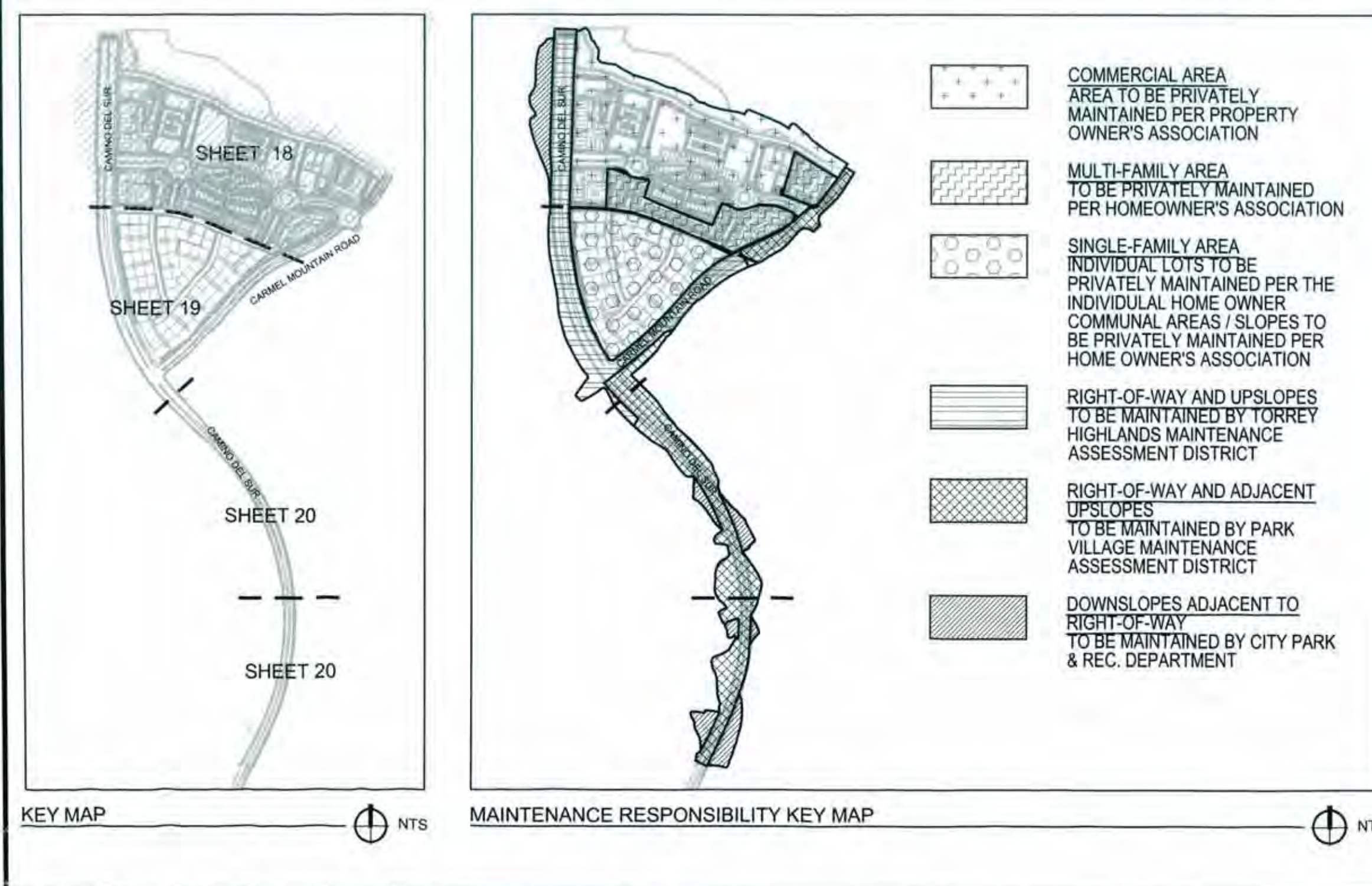
Sheet Title:
LANDSCAPE DEVELOPMENT
PLAN - PLANTING PLAN

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Revision 15: 10-19-2017 14TH SUBMITTAL
Revision 14: 08-25-2017 13TH SUBMITTAL
Revision 13: 11-21-2016 12TH SUBMITTAL
Revision 12: 09-26-2016 11TH SUBMITTAL
Revision 11: 07-26-2016 10TH SUBMITTAL
Revision 10: 06-21-2016 9TH SUBMITTAL
Revision 9: 12-22-2015 8TH SUBMITTAL
Revision 8: 08-31-2015 7TH SUBMITTAL
Revision 7: 07-08-2015 6TH SUBMITTAL
Revision 6: 05-15-2015 5TH SUBMITTAL
Revision 5: 03-02-2015 4TH SUBMITTAL
Revision 4: 10-17-2014 3RD SUBMITTAL
Revision 3: 09-09-2014 2ND SUBMITTAL
Revision 2: 07-21-2014 FULL SUBMITTAL
Revision 1: 03-27-2014 MR SUBMITTAL

Original Date: 02-20-2014
Sheet 18 of 37
DEP#



KEY MAP

PROPOSED PLANT PALETTE

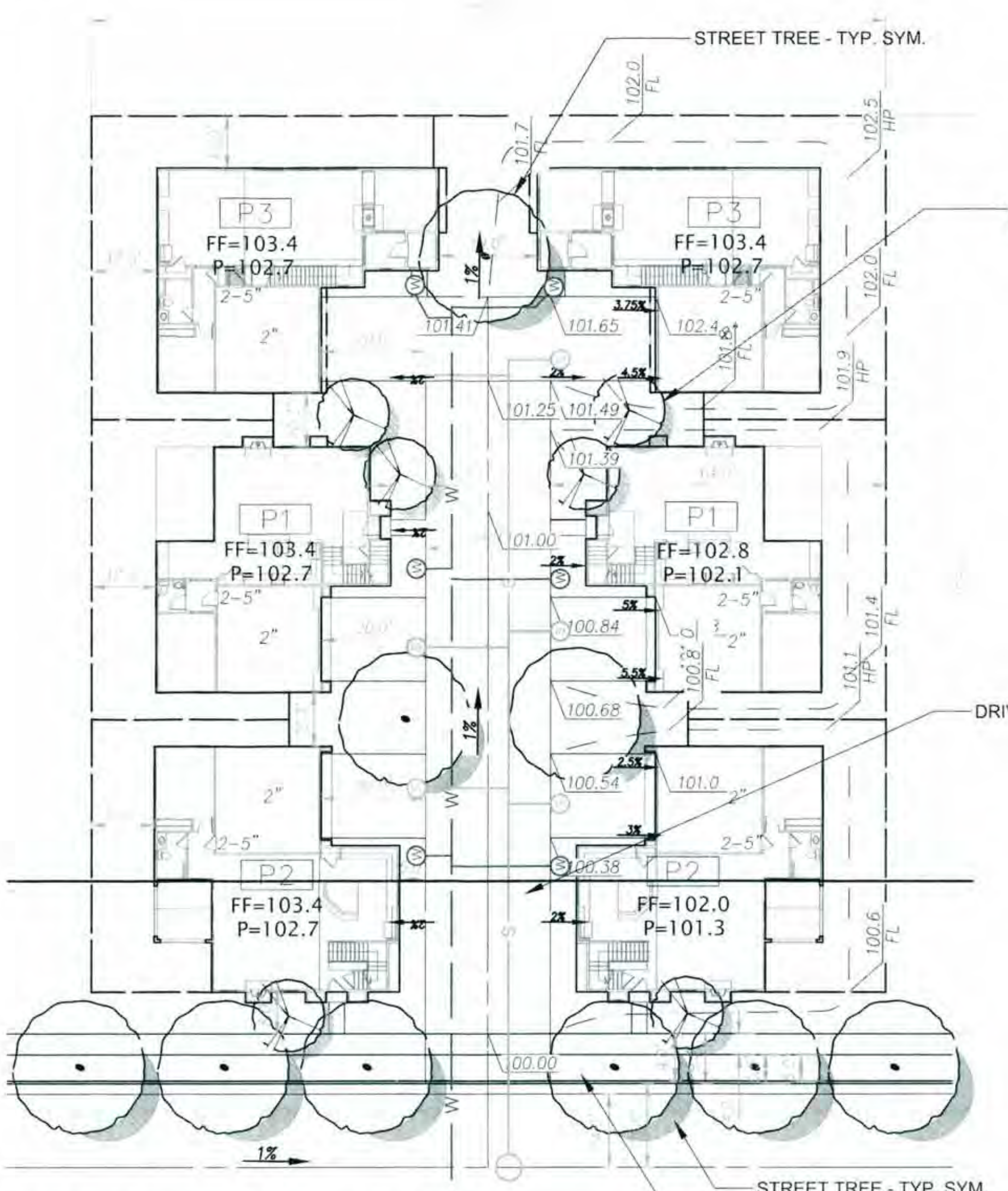
SYMBOL	BOTANICAL NAME	COMMON NAME
	INTERIOR STREET TREES (100%, 24" BOX)	
	(25' TALL x 20" WIDE, MEDIUM SCALE DECIDUOUS / EVERGREEN TREE) SUCH AS:	
	ACACIA STENOPHYLLA	SHOESTRING ACACIA
	AGONIS FLEXUOSA	STRAWBERRY TREE VAR.
	CASSIA LEPTOPHYLLA	GOLD MEDALLION TREE
	JACARANDA MIMOSIFOLIA	JACARANDA
	KOELREUTERIA BIPINNATA	CHINESE FLAME TREE
	LAGERSTROEMIA INDICA	CRABE MYRTLE VAR.
	MAGNOLIA GRANDIFLORA 'LITTLE GEM'	NEW ZEALAND CHRISTMAS TREE
	METROSIDEROS EXCELSA	PLATANUS A. 'BLOODGOOD'
	PLATANUS A. 'BLOODGOOD'	PODOCARPUS GRACILIOR
	PRUNUS C. 'CHARITTEER'	PRUNUS CALLERYANA 'BRADFORD'
	TRISTANIA LAURINA	WATER GUM
	THEME / SCREEN TREES (75% 24" BOX - 25% 36" BOX)	
	(25' TALL x 20" WIDE, MEDIUM SCALE DECIDUOUS / EVERGREEN TREE) SUCH AS:	
	JACARANDA SPP.	JACARANDA SPP.
	LAGERSTROEMIA INDICA	CRABE MYRTLE VAR.
	MAGNOLIA G. 'RUSSET'	RUSSET MAGNOLIA
	OLEA 'WILSONII'	OLIVE SPP.
	TRISTANIA LAURINA	WATERGUM
	PERIMETER SLOPE TREES (100%, 24" BOX)	
	(30' TALL x 20" WIDE, MEDIUM SCALE DECIDUOUS / EVERGREEN TREE) SUCH AS:	
	JACARANDA MIMOSIFOLIA	JACARANDA
	METROSIDEROS EXCELSA	NEW ZEALAND CHRISTMAS TREE
	PLATANUS A. 'BLOODGOOD'	MONDEL PINE
	PLATANUS A. 'BLOODGOOD'	LONDON PLANE VAR.
	RHUS LANCEA	AFRICAN SUMAC
	TRISTANIA CONFERTA	BRISBANE BOX

	FRONT YARD ACCENT TREES (24" BOX)	
	(25' TALL x 12" WIDE, MEDIUM SCALE DECIDUOUS / EVERGREEN TREE) SUCH AS:	
	ARBUS MARINA	STRAWBERRY TREE VAR.
	AGONIS FLEXUOSA 'JERVIS BAY AFTER DARK'	PURPLE PEPPERMINT WILLOW
	GEDEIRA PARVIFLORA	AUSTRALIAN WILLOW
	LAGERSTROEMIA INDICA	CRABE MYRTLE VAR.
	PRUNUS C. 'CHARITTEER'	FLOWERING PEAR
	PRUNUS C. 'KRAUTER VESUVIUS'	NEW ZEALAND CHRISTMAS TREE
	METROSIDEROS EXCELSA	
	PALM TREES (24" - 36" BOX)	
	(25' TALL x 10" WIDE, VERTICAL EVERGREEN TREE) SUCH AS:	
	ARCHONTOPHOENIX CUNNINGHAMIANA	KING PALM
	SYAGRUS ROMANOFFIANUM	QUEEN PALM
	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM
	INTERIOR SLOPE TREES (24" BOX)	
	(20' TALL x 20" WIDE, MEDIUM SCALE DECIDUOUS / EVERGREEN TREE) SUCH AS:	
	METROSIDEROS EXCELSA	NEW ZEALAND CHRISTMAS TREE
	PLATANUS A. 'BLOODGOOD'	MONDEL PINE
	RHUS LANCEA	LONDON PLANE VAR.
	TRISTANIA CONFERTA	AFRICAN SUMAC
	BRISBANE BOX	
	INTERIOR SLOPE / SHRUB GROUND COVER	
	(10' - 30' HIGH, 100% 1 GAL. 5" O.C. AVERAGE) SUCH AS:	
	BACCHARIS PILULARIS	DWARF COYOTE BUSH VAR.
	CEANOTHUS SPP.	WILD LILAC VAR.
	CERASTIUM TOMENTOSUM	SNOW IN SUMMER
	LANTANA SPP.	LANTANA VAR.
	LONICERA J. 'HALLIANA'	HALL'S HONEYSUCKLE

	FRONT YARD ACCENT TREES (24" BOX)	
	(25' TALL x 12" WIDE, MEDIUM SCALE DECIDUOUS / EVERGREEN TREE) SUCH AS:	
	ARBUS MARINA	STRAWBERRY TREE VAR.
	AGONIS FLEXUOSA 'JERVIS BAY AFTER DARK'	PURPLE PEPPERMINT WILLOW
	GEDEIRA PARVIFLORA	AUSTRALIAN WILLOW
	LAGERSTROEMIA INDICA	CRABE MYRTLE VAR.
	PRUNUS C. 'CHARITTEER'	FLOWERING PEAR
	PRUNUS C. 'KRAUTER VESUVIUS'	NEW ZEALAND CHRISTMAS TREE
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	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM
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	PLATANUS A. 'BLOODGOOD'	MONDEL PINE
	RHUS LANCEA	LONDON PLANE VAR.
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	BRISBANE BOX	
	INTERIOR SLOPE / SHRUB GROUND COVER	
	(10' - 30' HIGH, 100% 1 GAL. 5" O.C. AVERAGE) SUCH AS:	
	BACCHARIS PILULARIS	DWARF COYOTE BUSH VAR.
	CEANOTHUS SPP.	WILD LILAC VAR.
	CERASTIUM TOMENTOSUM	SNOW IN SUMMER
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	AGONIS FLEXUOSA 'JERVIS BAY AFTER DARK'	PURPLE PEPPERMINT WILLOW
	GEDEIRA PARVIFLORA	AUSTRALIAN WILLOW
	LAGERSTROEMIA INDICA	CRABE MYRTLE VAR.
	PRUNUS C. 'CHARITTEER'	FLOWERING PEAR
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	(10' - 30' HIGH, 100% 1 GAL. 5" O.C. AVERAGE) SUCH AS:	
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	AGONIS FLEXUOSA 'JERVIS BAY AFTER DARK'	PURPLE PEPPERMINT WILLOW
	GEDEIRA PARVIFLORA	AUSTRALIAN WILLOW
	LAGERSTROEMIA INDICA	CRABE MYRTLE VAR.
	PRUNUS C. 'CHARITTEER'	FLOWERING PEAR
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	RHUS LANCEA	LONDON PLANE VAR.
	TRISTANIA CONFERTA	AFRICAN SUMAC
	BRISBANE BOX	
	INTERIOR SLOPE / SHRUB GROUND COVER	
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	LONICERA J. 'HALLIANA'	HALL'S HONEYSUCKLE



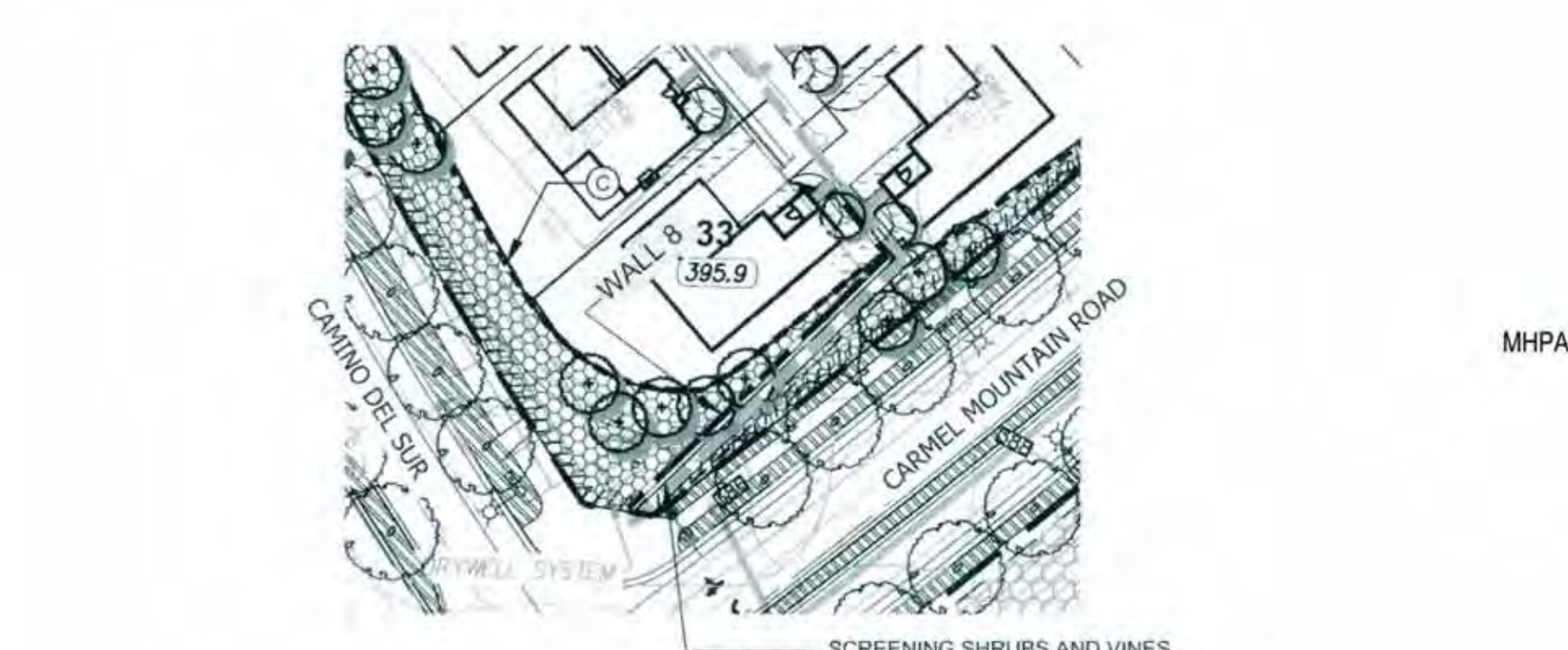
TYPICAL PRODUCT CLUSTER
SCALE 1" = 20'-0"

MINIMUM STREET TREE SEPARATION DISTANCE:	
IMPROVEMENT	MIN. DISTANCE TO STREET TREES
TRAFFIC SIGNALS	20 FEET
UNDERGROUND UTILITY LINES	5 FEET
ABOVE GROUND UTILITY STRUCTURES	10 FEET
DRIVEWAY (ENTRIES)	10 FEET
INTERSECTIONS	25 FEET
SEWER LINES	10 FEET

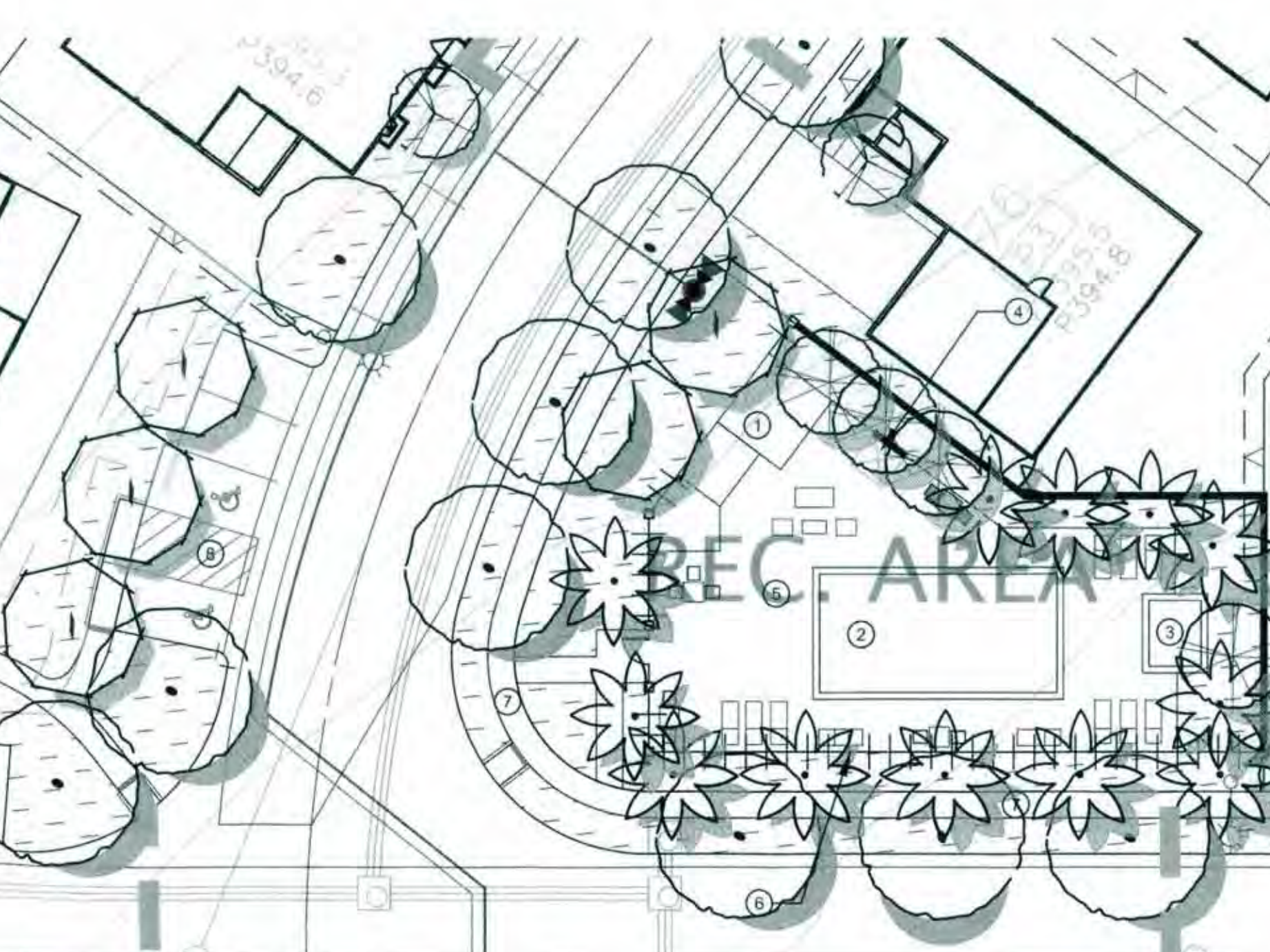
A MINIMUM OF 40 SF PER TREE SHALL BE PROVIDED AS A WATER PERMEABLE AREA.

LANDSCAPE SEPARATION NOTE:

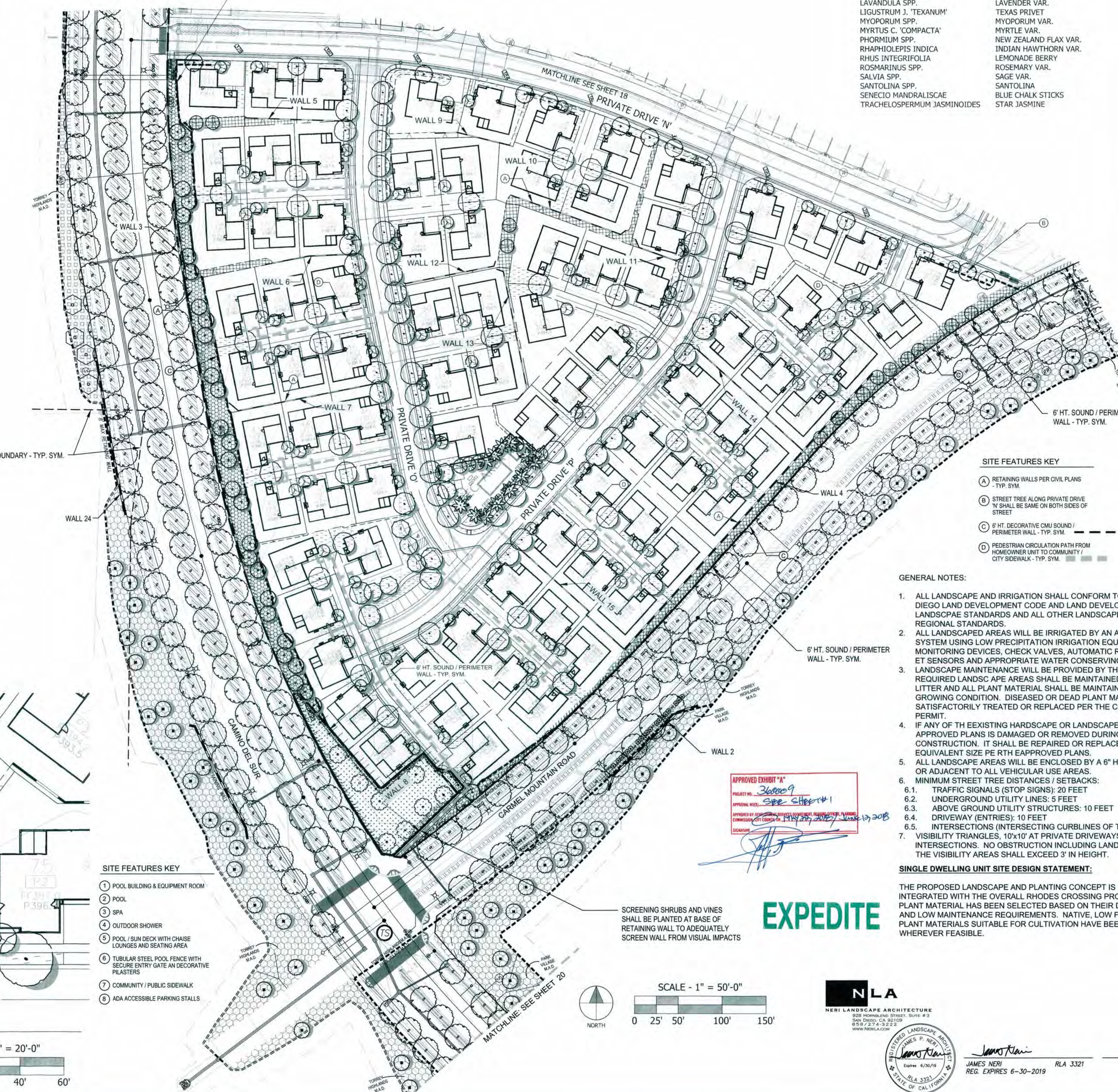
NO TREES OR SHRUBS EXCEEDING THREE FEET IN HEIGHT AT MATURITY SHALL BE INSTALLED WITHIN TEN FEET OF ANY SEWER FACILITIES AND FIVE FEET OF ANY WATER FACILITIES.



ALTERNATIVE WATER QUALITY TREATMENT
TO RETAIN LOT 33
SCALE 1" = 50'-0"



SINGLE FAMILY RESIDENTIAL AMENITY AREA
SCALE 1" = 20'-0"



	FRONT YARD ACCENT TREES (24" BOX)	
	(25' TALL x 12" WIDE, MEDIUM SCALE DECIDUOUS / EVERGREEN TREE) SUCH AS:	
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	AGONIS FLEXUOSA 'JERVIS BAY AFTER DARK'	PURPLE PEPPERMINT WILLOW
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	RHUS LANCEA	LONDON PLANE VAR.
	TRISTANIA CONFERTA	AFRICAN SUMAC
	BRISBANE BOX	
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	(10' - 30' HIGH, 100% 1 GAL. 5" O.C. AVERAGE) SUCH AS:	
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	CEANOTHUS SPP.	WILD LILAC VAR.
	CERASTIUM TOMENTOSUM	SNOW IN SUMMER
	LANTANA SPP.	LANTANA VAR.
	LONICERA J. 'HALLIANA'	HALL'S HONEYSUCKLE

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	LANTANA SPP.	LANTANA VAR.
	LONICERA J. 'HALLIANA'	HALL'S HONEYSUCKLE

1.	ALL PLANTING PURPOSES ONLY, REFER TO SHEET 9 FOR ADDITIONAL WALL INFORMATION.	
2.	ALL RETAINING WALLS LOCATED WITHIN PUBLIC VIEW SHALL BE PLANTED WITH TREES, SHRUBS AND VINES AT BASE OF WALL TO PROVIDE ADEQUATE SCREENING OF WALL PER CITY OF SAN DIEGO REQUIREMENTS.	

TO THE CITY OF SAN
DEVELOPMENT MANUAL
AND RELATED CIT AND

AUTOMATIC IRRIGATION
EQUIPMENT, WATER
MAIN SHUT OFF DEVICES,
EQUIPMENT
THE OWNER, ALL
FREE OF DEBRIS AND
ED IN A HEALTHY

PREPARED IN THE OFFICE OF:

 NLA

PLANTING LEGEND:

OCCURS IN TORREY HIGHLANDS AND PARK VILLAGE M.A.D. IN R.O.W.

PLANT MATERIAL LEGEND:	QTY / % / SIZE
ARTERIAL STREET TREE (R.O.W.) (Carmel Mountain Road / Camino Del Sur) Large / Med - scale evergreen/deciduous tree - 60' tall x 30' wide such as:	100% / 24" BOX
Bauhinia bleekiana Bauhinia v. candida Fraxinus oregana Koeleria bipinnata Lophocarpus conferta Jacaranda mimosifolia Metrosideros excelsus Pinus torreyana Pistacia chinensis Quercus agrifolia Quercus ilex	"Hong Kong Orchid" "White Orchid Tree" "Raywood Ash" "Chinese Flame Tree" "Brisbane Box" "Jacaranda" "New Zealand Christmas Tree" "Torrey Pine" "Chinese Pistache" "Coast Live Oak" "Holly Oak"

PARKWAY / MEDIAN SHRUBS AND GROUNDCOVERS	QTY / % / SIZE
Small scale shrubs/groundcovers - 12"-18" tall and wide, such as:	100% @ 3" O.C. / 1 GAL
Lantana spp. Ceanothus spp. Arctostaphylos "Pacific Mist" Cistus purpureus Arctostaphylos pumila Arctostaphylos "Big Magenta" Diets "Lemon Drop" Hemerocallis spp. Phormium spp. Rosmarinus officinalis "Huntington Carpet" Dudleya edulis	"Lantana" Varieties "Wild Lilac" "Pacific Mist Manzanita" "Orchid Rockrose" "Dune Manzanita" "African Daisy" "Fortnight Lily" "Daylily" "New Zealand Flax" "Rosemary" "San Diego Dudleya"

OCCURS IN TORREY HIGHLANDS AND PARK VILLAGE M.A.D. (ADJACENT TO FUTURE DEVELOPMENT) AND ON PRIVATELY MAINTAINED SLOPE (NORTH SIDE OF SITE)

PLANT MATERIAL LEGEND:	QTY / % / SIZE
ORNAMENTAL SLOPE TREES	100% / 15 GAL
Medium scale deciduous / evergreen trees - 25' tall x 20' wide such as:	
Jacaranda mimosifolia Metrosideros excelsa Pinus eldarica Platanus s. "Bloodgood" Rhus lancea Tristania conferta Platanus racemosa Quercus agrifolia	"Jacaranda" "New Zealand Christmas Tree" "Mondel Pine" "Dune Manzanita" "African Sunac" "Brisbane Box" "California Sycamore" "Coast Live Oak"

NATIVE / ORNAMENTAL SLOPE PLANTING	QTY / % / SIZE
SHRUBS	40% / 4" O.C. / 5 GAL
Small / Medium scale evergreen shrubs - 3' - 8' tall x 3' wide such as:	60% / 4" O.C. / 1 GAL
Angozanthos spp. Arctostaphylos spp. Bougainvillea spp. Cistus spp. Diets "Lemon Drop" Ceanothus tomentosus Fremontodendron californicum Heteromeles arbutifolia Lavandula spp. Phormium spp. Rhus integrifolia Ribes spp. Rosmarinus spp. Salvia spp.	"Kangaroo Paw" "Manzanita var." "Bougainvillea var." "Rockrose var." "Fortnight Lily var." "Wild Lilac" "Flannel Bush" "Torrey" "Lavender var." "New Zealand Flax var." "Lemonade Berry" "Current, Gooseberry" "Rosemary var." "Sage var."

GROUNDCOVERS	QTY / % / SIZE
Small scale evergreen groundcover - 2' tall x 2' wide such as:	100% / 2" O.C. / 1 GAL
Baccharis pilularis Carex spp. Dianella spp. Festuca o. 'Glaucia' Senecio mandraliscae	"Dwarf Coyote Bush var." "Sedge var." "Lily Flax var." "Blue Fescue var." "Blue Chalk Sticks"

VINES	QTY / % / SIZE
Occurs on retaining wall (North side) privately maintained slope	100% / 10' O.C. / 1 GAL
Self climbing vines - spreading such as: Medeolene unguis-cati Bougainvillea spp.	"Cat's-claw vine" "Bougainvillea"

OCCURS IN TORREY HIGHLANDS, PARK VILLAGE M.A.D., AND PARK & REC MAINT. LAND ADJACENT TO NATIVE OPEN SPACE

PLANT MATERIAL LEGEND:	QTY / % / SIZE
NATIVE SLOPE TREES	10% / 15 GAL
Med / Large - scale evergreen/deciduous tree - 10'-30' tall x 10'-30' wide such as:	50% / 5 GAL 40% / 1 GAL
Down slopes: Heteromeles arbutifolia Platanus racemosa Quercus berberidifolia Quercus dumosa Quercus engelmannii Quercus agrifolia	"Torrey" "California Sycamore" "California Scrub Oak" "Nuttall's Scrub Oak" "Engelmann Oak"

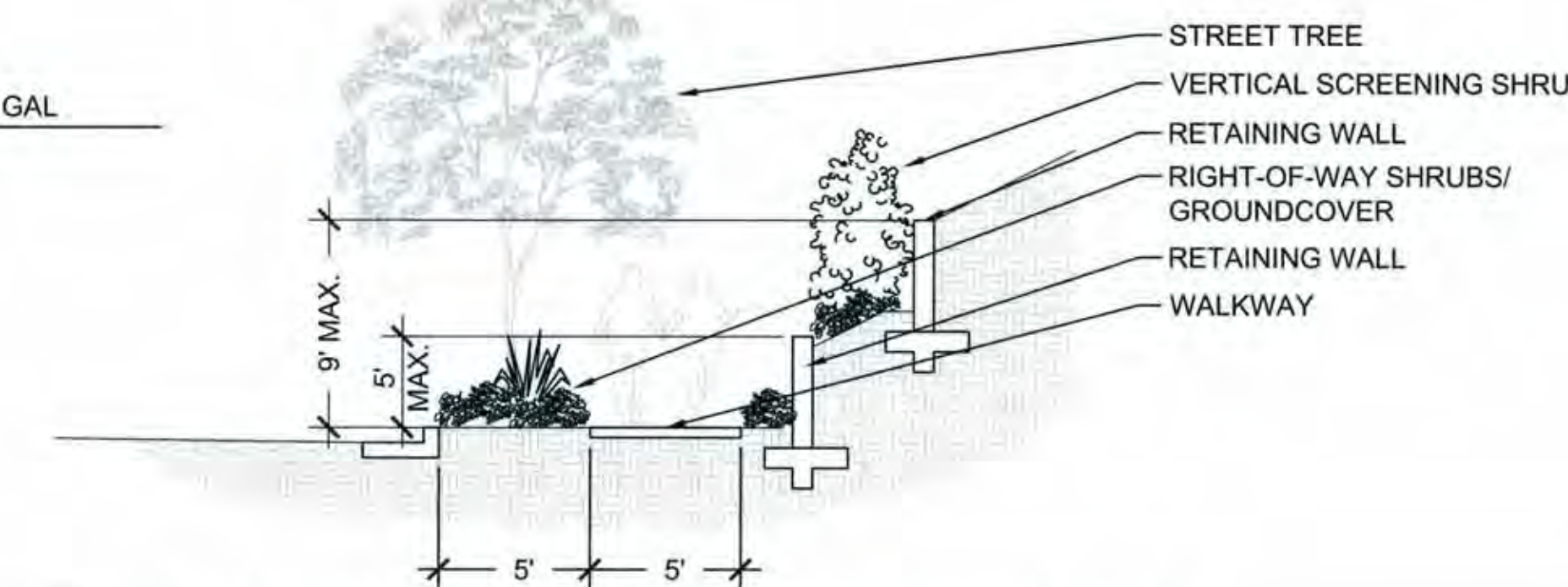
Up slopes:	QTY / % / SIZE
Heteromeles arbutifolia Myrica californica Pinus torreyana Quercus berberidifolia Quercus dumosa Quercus engelmannii Quercus agrifolia	"Torrey" "Pacific Wax Myrtle" "Torrey Pine" "California Scrub Oak" "Nuttall's Scrub Oak" "Engelmann Oak" "Coast Live Oak"

NATIVE SLOPE PLANTING	QTY / % / SIZE
SHRUBS	100% / 1 PER 200 S.F. / 1 GAL
Med / Large scale shrubs - 2'-3' tall and wide, such as:	
Baccharis pilularis Heteromeles arbutifolia Malosma laurina Rhus integrifolia	"Dwarf Coyote Bush" "Torrey" "Laural Sumac" "Lemonade Berry"

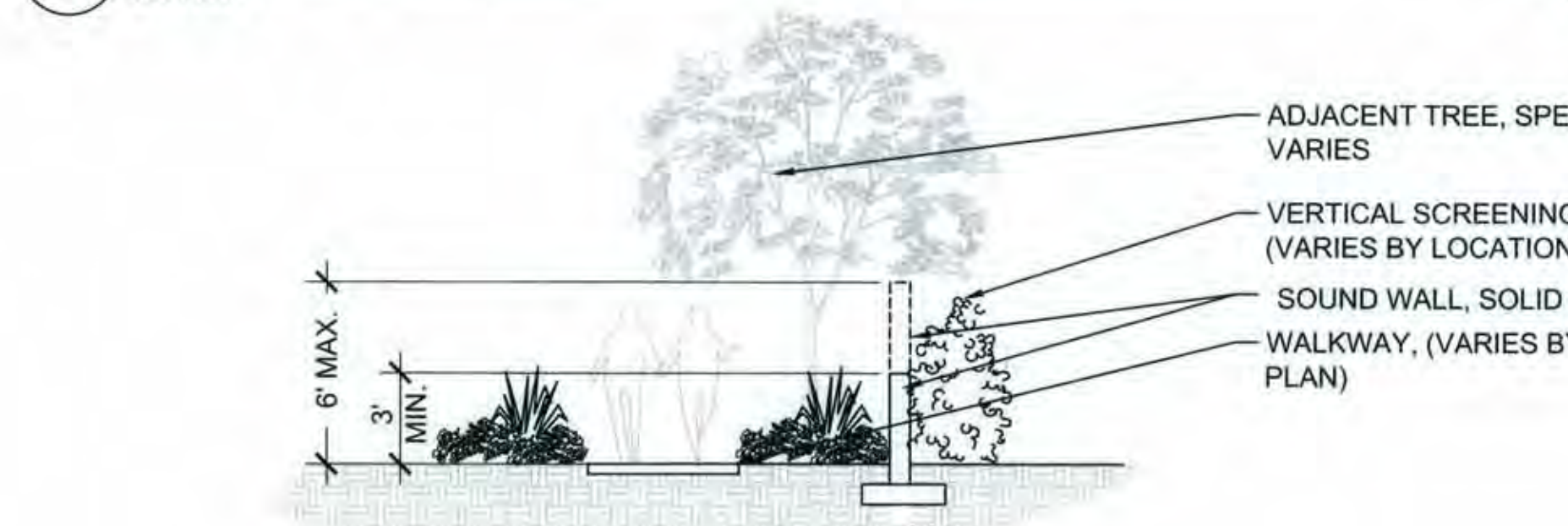
GROUNDCOVER	QTY / % / SIZE
Native / Erosion Control Hydroseed such as: MODIFIED CHAPARRAL SAGE SCRUB MIX (SS SEEDS) - COVERAGE 49LBS/ACRE	100% / HYDROSEED LBS / ACRE MIN % PLS**
Acmispon glaber Artemisia californica Encelia californica Eriophyllum confertiflorum Eriogonum fasciculatum Eriodictyon crassifolium Eriodictyon californicum Festuca microstachys Hesperoyucca whipplei Lasthenia californica Lupinus hirsutissimus Phacelia ramosissima Salvia apiana Salvia mellifera Shipa pulchra Trifolium wildenowii	"Deerweed" "California Sagebrush" "Bush Sunflower" "Golden Yarrow" "California Buckwheat" "Thick Leaved Verbena Santa" "California Poppy" "Small Fescue" "Our Lord's Candle" "Dwarf goldfields" "Stinging lupine" "Branching Phacelia" "White Sage" "Black Sage" "Purple Needlegrass" "Tromc Clover"

BIO-BASIN PLANTING	QTY / % / SIZE
Small scale plants - 1' tall and wide, such as:	100% @ 2" O.C. / 1 GAL
Juncus effusus Juncus pallidus Juncus tenuis Juncus patens Carex spissa Carex sericea	"Common Rush" "Giant Rush" "Basket Rush" "Rush" "San Diego Sedge" "Rough Sedge"

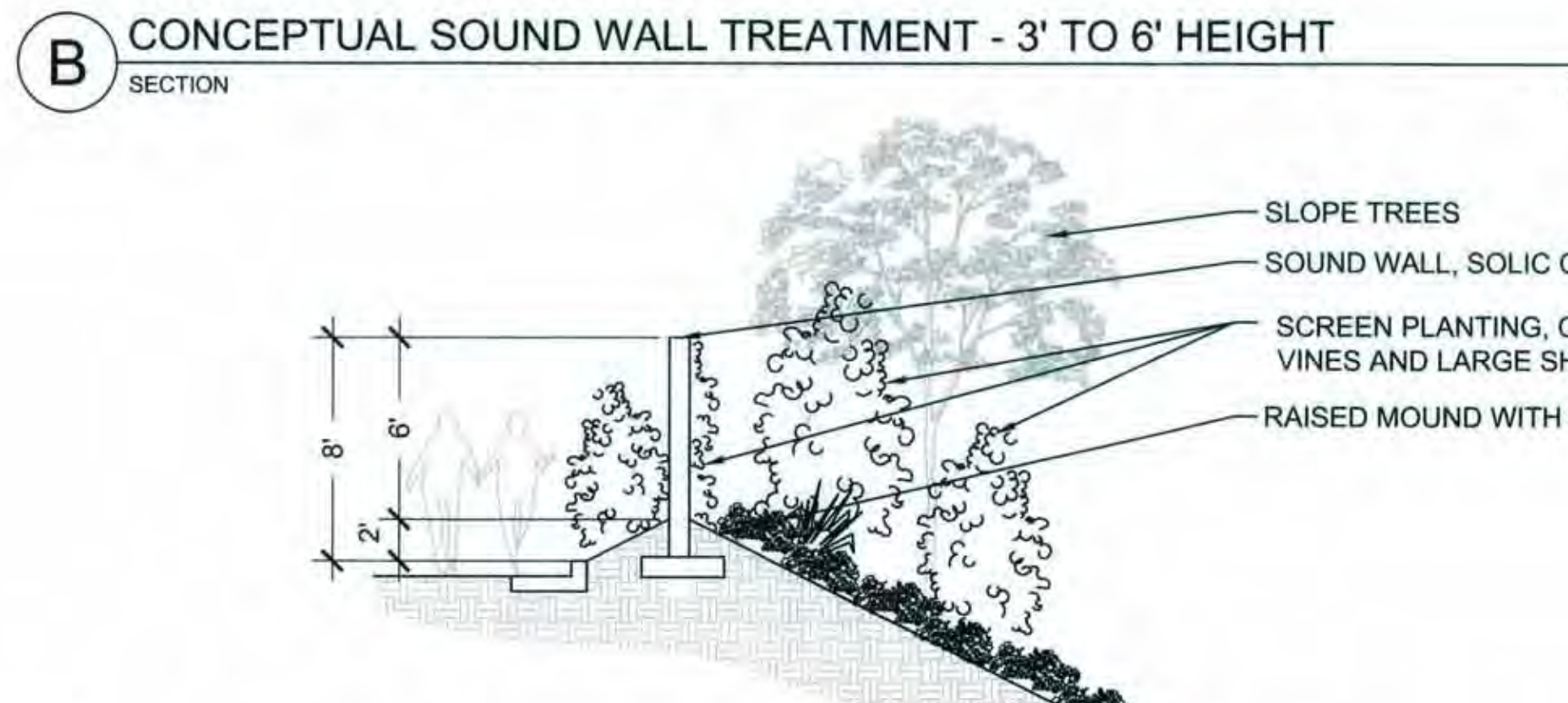
Modified species from original mix	QTY / % / SIZE
**Min % PLS (Pure live seed) = Seed Purity x Germination Rate	



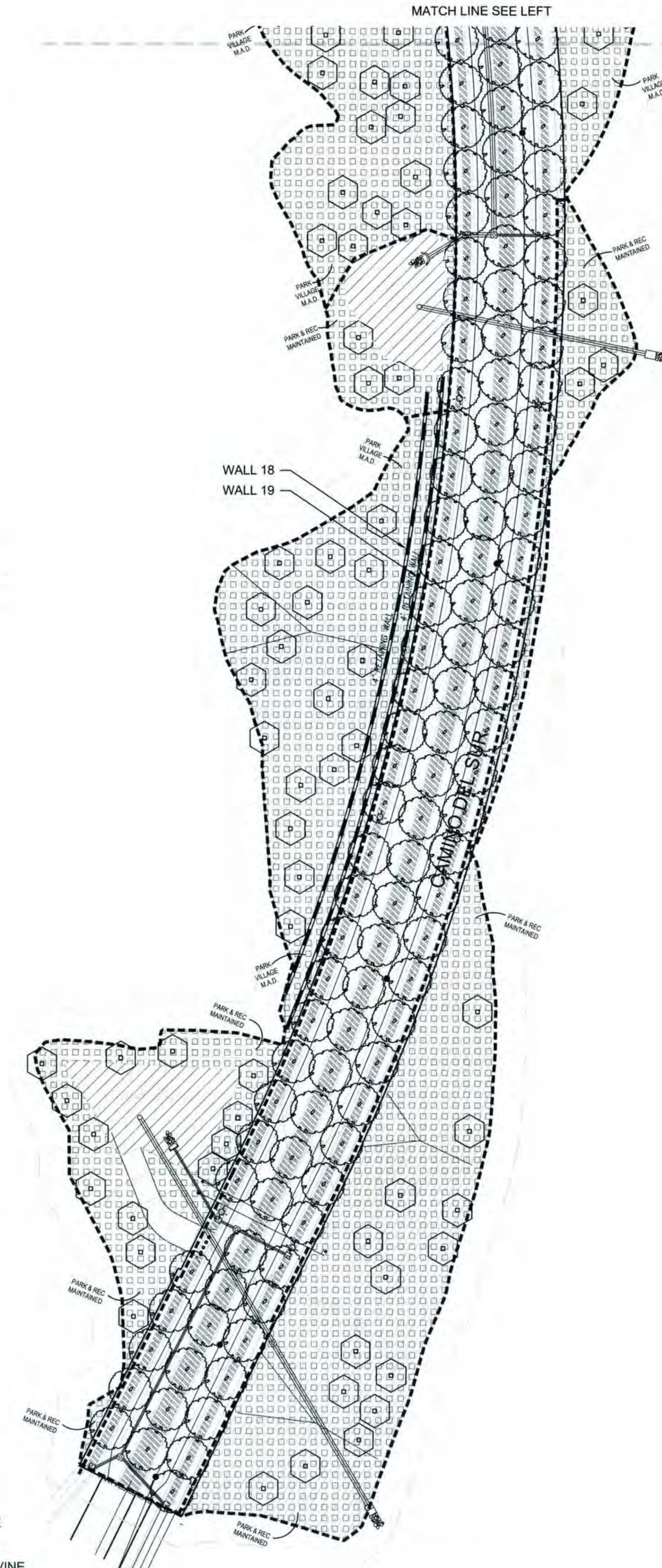
A CONCEPTUAL SCREENING AT OVERHEIGHT WALLS

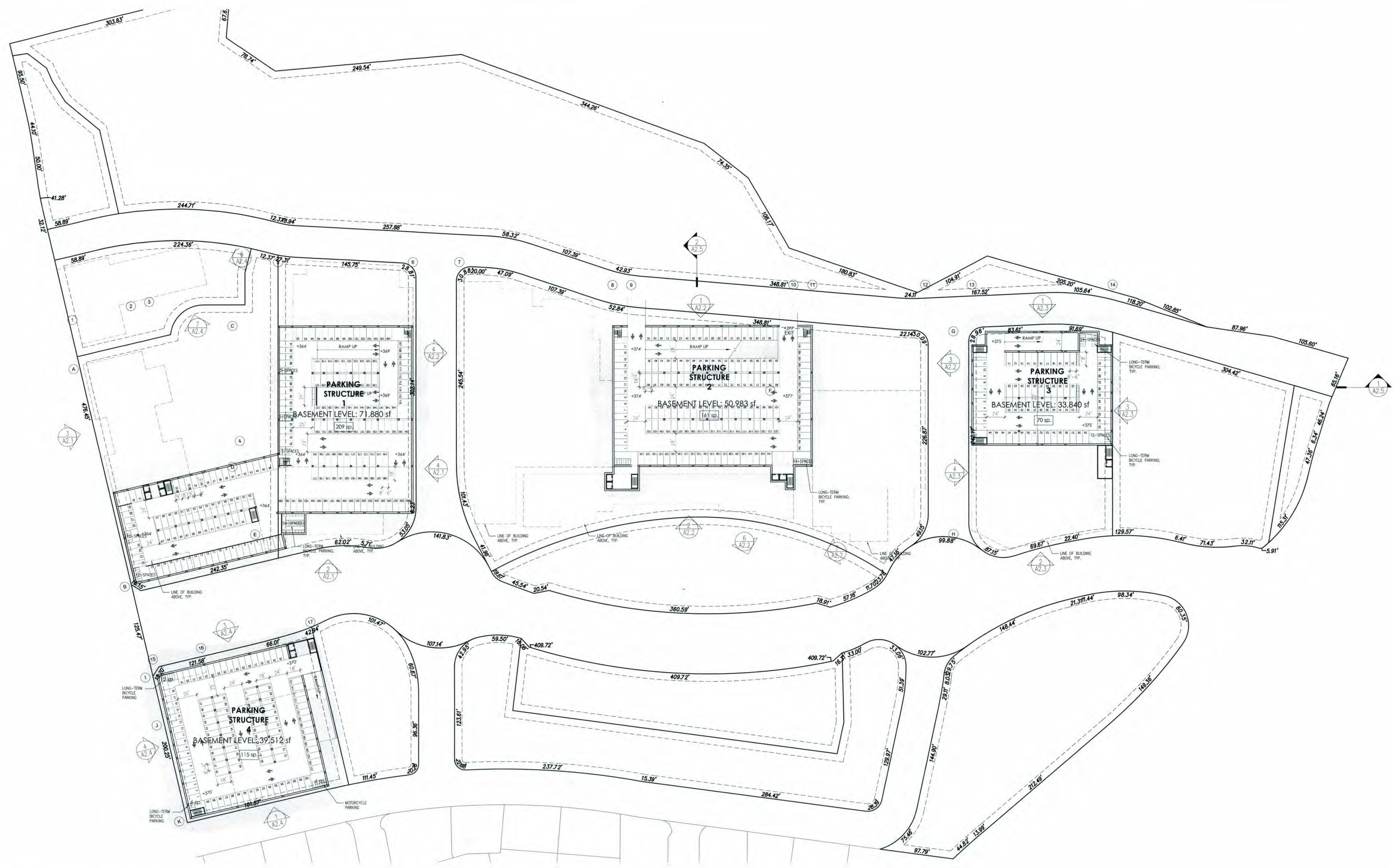


B CONCEPTUAL SOUND WALL TREATMENT - 3' TO 6' HEIGHT



C CONCEPTUAL SOUND WALL/ BERM TREATMENT - 8' HEIGHT





LEGEND

- PROPERTY LINE
- SETBACK LINE
- CENTERLINE
- GRID LINE
- ABOVE OR HIDDEN LINE
- ACCESSIBLE PATH OF TRAVEL
- VERTICAL DATUM
- KEY NOTE
- PARKING SPACE COUNT
- ELEVATION TAG
- SECTION TAG
- F.F. +100.5' FINISH FLOOR ELEVATION
- F.G. +100.5' FINISH GRADE ELEVATION
- FIRE HYDRANT
- ACCESSIBLE PARKING STALL
- BUS STOPS

- GENERAL NOTES:**
1. PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY P-00-0 (UFC 901.4.4).
 2. REFER TO CIVIL SHEETS 4 AND 5 FOR EXISTING/PROPOSED STREETS, SIDEWALKS, CURB CUTS AND DRIVEWAYS, AND CURB-TO-PROPERTY LINE DISTANCES.
 3. THEATER SHALL COMPLY WITH SDMC 141.0623:
 - PROVIDE OFF-STREET PARKING SUFFICIENT TO SERVE FACILITY WITHOUT IMPACTING HEAVY PROPERTY.
 - HOURS OF OPERATION SHALL BE LIMITED AS FOLLOWS:
 - CINEMA SHALL CLOSE AT MIDNIGHT SUNDAY THROUGH THURSDAY
 - CINEMA SHALL CLOSE NO LATER 1:00AM FRIDAY AND SATURDAY
 - LITTER CONTROL PLAN BE REQUIRED TO KEEP FACILITY AND ADJACENT PROPERTY FREE OF LITTER.
 - ALL STORAGE, SERVICE, AND REPAIR AREAS SHALL BE LOCATED ON THE SITE SO THAT THEY ARE NOT VISIBLE FROM ADJACENT RIGHTS OF WAY.
 4. PROJECT SHALL COMPLY WITH CITY OF SAN DIEGO REFUSE AND RECYCLABLE MATERIAL STORAGE REQUIREMENTS AS PER SDMC 142.0801.
 5. 8% OF REQUIRED PARKING SHALL BE PROVIDED AS CARPOOL AND ZERO EMISSIONS VEHICLES AS PER LDC 142.0530(d)(1)(b)(3)(viii)

1 BELOW GRADE
SCALE 1" = 50'-0"

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Project Address: CARMEL MOUNTAIN ROAD BETWEEN SUNDANCE AVE AND VIA PANACEA

Project Name: MERGE 56

Revision 15: 10-19-2017 14th SUBMITTAL

Revision 14: 08-25-2017 13th SUBMITTAL

Revision 13: 11-21-2016 12th SUBMITTAL

Revision 12: 09-20-2016 11th SUBMITTAL

Revision 11: 07-26-2016 10th SUBMITTAL

Revision 10: 06-21-2016 9TH SUBMITTAL

Revision 9: 02-22-2015 8TH SUBMITTAL

Revision 8: 08-31-2015 7TH SUBMITTAL

Revision 7: 07-08-2015 6TH SUBMITTAL

Revision 6: 05-15-2015 5TH SUBMITTAL

Revision 5: 03-02-2015 4TH SUBMITTAL

Revision 4: 10-17-2014 3RD SUBMITTAL

Revision 3: 09-09-2014 2ND SUBMITTAL

Revision 2: 07-21-2014 FULL SUBMITTAL

Revision 1: 03-27-2014 MR SUBMITTAL

Original Date: 02-20-2014

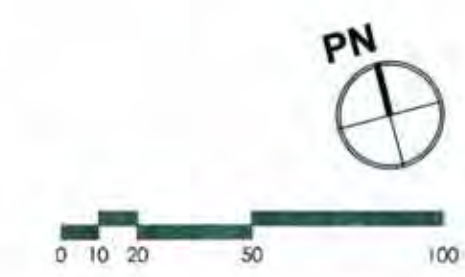
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FLOOR PLANS

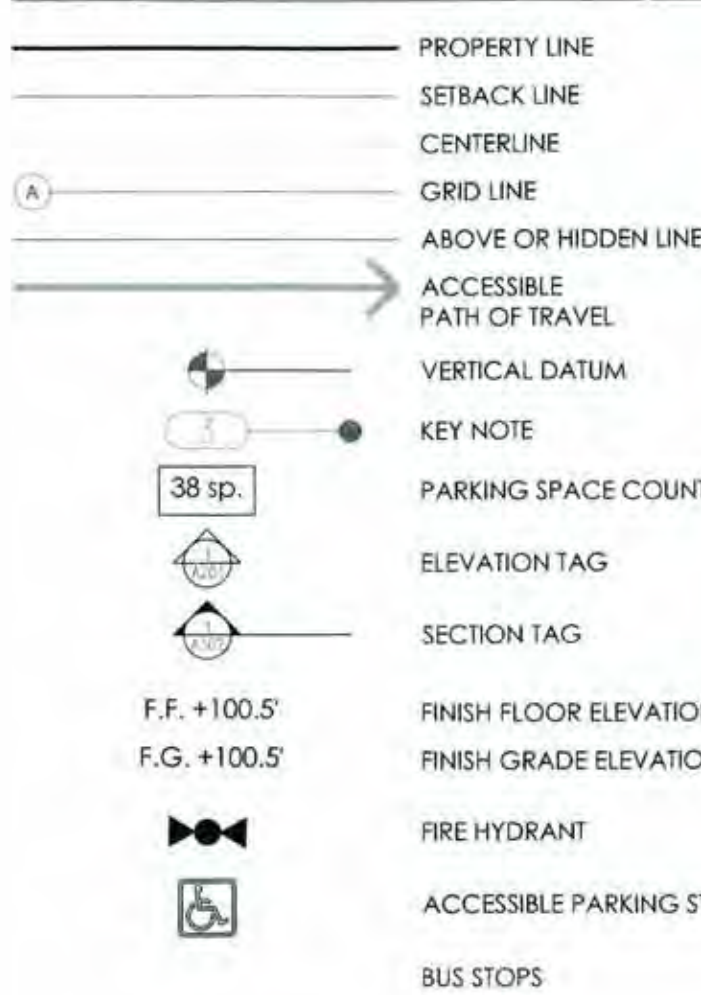
Sheet 22 **of** 37

DEP#

APPROVED EXHIBIT "A"
PROJECT NO. 30000-9
APPROVED FOR: [Signature]
DATE: 10/19/2017
LOCATION: [Signature]

EXPEDITE





SCALE 1" = 50'-0"



SCALE 1/8" = 1'-0"

925 Fort Stockton Drive, San Diego, California 92103
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Address: 9968 HIBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131
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Project Address:
CARMEL MOUNTAIN ROAD BETWEEN SUNDANCE AV
AND VIA PANACEA

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SWALL MEADOWS, CA 93514
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ARCHITECT: SAFDIE RABINES ARCHITECTS
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SAN DIEGO, CA 92103

Revision 15: 10-19-2017 14th SUBMITTAL
Revision 14: 08-25-2017 13th SUBMITTAL

Revision 13: 11-21-2016 12th SUBMITTAL
Revision 12: 09-20-2016 11th SUBMITTAL
Revision 11: 07-26-2016 10th SUBMITTAL
Revision 10: 05-31-2016 9th SUBMITTAL

Revision 10: 06-21-2016 9TH SUBMITTAL
Revision 9: 12-22-2015 8TH SUBMITTAL
Revision 8: 08-31-2015 7TH SUBMITTAL
Revision 7: 07-08-2015 6TH SUBMITTAL

Revision 6: 05-15-2015 5TH SUBMITTAL
Revision 5: 03-02-2015 4TH SUBMITTAL
Revision 4: 10-17-2014 3RD SUBMITTAL

Revision 3: 09-09-2014 2ND SUBMITTAL
Revision 2: 07-21-2014 FULL SUBMITTAL
Revision 1: 03-27-2014 MIR SUBMITTAL

Original Date: 02-20-2014

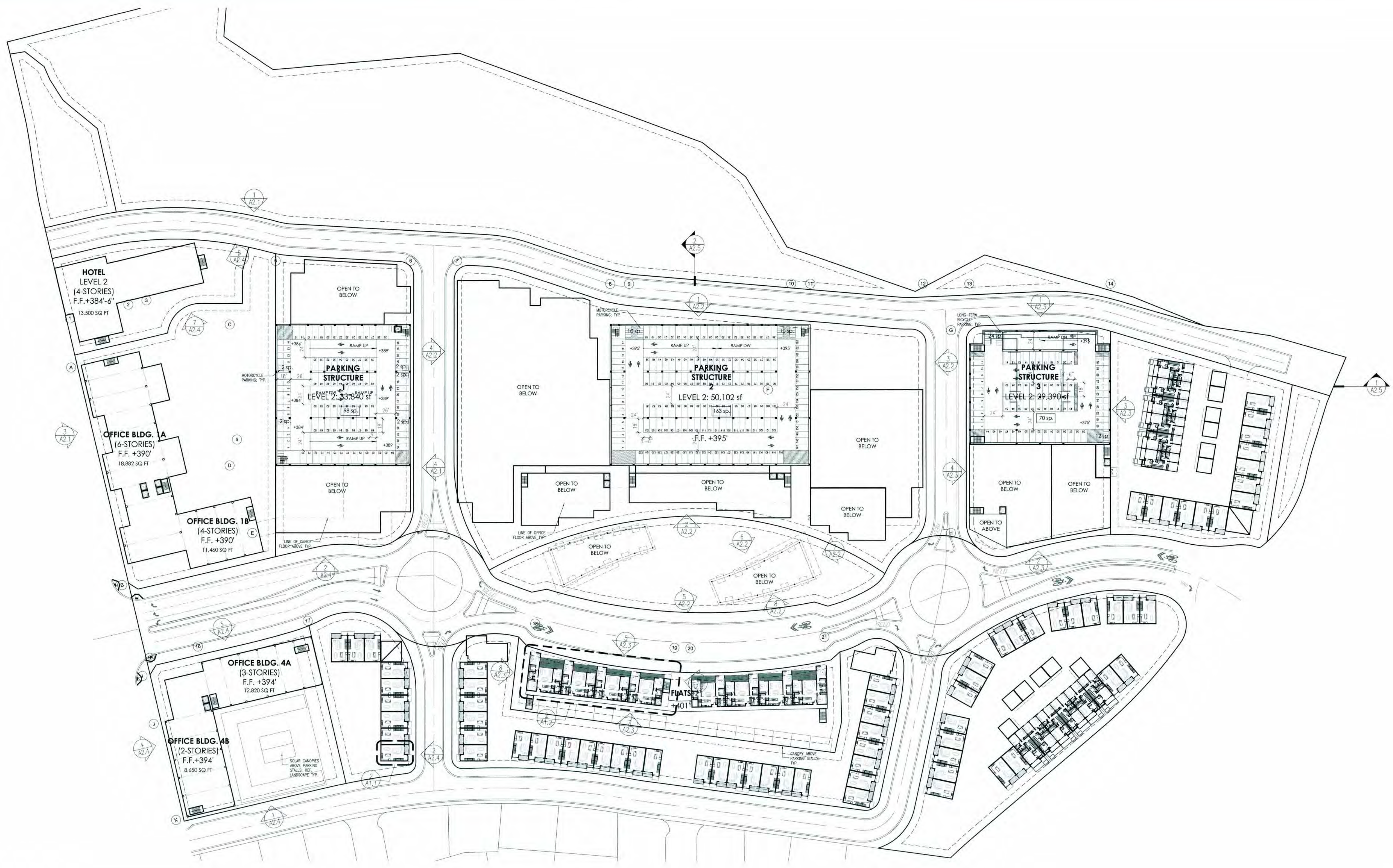
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DEP#

EXPEDITE

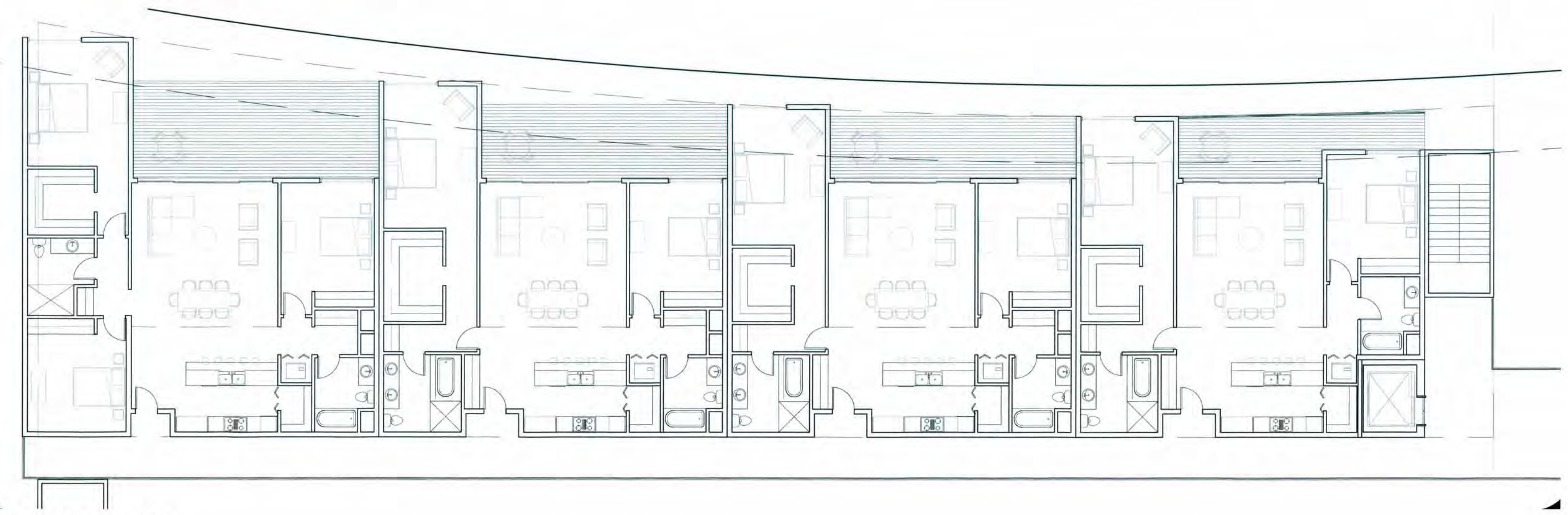


DATE _____



- LEGEND**
- PROPERTY LINE
 - SETBACK LINE
 - CENTER LINE
 - GRID LINE
 - ABOVE OR HIDDEN LINE
 - ACCESSIBLE PATH OF TRAVEL
 - VERTICAL DATUM
 - KEY NOTE
 - PARKING SPACE COUNT
 - ELEVATION TAG
 - SECTION TAG
 - F.F. +100.5'
 - F.G. +100.5'
 - FIRE HYDRANT
 - ACCESSIBLE PARKING STALL
 - BUS STOPS

1 **LEVEL 2**
SCALE 1" = 50'-0"



2 **UNIT PLANS - FLATS**
SCALE 1/8" = 1'-0"

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(760) 214-1870 FAX(858) 486-4839

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Prepared By: **LATITUDE 33 PLANNING & ENGINEERING**

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Address: **SAN DIEGO, CA 92131**

Phone #: **(858) 751-0633**

Fax #: **(858) 751-0634**

Project Address: **CARMEL MOUNTAIN ROAD BETWEEN SUNDANCE AVE AND VIA PANACEA**

Project Name: **MERGE 56**

Sheet Title: **A1.2 FLOOR PLANS**

Original Date: **02-20-2014**

Revision 15: 10-19-2017 14th SUBMITTAL

Revision 14: 08-25-2017 13th SUBMITTAL

Revision 13: 11-21-2016 12th SUBMITTAL

Revision 12: 09-20-2016 11th SUBMITTAL

Revision 11: 07-26-2016 10th SUBMITTAL

Revision 10: 08-21-2016 9th SUBMITTAL

Revision 9: 12-22-2015 8th SUBMITTAL

Revision 8: 08-31-2015 7th SUBMITTAL

Revision 7: 07-08-2015 6th SUBMITTAL

Revision 6: 05-15-2015 5th SUBMITTAL

Revision 5: 03-02-2015 4th SUBMITTAL

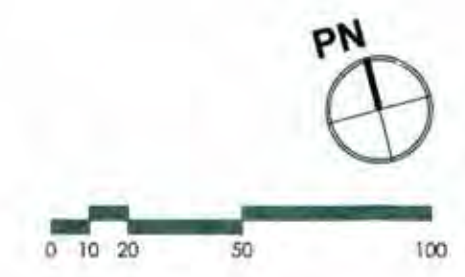
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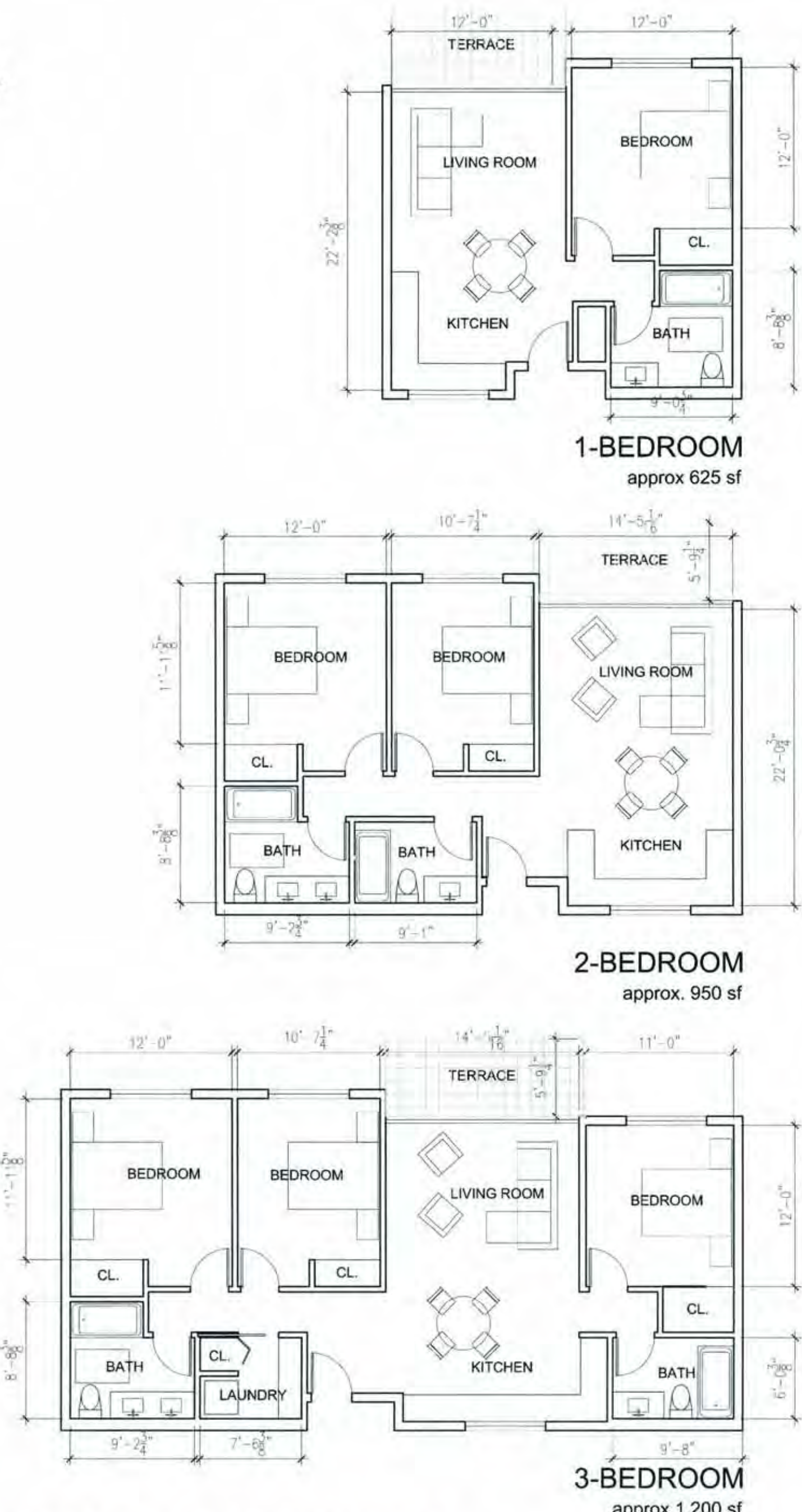
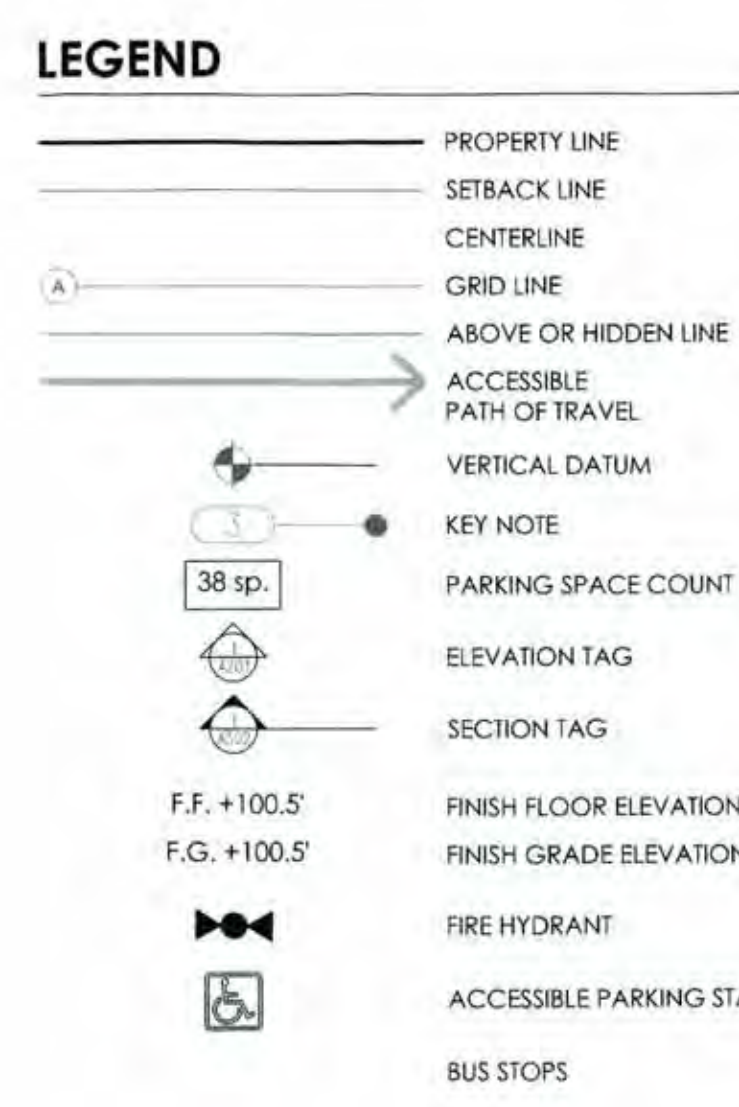
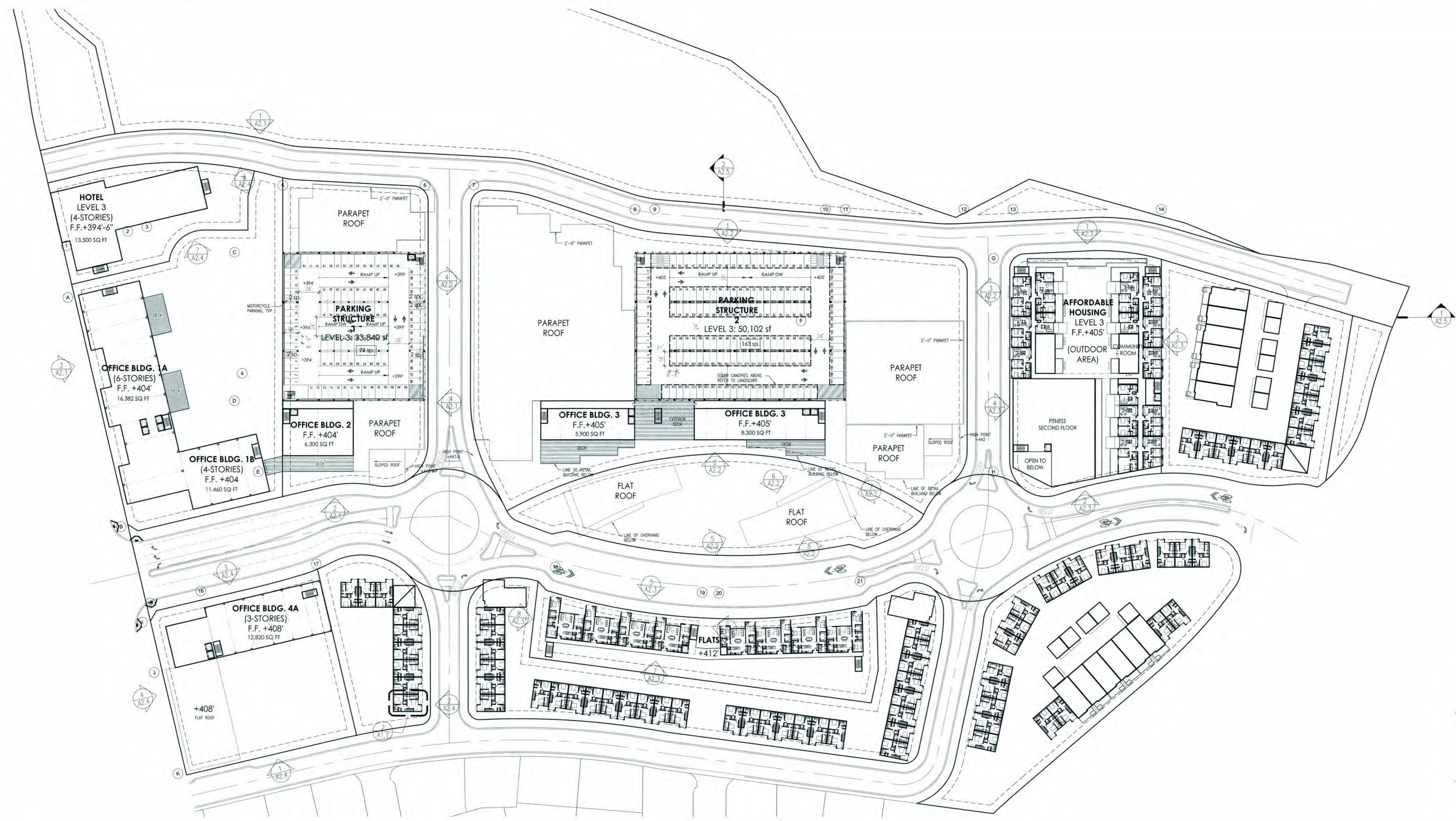
Revision 3: 09-09-2014 2nd SUBMITTAL

Revision 2: 07-21-2014 FULL SUBMITTAL

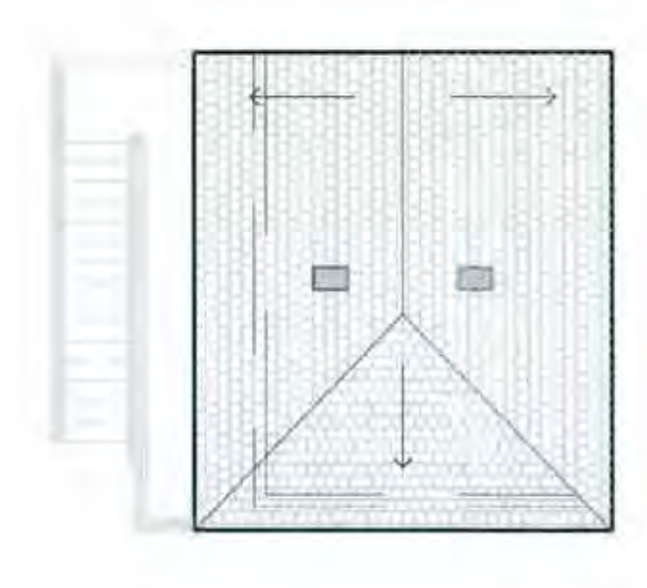
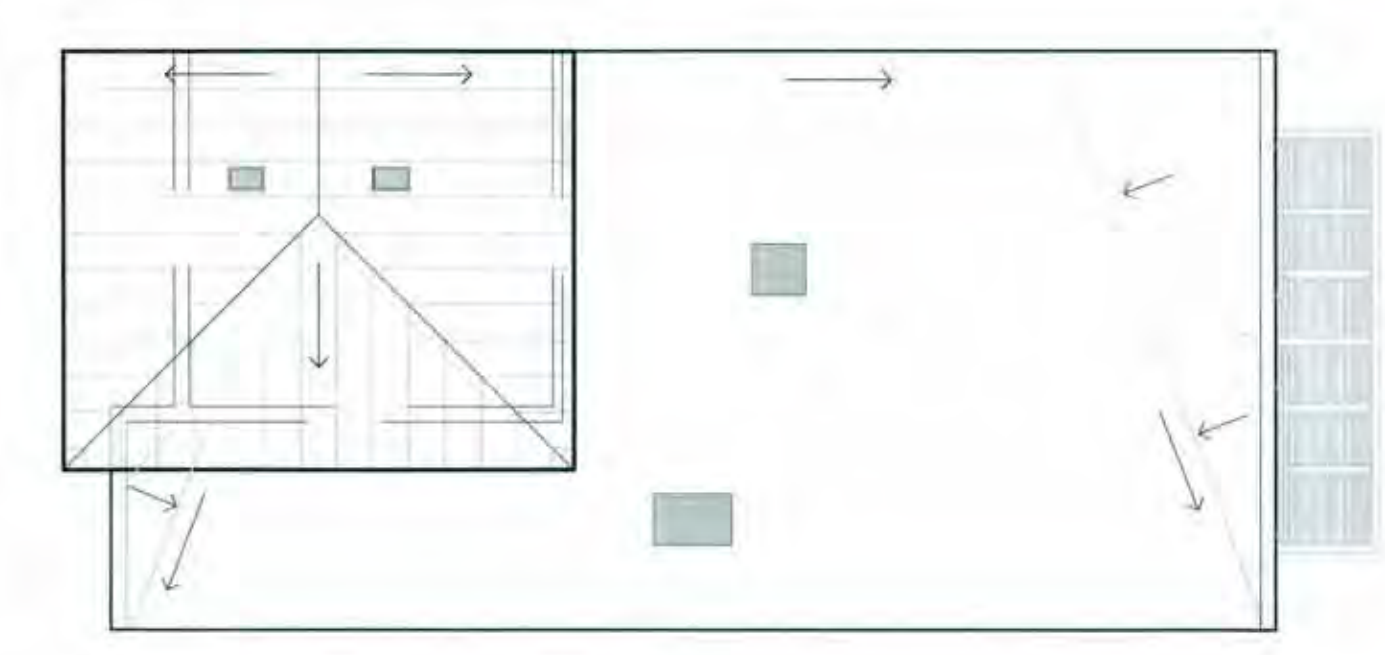
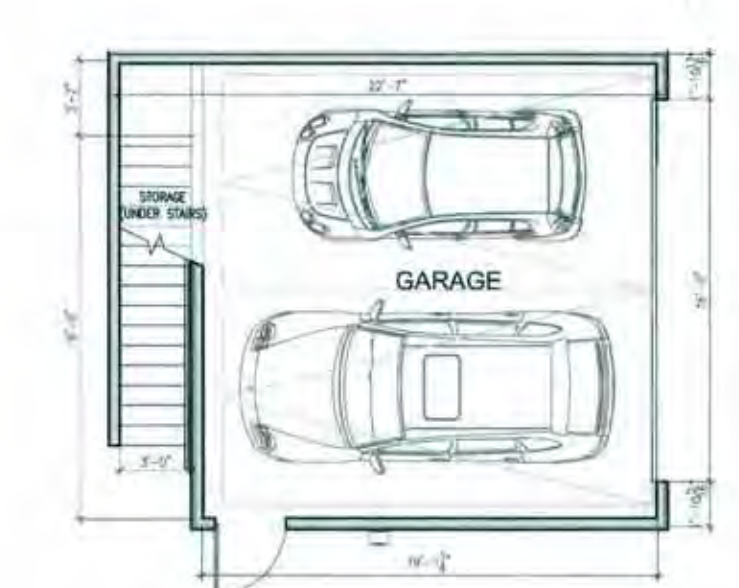
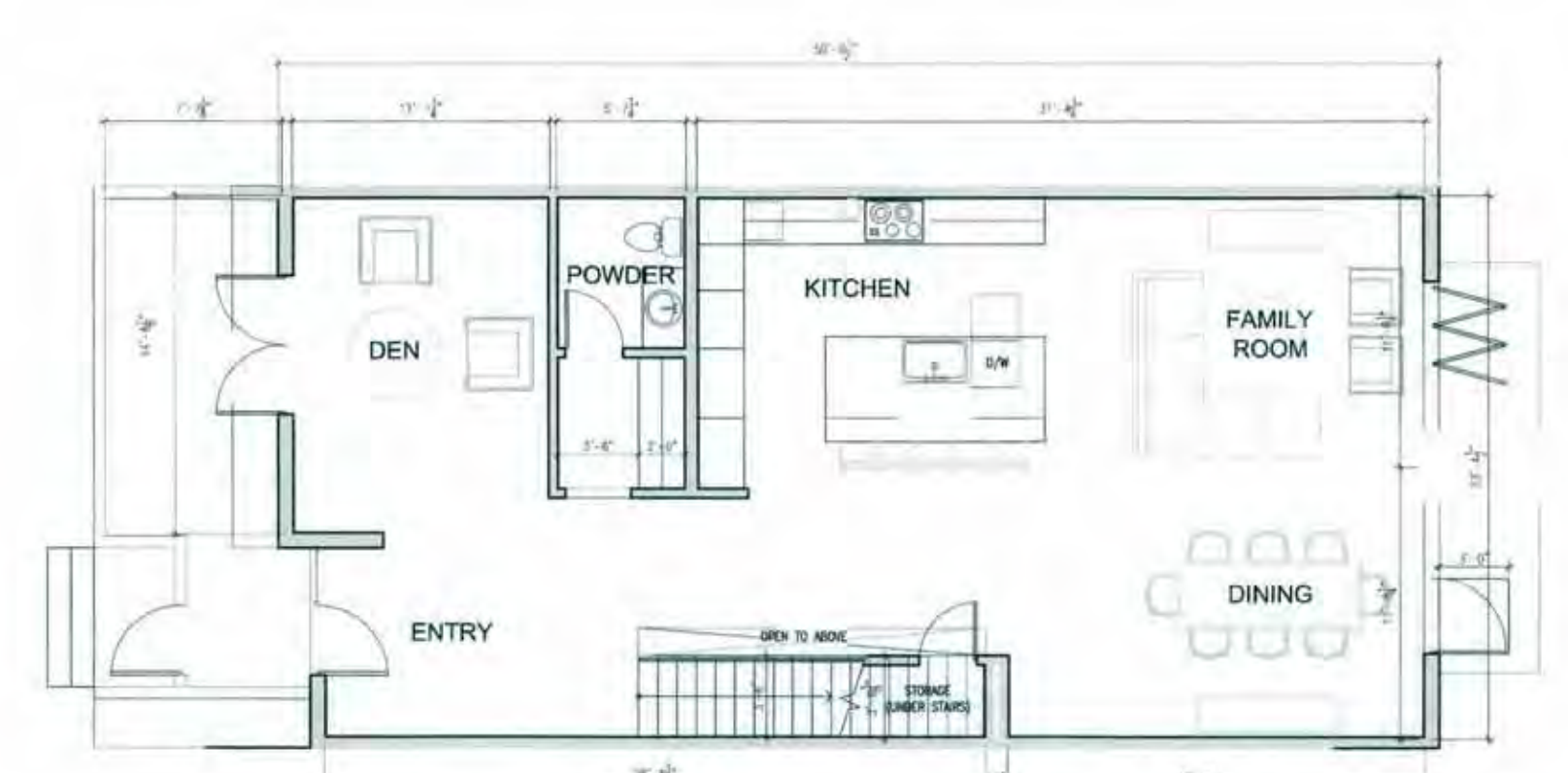
Revision 1: 03-27-2014 MR SUBMITTAL

APPROVED EXHIBIT "A"
PROJECT NO. 366809
APPROVED BY: *[Signature]*
DATE: 10/13/2017
EXPEDITE





1 LEVEL 3
SCALE 1" = 50'-0"

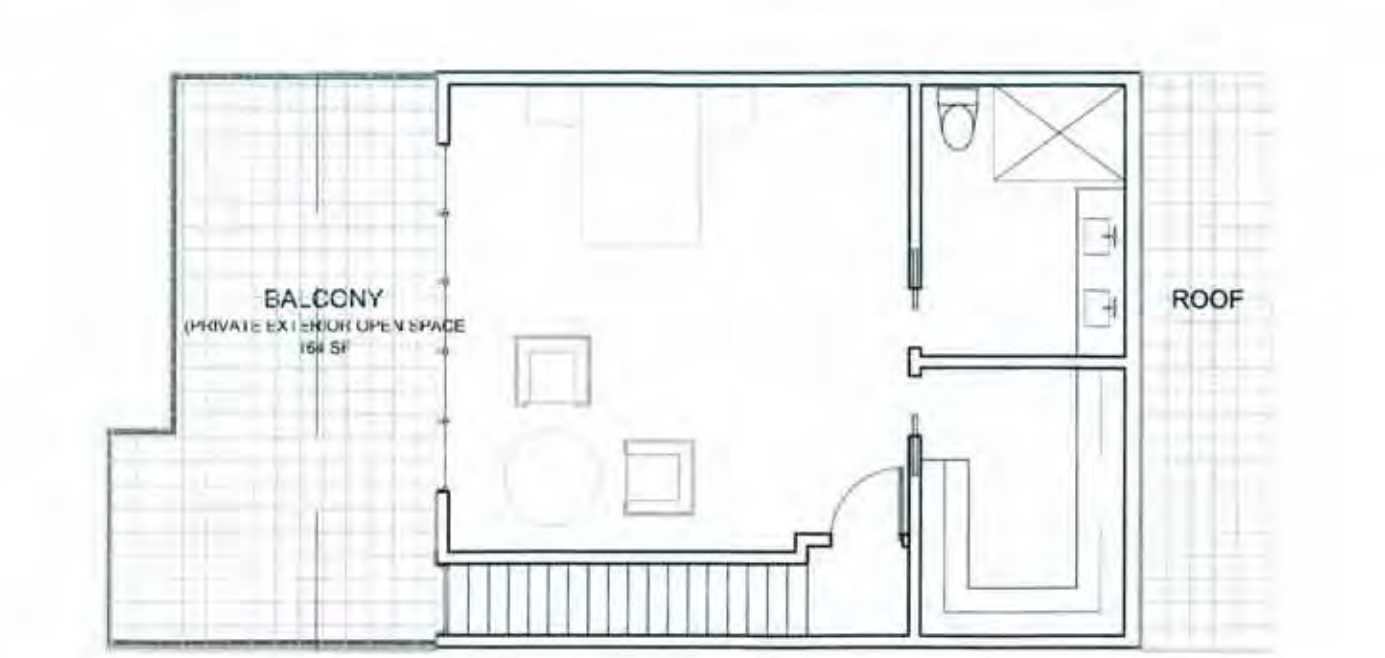


LEVEL 1 - MAIN HOUSE

LEVEL 1 - GARAGE

ROOF - MAIN HOUSE

ROOF - GARAGE



LEVEL 2 - MAIN HOUSE

LEVEL 2 - GARAGE

(OPTIONAL) LEVEL 4 - MAIN HOUSE

3 UNIT PLANS - TYPICAL LONG TOWNHOUSE
SCALE 1/8" = 1'-0"

2 AFFORDABLE HOUSING
TYPICAL UNIT PLANS
SCALE 1/8" = 1'-0"

APPROVED EXHIBIT "A"
PROJECT NO. 30009
APPROVED BY: SEE SHEET #1
APPROVED FOR SUBMITTAL: [Signature]
DATE: 12/12/2016

EXPEDITE



SADIE RABINES ARCHITECTS
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Fax #: (858) 751-0634

Project Address: CARMEL MOUNTAIN ROAD BETWEEN SUNDANCE AVE
AND VIA PANACEA

Project Name: MERGE 56

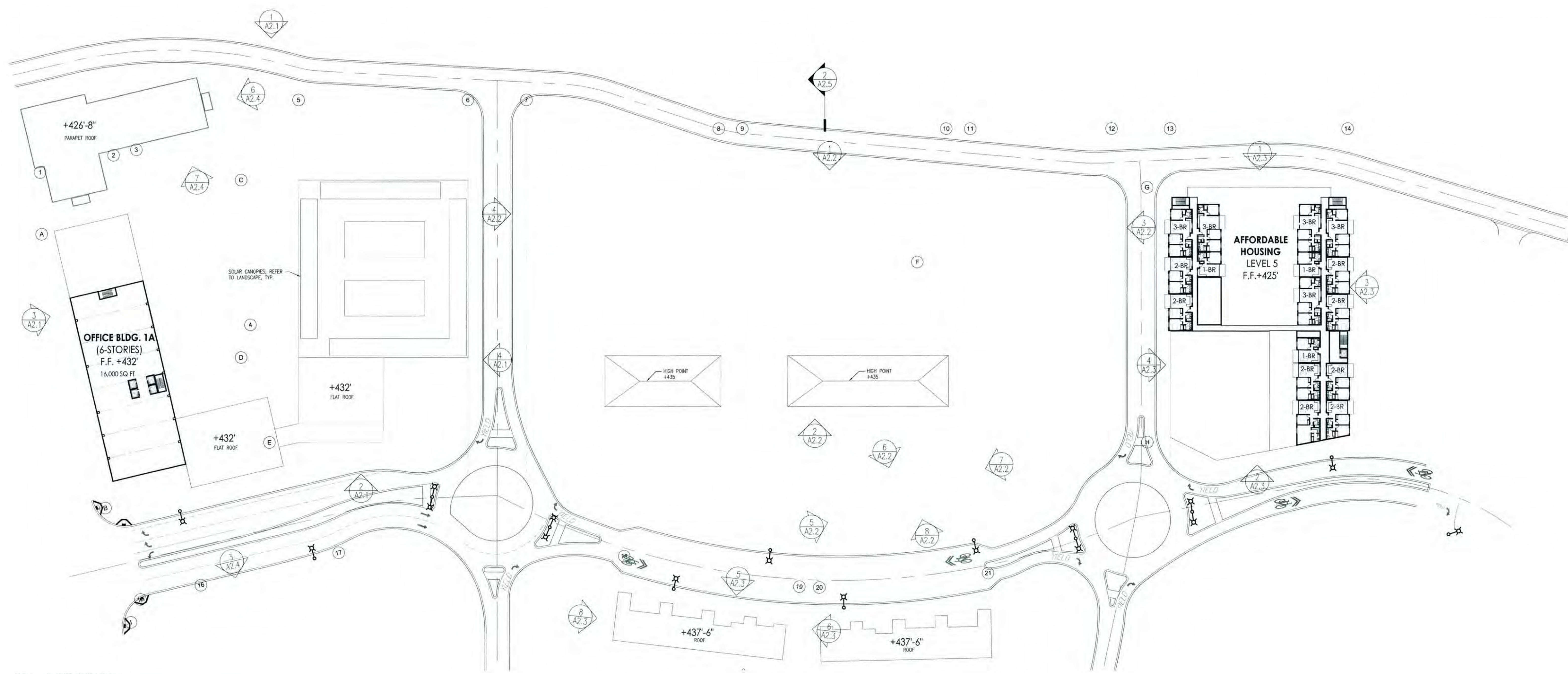
Sheet Title: A1.3 FLOOR PLANS

Original Date: 02-20-2014

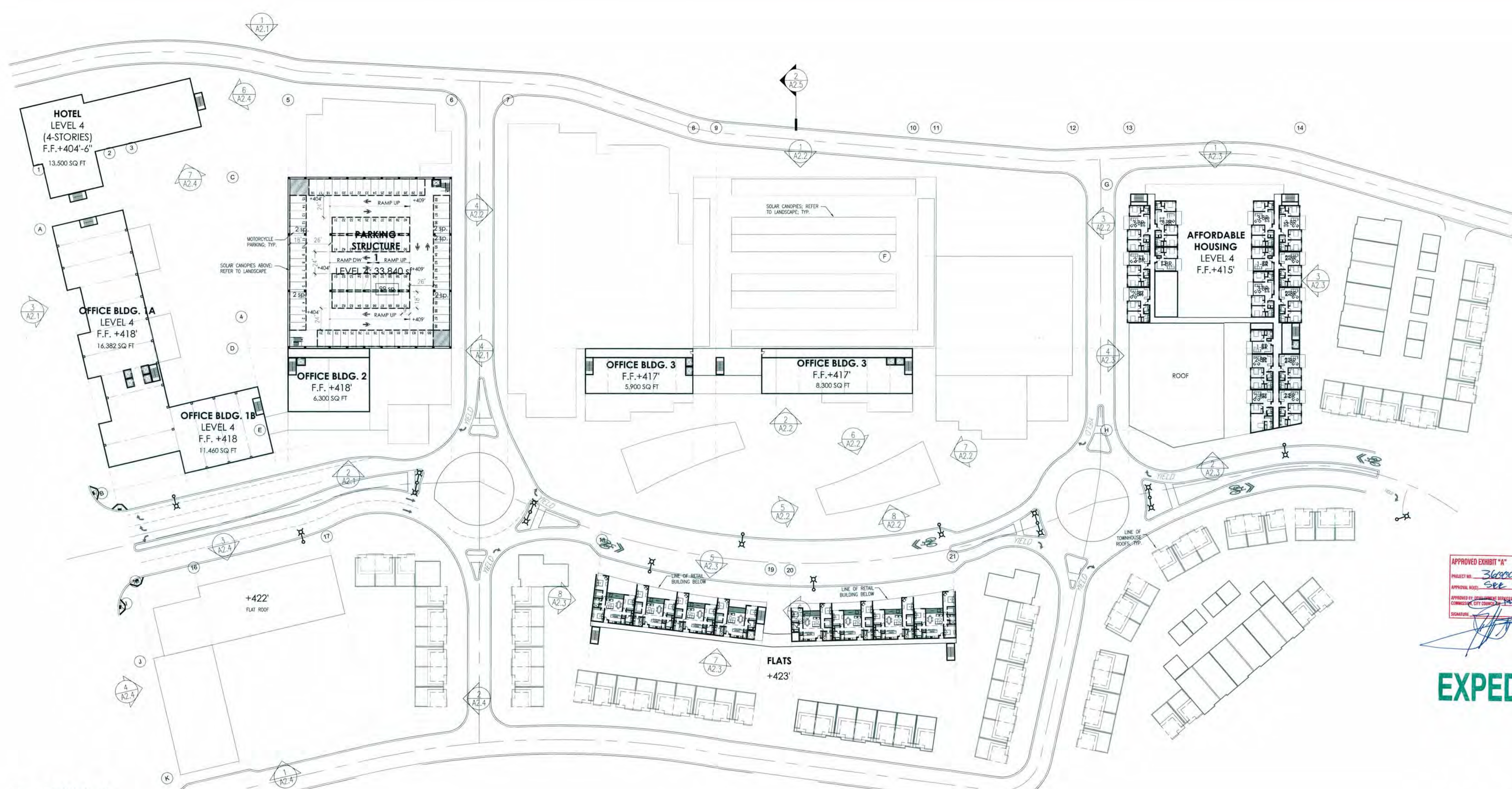
Sheet 25 of 37

SEP

Revision	Date	Description
15	10-19-2017	14th SUBMITTAL
14	08-25-2017	13th SUBMITTAL
13	11-21-2016	12th SUBMITTAL
12	09-20-2016	11th SUBMITTAL
11	07-26-2016	10th SUBMITTAL
10	06-21-2016	9th SUBMITTAL
9	05-25-2015	8th SUBMITTAL
8	04-31-2015	7th SUBMITTAL
7	07-08-2015	6th SUBMITTAL
6	05-15-2015	5th SUBMITTAL
5	03-02-2015	4th SUBMITTAL
4	10-17-2014	3rd SUBMITTAL
3	09-09-2014	2nd SUBMITTAL
2	07-21-2014	FULL SUBMITTAL
1	03-27-2014	MR SUBMITTAL

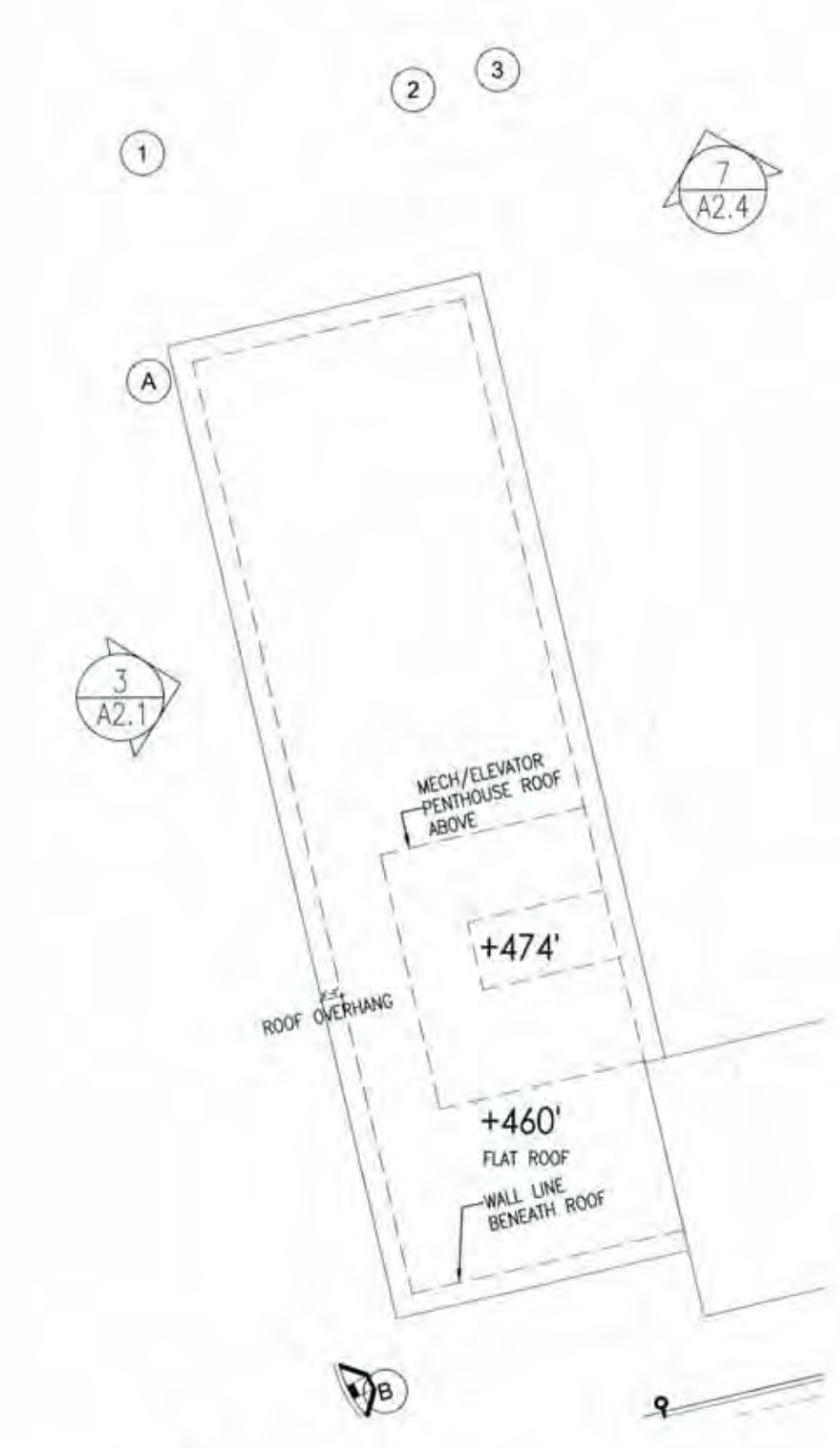


2 LEVEL 5
SCALE 1" = 50'-0"



1 LEVEL 4
SCALE 1" = 50'-0"

- LEGEND**
- PROPERTY LINE
 - SETBACK LINE
 - CENTERLINE
 - GRID LINE
 - ACCESSIBLE PATH OF TRAVEL
 - VERTICAL DATUM
 - KEY NOTE
 - PARKING SPACE COUNT
 - ELEVATION TAG
 - SECTION TAG
 - F.F. +100.5' FINISH FLOOR ELEVATION
 - F.G. +100.5' FINISH GRADE ELEVATION
 - FIRE HYDRANT
 - ACCESSIBLE PARKING STALL
 - BUS STOPS



4 ROOF
SCALE 1" = 50'-0"



3 LEVEL 6
SCALE 1" = 50'-0"

SADIE RABINES ARCHITECTS
925 Fort Stockton Drive, San Diego, California 92103
(619) 297-6153 Fax: (619) 299-6072 www.sadierabines.com

DEVELOPER: SEA BREEZE 56, LLC
3555 DEL MAR HEIGHTS ROAD #246
SAN DIEGO, CA 92130
(858) 361-8555

PLANNING: LATITUDE 33 PLANNING & ENGINEERING
9968 HEBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131
(858) 751-0633 FAX(858) 751-0634

CIVIL ENGINEER: HUNSAKER & ASSOCIATES
9707 MAPLES STREET
SAN DIEGO, CA 92121
(858) 558-4500

LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE
820 HORNBLAND STREET
SAN DIEGO, CA 92107
(858) 274-3222 FAX(858) 274-3223

LANDSCAPE ARCHITECT: WELAND & ASSOCIATES INC.
291 SIERRA WAVE
SMALL MEADOWS, CA 93514
(760) 214-1870 FAX(858) 486-4839

ARCHITECT: SADIE RABINES ARCHITECTS
925 FORT STOCKTON DRIVE
SAN DIEGO, CA 92103
(619) 297-6153 FAX(619) 299-6072

Prepared By: LATITUDE 33 PLANNING & ENGINEERING

Name: LATITUDE 33 PLANNING & ENGINEERING

Address: 9968 HEBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131

Phone #: (858) 751-0633

Fax #: (858) 751-0634

Project Address: CARMEL MOUNTAIN ROAD BETWEEN SUNDANCE AVE
AND VIA PANACEA

Project Name: MERGE 56

Sheet Title: A1.4
FLOOR PLANS

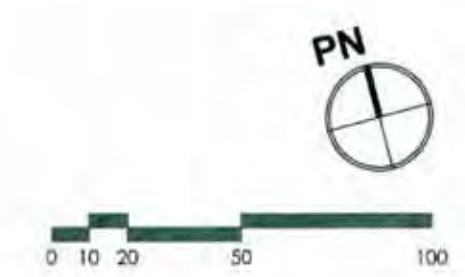
Original Date: 02-20-2014

Sheet 26 of 37

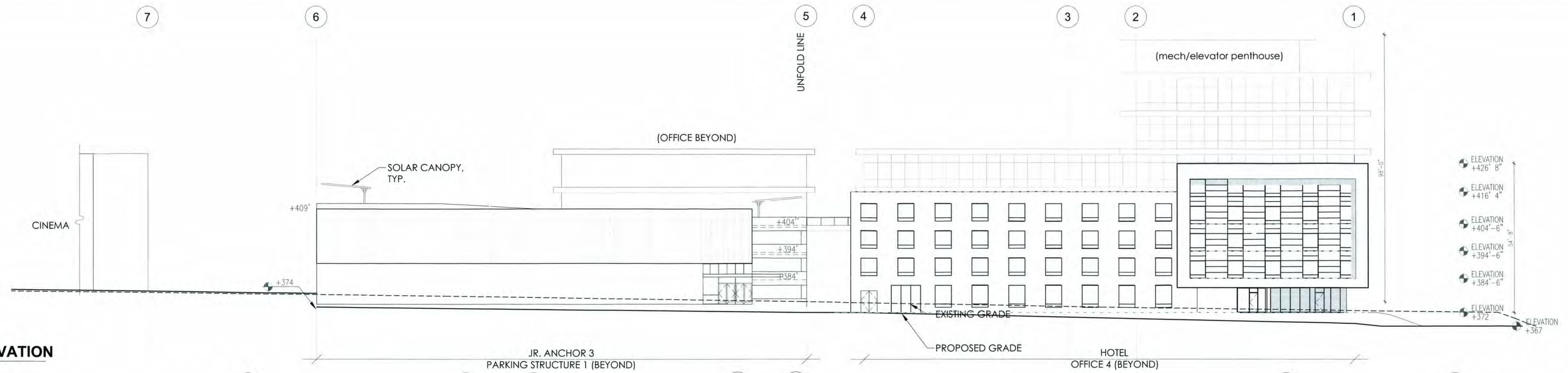
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PROJECT NO. 360009
APPROVAL DATE: 12/13/2016
APPROVED BY: [Signature]
DATE: 12/13/2016

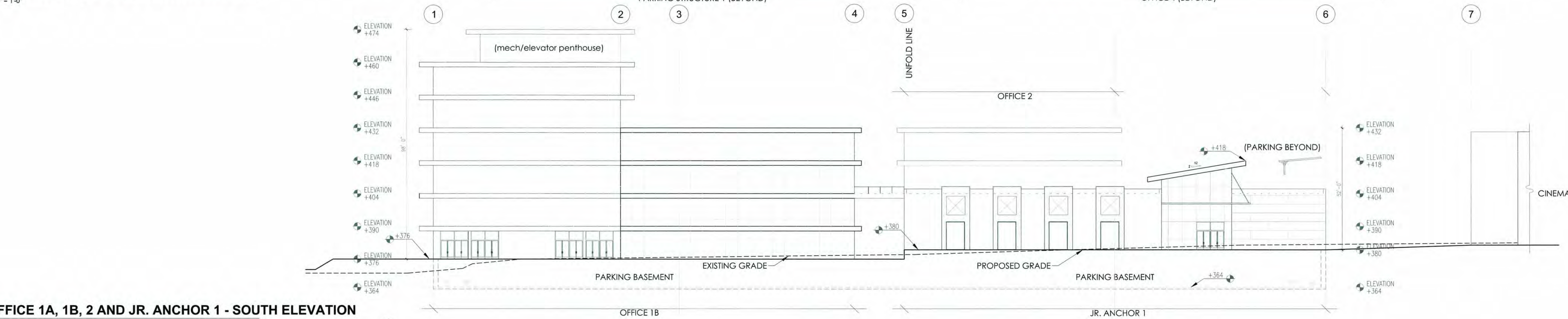
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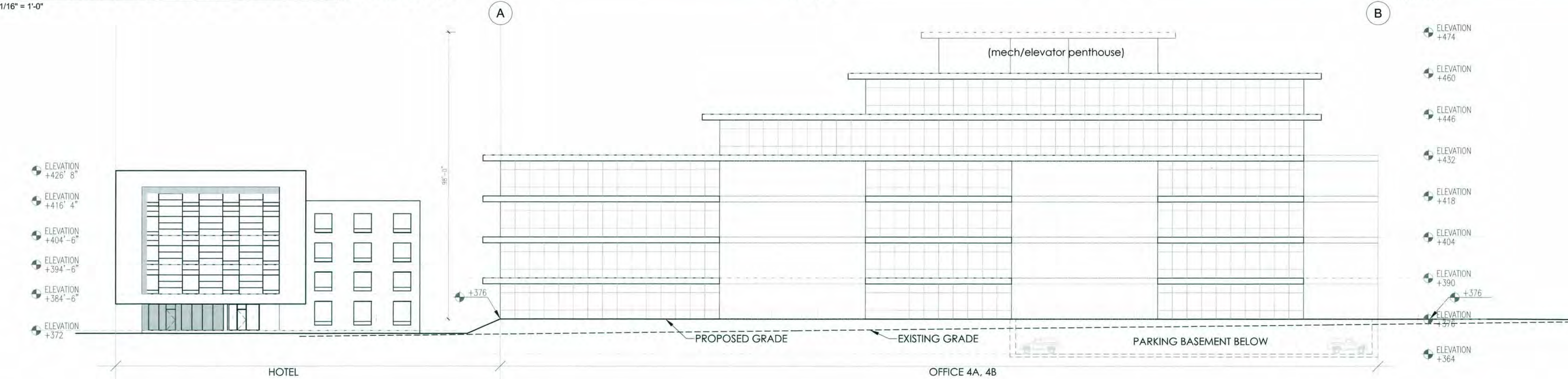
1 JR. ANCHOR 3, HOTEL - NORTH ELEVATION
1/16" = 1'-0"



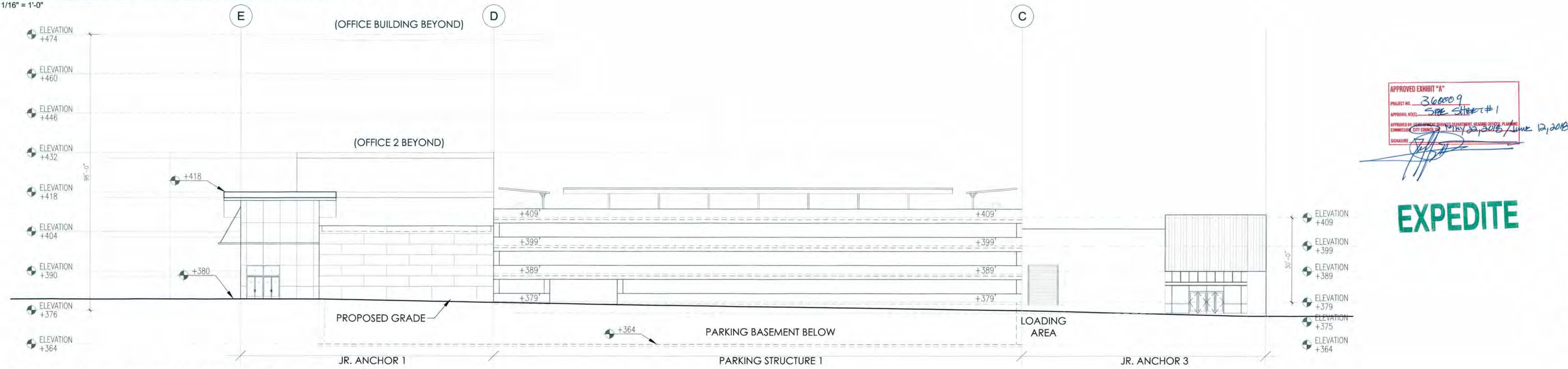
2 OFFICE 1A, 1B, 2 AND JR. ANCHOR 1 - SOUTH ELEVATION
1/16" = 1'-0"



3 HOTEL, OFFICE 1A AND 1B - WEST ELEVATION
1/16" = 1'-0"



4 JR. ANCHOR 1 AND GARAGE - EAST ELEVATION
1/16" = 1'-0"



S A F D I E R A B I N E S
A R C H I T E C T S
925 Fort Stockton Drive, San Diego, California 92103
(619) 297-6153 Fax: (619) 299-6072 www.safdie-rabines.com

DEVELOPER: SEA BREEZE 56, LLC
3550 DEL MAR HEIGHTS ROAD #246
SAN DIEGO, CA 92130
(858) 361-6555

PLANNING: LATITUDE 33 PLANNING & ENGINEERING
9968 HERBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131
(858) 751-0633 FAX(858) 751-0634

CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING
9968 HERBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131
(858) 751-0633 FAX(858) 751-0634

CIVIL ENGINEER: HUNSAKER & ASSOCIATES
9707 MAPLES STREET
SAN DIEGO, CA 92121
(658) 558-4500

Prepared By:
Name: LATITUDE 33 PLANNING & ENGINEERING
Address: 9968 HERBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131
Phone #: (858) 751-0633
Fax #: (858) 751-0634

Project Address:
CARMEL MOUNTAIN ROAD BETWEEN SUNDANCE AVE
AND VIA PANACEA

Project Name:
MERGE 56

Sheet Title:
BUILDING ELEVATIONS



EXPEDITE

LANDSCAPE ARCHITECT: NEW LANDSCAPE ARCHITECTURE
9968 HERBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131
(858) 751-0633 FAX(858) 751-0634

LANDSCAPE ARCHITECT: MELAND & ASSOCIATES INC.
291 SIERRA WAY
SMALL MEADOWS, CA 93514
(760) 214-1870 FAX(858) 486-4939

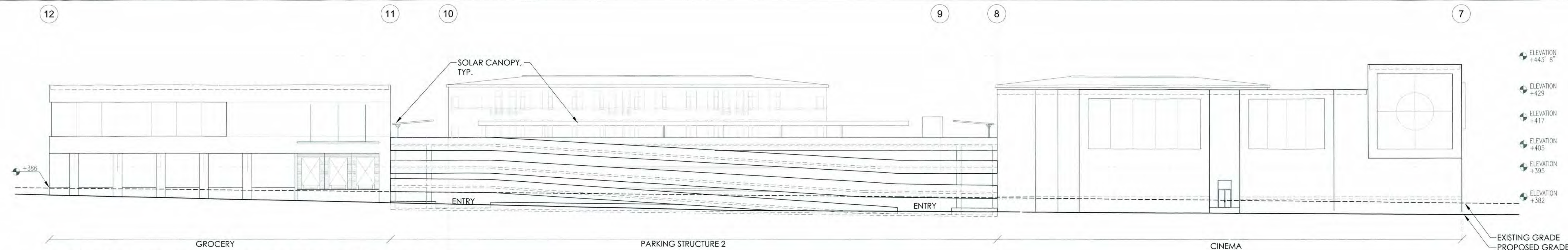
ARCHITECT: SAFDIE RABINES ARCHITECTS
925 FORT STOCKTON DRIVE
SAN DIEGO, CA 92103
(619) 297-6153 FAX(619) 299-6072

Revision 15: 10-19-2017 14th SUBMITTAL
Revision 14: 09-25-2017 13th SUBMITTAL
Revision 13: 11-21-2016 12th SUBMITTAL
Revision 12: 09-20-2016 11th SUBMITTAL
Revision 11: 07-26-2016 10th SUBMITTAL
Revision 10: 06-21-2016 9th SUBMITTAL
Revision 9: 12-22-2015 8th SUBMITTAL
Revision 8: 08-31-2015 7th SUBMITTAL
Revision 7: 07-08-2015 6th SUBMITTAL
Revision 6: 05-15-2015 5th SUBMITTAL
Revision 5: 03-02-2015 4th SUBMITTAL
Revision 4: 10-17-2014 3RD SUBMITTAL
Revision 3: 09-09-2014 2ND SUBMITTAL
Revision 2: 07-21-2014 FULL SUBMITTAL
Revision 1: 03-27-2014 FULL SUBMITTAL

Original Date: 02-20-2014

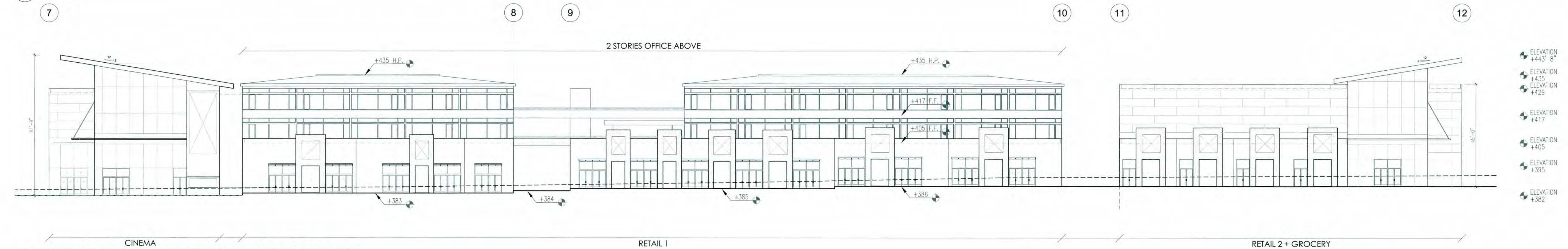
Sheet 27 of 37

DEP#



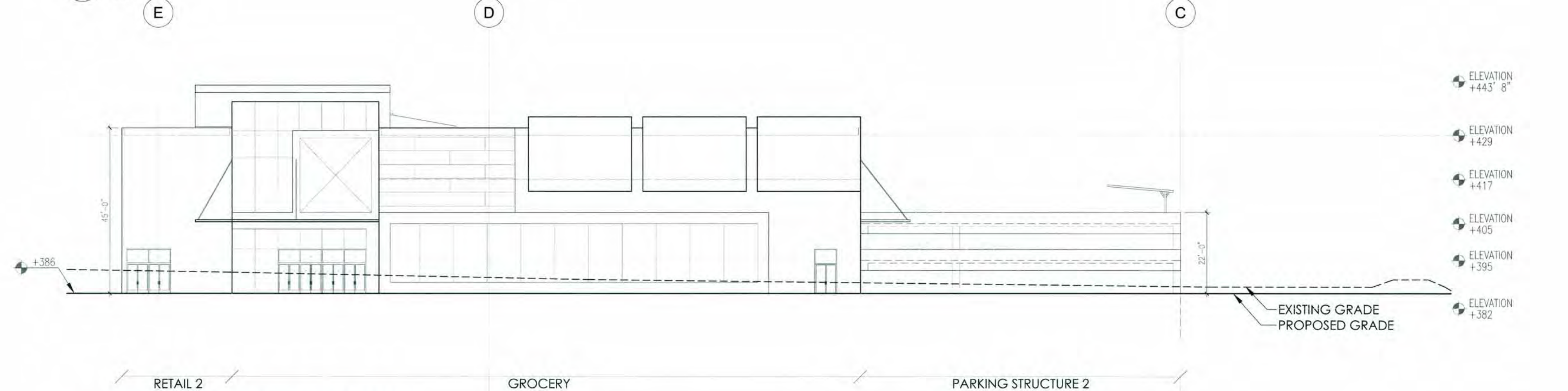
1 GROCERY, PARKING STRUCTURE 2, CINEMA - NORTH ELEVATION

1/16" = 1'-0"



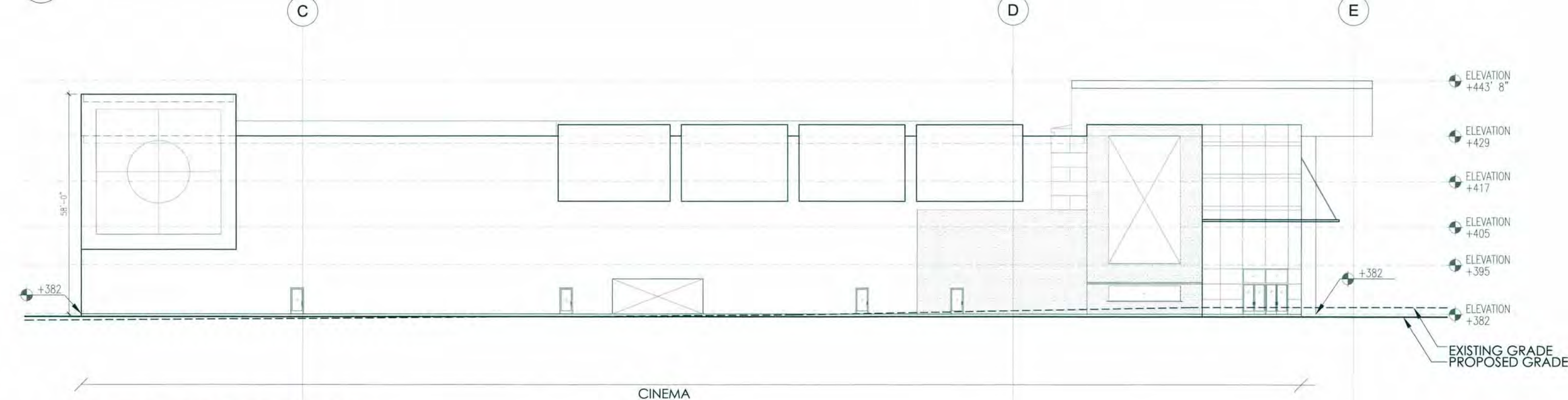
2 CINEMA, RETAIL 1, GROCERY - SOUTH ELEVATION

1/16" = 1'-0"



3 GROCERY - EAST ELEVATION

1/16" = 1'-0"



4 CINEMA - WEST ELEVATION

1/16" = 1'-0"



5 MARKET HALL EAST ELEVATION

1/16" = 1'-0"

6 MARKET HALL NORTH ELEVATION

1/16" = 1'-0"

7 MARKET HALL WEST ELEVATION

1/16" = 1'-0"

8 MARKET HALL SOUTH ELEVATION

1/16" = 1'-0"

EXPEDITE

SAFDIE RABINES ARCHITECTS
925 Fort Stockton Drive, San Diego, California 92103
(619) 297-6153 Fax: (619) 299-6072 www.safdiearchitects.com

DEVELOPER: SEA BREEZE 56, LLC
3525 DEL MAR HEIGHTS ROAD #246
SAN DIEGO, CA 92130
(858) 361-8555

PLANNING: LATITUDE 33 PLANNING & ENGINEERING
9968 HIBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131
(858) 751-0633 FAX(858) 751-0634

CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING
9968 HIBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131
(858) 751-0633 FAX(858) 751-0634

CIVIL ENGINEER: HUNSAKER & ASSOCIATES
9707 MAPLES STREET
SAN DIEGO, CA 92121
(858) 558-4500

LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE
928 HORNLEND STREET
SAN DIEGO, CA 92107
(858) 274-3222 FAX(858) 274-3223

LANDSCAPE ARCHITECT: WEILAND & ASSOCIATES INC.
291 SIERRA WAVE
SMALL MEADOWS, CA 93514
(760) 214-1870 FAX(858) 468-4839

ARCHITECT: SAFDIE RABINES ARCHITECTS
925 FORT STOCKTON DRIVE
SAN DIEGO, CA 92103
(619) 297-6153 FAX(619) 299-6072

Prepared By: LATITUDE 33 PLANNING & ENGINEERING

Name: LATITUDE 33 PLANNING & ENGINEERING

Address: 9968 HIBERT STREET, 2ND FLOOR

SAN DIEGO, CA 92131

Phone #: (858) 751-0633

Fax #: (858) 751-0634

Project Address: CARMEL MOUNTAIN ROAD BETWEEN SUNDANCE AVE

AND VIA PANACEA

Project Name: MERGE 56

Revision 1: 03-27-2014 MR SUBMITTAL

Revision 2: 07-29-2014 FULL SUBMITTAL

Revision 3: 09-09-2014 2ND SUBMITTAL

Revision 4: 10-12-2014 3RD SUBMITTAL

Revision 5: 03-02-2015 4TH SUBMITTAL

Revision 6: 05-15-2015 5TH SUBMITTAL

Revision 7: 07-08-2015 6TH SUBMITTAL

Revision 8: 08-31-2015 7TH SUBMITTAL

Revision 9: 12-22-2015 8TH SUBMITTAL

Revision 10: 06-21-2016 9TH SUBMITTAL

Revision 11: 07-26-2016 10TH SUBMITTAL

Revision 12: 09-20-2016 11TH SUBMITTAL

Revision 13: 11-21-2016 12TH SUBMITTAL

Revision 14: 08-25-2017 13TH SUBMITTAL

Revision 15: 10-18-2017 14TH SUBMITTAL

Original Date: 02-20-2014

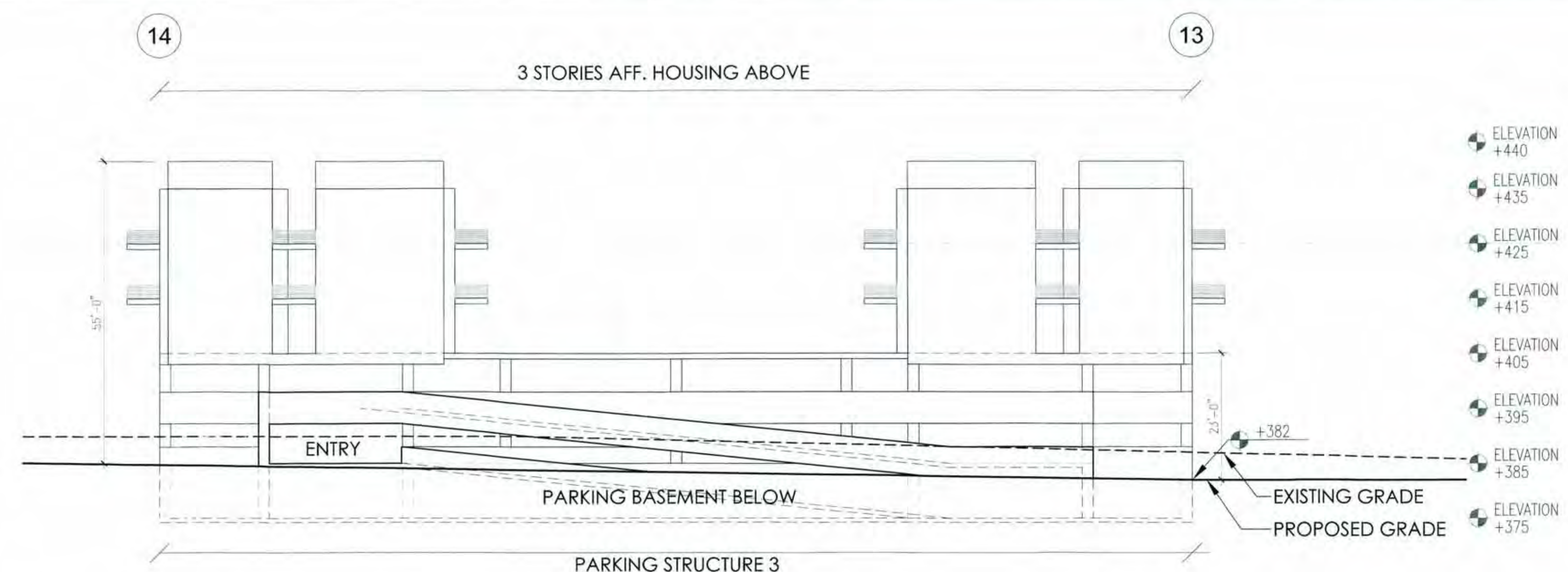
Sheet Title: **A2.2** BUILDING ELEVATIONS

Sheet 28 of 37

DEP#



DATE



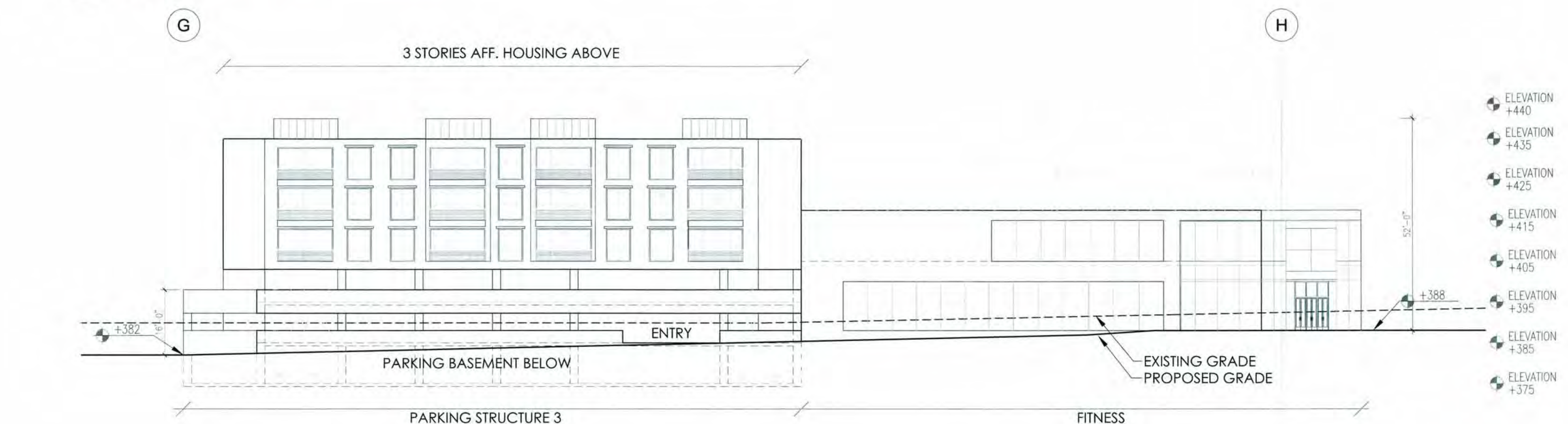
1 AFFORDABLE HOUSING AND PARKING STRUCTURE 3 NORTH ELEVATION
1/16" = 1'-0"



2 FITNESS, AFFORDABLE HOUSING SOUTH ELEVATION
1/16" = 1'-0"



3 FITNESS, PARKING STRUCTURE 3, AFFORDABLE HOUSING EAST ELEVATION
1/16" = 1'-0"



4 FITNESS, PARKING STRUCTURE 3, AFFORDABLE HOUSING WEST ELEVATION
1/16" = 1'-0"

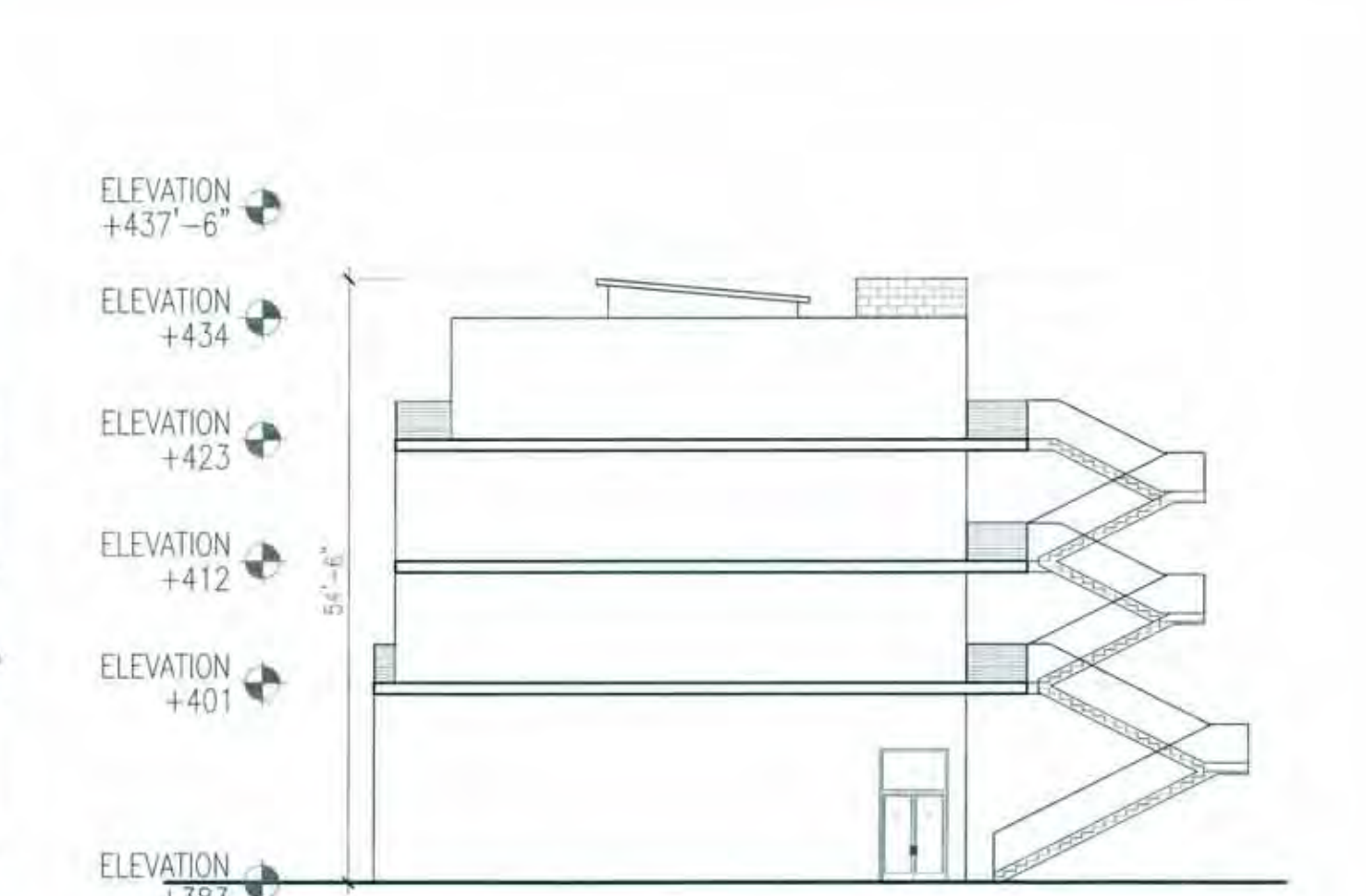


5 RETAIL 3 NORTH ELEVATION
1/16" = 1'-0"

6 RETAIL 3 EAST ELEVATION
1/16" = 1'-0"



7 RETAIL 3 SOUTH ELEVATION
1/16" = 1'-0"



8 RETAIL 3 WEST ELEVATION
1/16" = 1'-0"

APPROVED EXHIBIT "A"
PROJECT NO. 360009
APPROVED BY: [Signature]
DATE: 10/10/2017
LOCATION: [Signature]

EXPEDITE



SAFDIE RABINES ARCHITECTS
925 Fort Stockton Drive, San Diego, California 92103
(619) 297-6153 Fax: (619) 299-6072 www.safdie-rabines.com

DEVELOPER: SEA BREEZE 56, LLC
3529 DEL MAR HEIGHTS ROAD #246
SAN DIEGO, CA 92130
(858) 361-8555

PLANNING: LATITUDE 33 PLANNING & ENGINEERING
8968 HIBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131
(858) 751-0633 FAX(858) 751-0634

CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING
8968 HIBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131
(858) 751-0633 FAX(858) 751-0634

CIVIL ENGINEER: HUNSAKER & ASSOCIATES
9707 MAPLES STREET
SAN DIEGO, CA 92131
(858) 558-4000

LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE
925 HORNBLAND STREET
SAN DIEGO, CA 92103
(858)274-3222 FAX(858)274-3223

LANDSCAPE ARCHITECT: WELAND & ASSOCIATES INC.
291 SIERRA WAVE
SMALL MEADOWS, CA 92514
(760)214-1970 FAX(858)486-4939

ARCHITECT: SAFDIE RABINES ARCHITECTS
925 FORT STOCKTON DRIVE
SAN DIEGO, CA 92103
(619)297-6153 FAX(619)299-6072

Prepared By: LATITUDE 33 PLANNING & ENGINEERING

Name: LATITUDE 33 PLANNING & ENGINEERING

Address: 8968 HIBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131

Phone #: (858) 751-0633

Fax #: (858) 751-0634

Project Address: CARMEL MOUNTAIN ROAD BETWEEN SUNDANCE AVE AND VIA PANACIA

Project Name: MERGE 56

Revision 15: 10-19-2017 14th SUBMITTAL

Revision 14: 08-25-2017 13th SUBMITTAL

Revision 13: 11-21-2016 12th SUBMITTAL

Revision 12: 09-20-2016 11th SUBMITTAL

Revision 11: 07-26-2016 10th SUBMITTAL

Revision 10: 06-21-2016 9TH SUBMITTAL

Revision 9: 12-22-2015 8TH SUBMITTAL

Revision 8: 08-31-2015 7TH SUBMITTAL

Revision 7: 07-08-2015 6TH SUBMITTAL

Revision 6: 05-15-2015 5TH SUBMITTAL

Revision 5: 03-02-2015 4TH SUBMITTAL

Revision 4: 10-17-2014 3RD SUBMITTAL

Revision 3: 09-09-2014 2ND SUBMITTAL

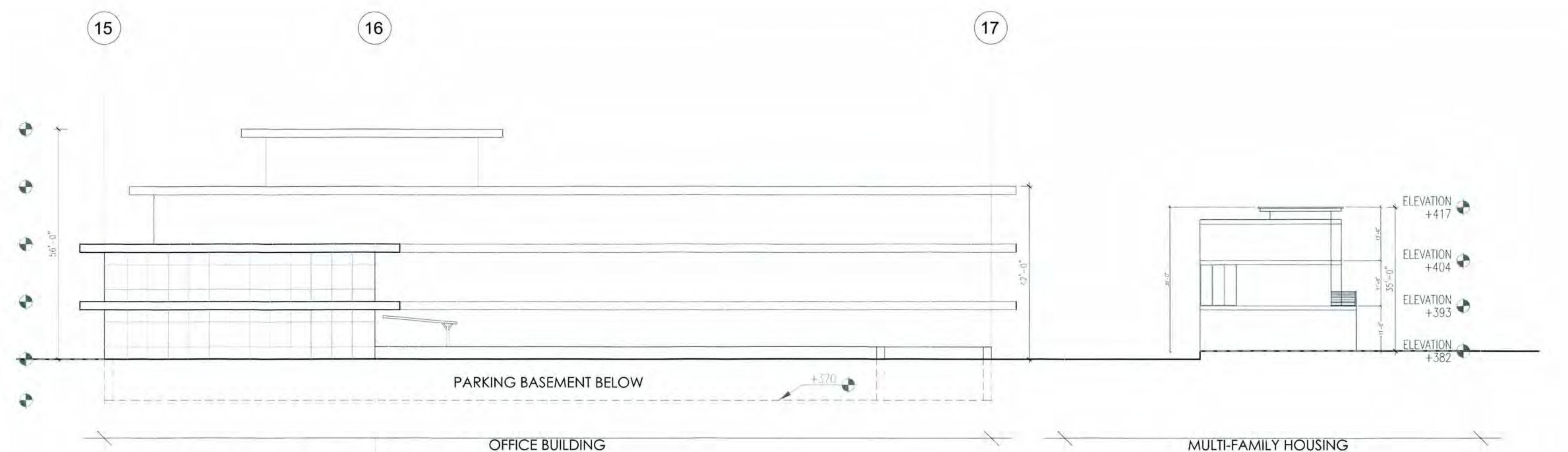
Revision 2: 07-21-2014 FULL SUBMITTAL

Revision 1: 03-27-2014 MR SUBMITTAL

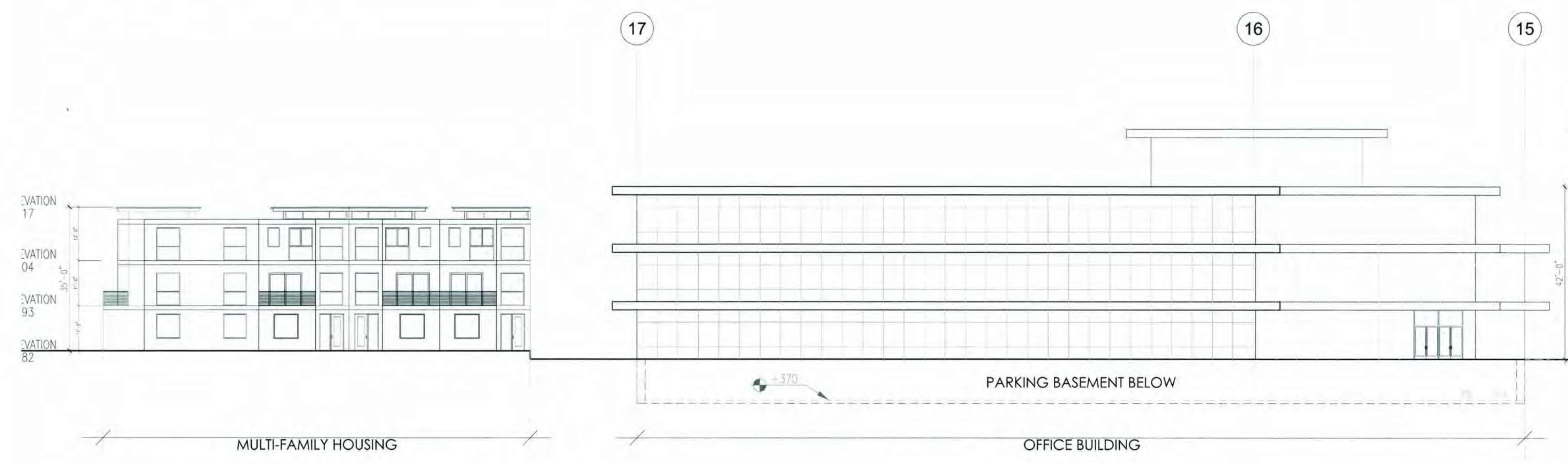
Original Date: 02-20-2014

Sheet Title: **A2.3**
BUILDING ELEVATIONS

Sheet 29 of 37
DEP#



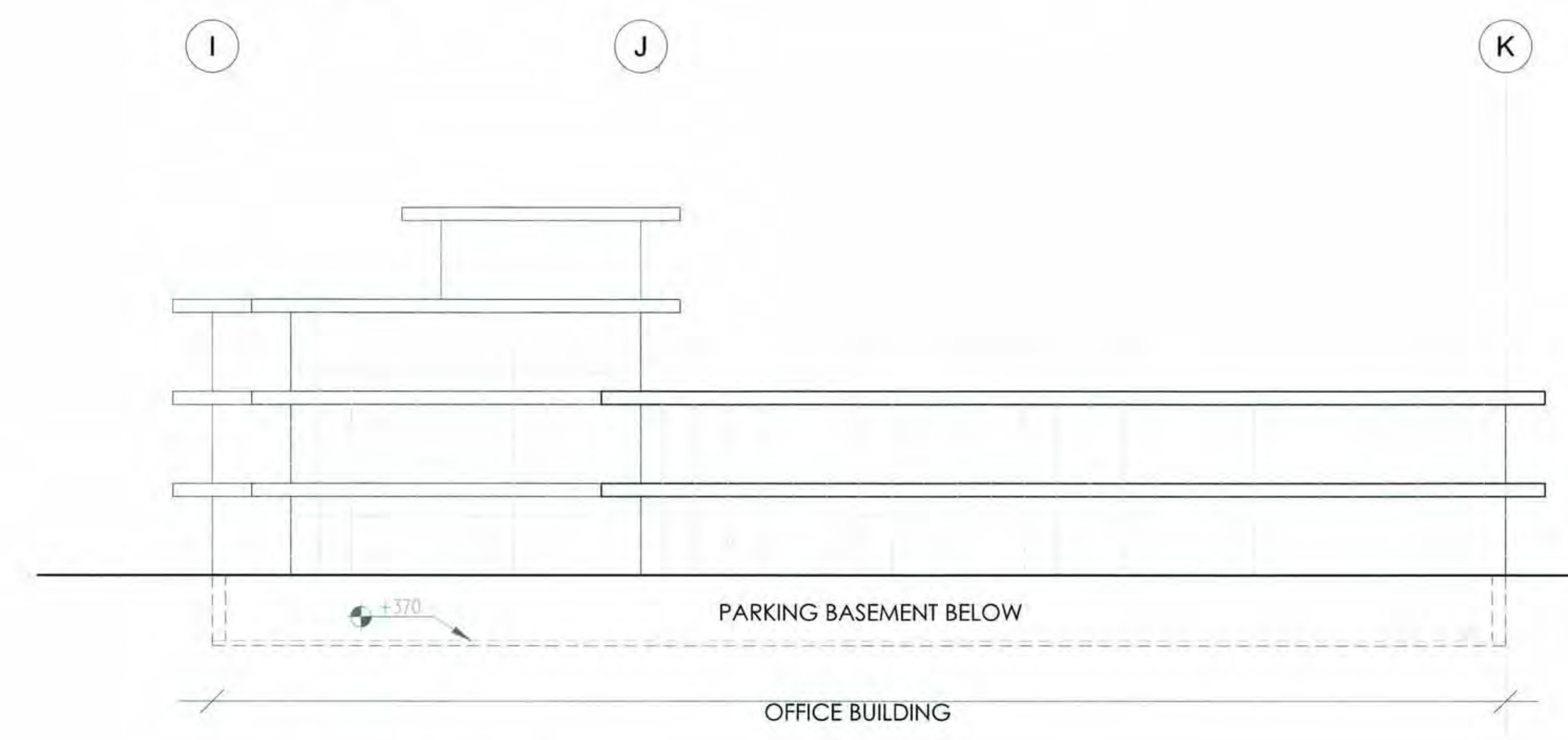
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OFFICE 4A, 4B, TYPICAL MULTIFAMILY SOUTH ELEVATION
1/16" = 1'-0"



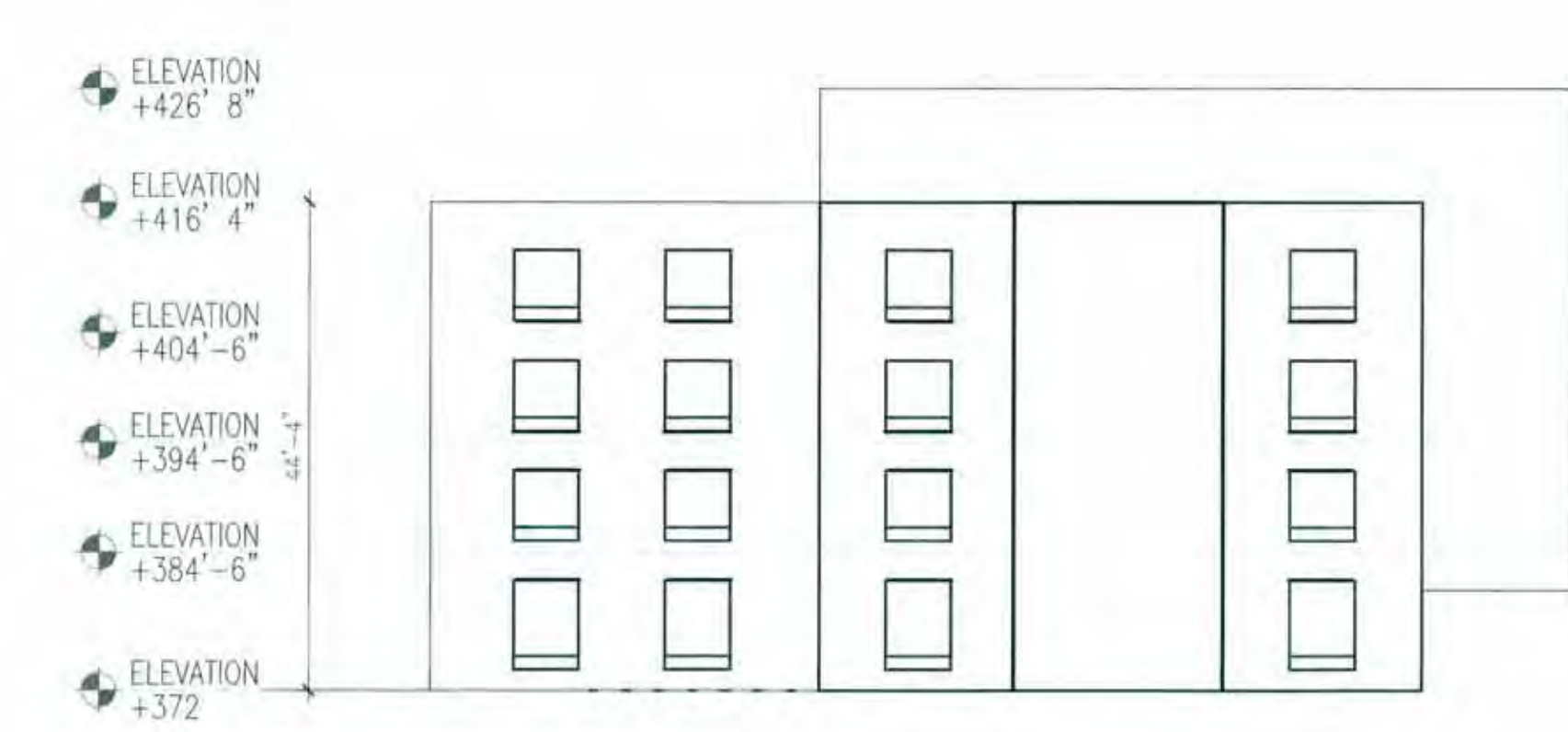
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OFFICE 4A, 4B, TYPICAL MULTIFAMILY NORTH ELEVATION
1/16" = 1'-0"



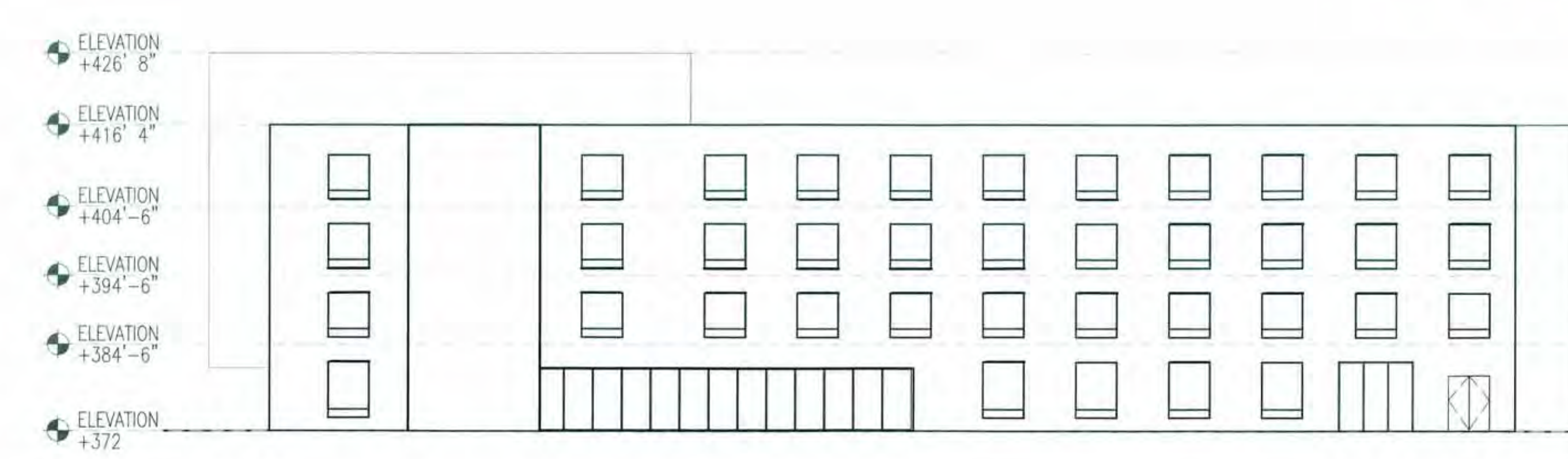
2
TYPICAL MULTIFAMILY EAST ELEVATION
1/16" = 1'-0"



4
OFFICE 4A, 4B WEST ELEVATION
1/16" = 1'-0"



6
HOTEL EAST ELEVATION
1/16" = 1'-0"



7
HOTEL SOUTH ELEVATION
1/16" = 1'-0"

APPROVED EXHIBIT "A"
PROJECT NO. 360009
APPROVAL: SEE SHEET #1
DATE: 09/20/2016
DRAWN BY: J. RABINES
CHECKED BY: J. RABINES

EXPEDITE

SAFDIE RABINES
ARCHITECTS
925 Fort Stockton Drive, San Diego, California 92103
(619) 297-6153 Fax: (619) 299-6072 www.safdie.com

DEVELOPER: SEA BREEZE 56, LLC
3525 DEL MAR HEIGHTS ROAD #206
SAN DIEGO, CA 92130
(858) 361-8555

PLANNING: LATITUDE 33 PLANNING & ENGINEERING
9968 HIBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131
(858) 751-0633 FAX(858) 751-0634

CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING
9968 HIBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131
(858) 751-0633 FAX(858) 751-0634

CIVIL ENGINEER: HUNSAKER & ASSOCIATES
9707 MAPLES STREET
SAN DIEGO, CA 92121
(858) 558-4500

LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE
928 HORNLEND STREET
SAN DIEGO, CA 92107
(858)274-3222 FAX(858)274-3223

LANDSCAPE ARCHITECT: WEILAND & ASSOCIATES INC.
291 SIERRA WAVE
SMALL MEADOWS, CA 92054
(760)214-1870 FAX(858)486-4939

ARCHITECT: SAFDIE RABINES ARCHITECTS
925 FORT STOCKTON DRIVE
SAN DIEGO, CA 92103
(619)297-6153 FAX(619)299-6072

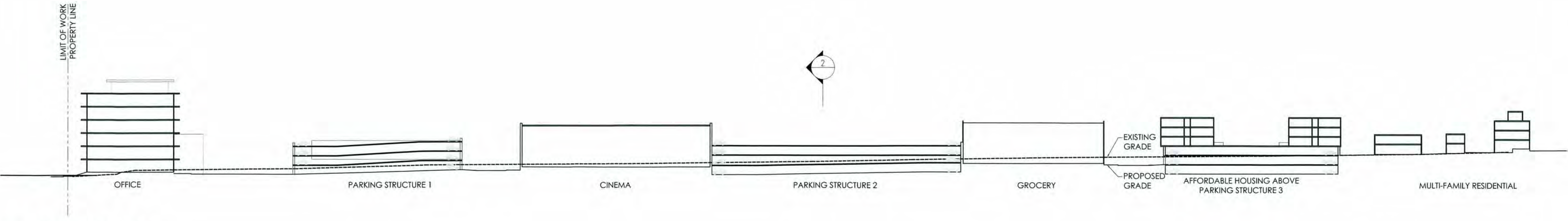
Prepared By: LATITUDE 33 PLANNING & ENGINEERING
Name: 9968 HIBERT STREET, 2ND FLOOR
Address: SAN DIEGO, CA 92131
Phone #: (858) 751-0633
Fax #: (858) 751-0634

Project Address: CARMEL MOUNTAIN ROAD BETWEEN SUNDANCE AVE AND VIA PANACEA

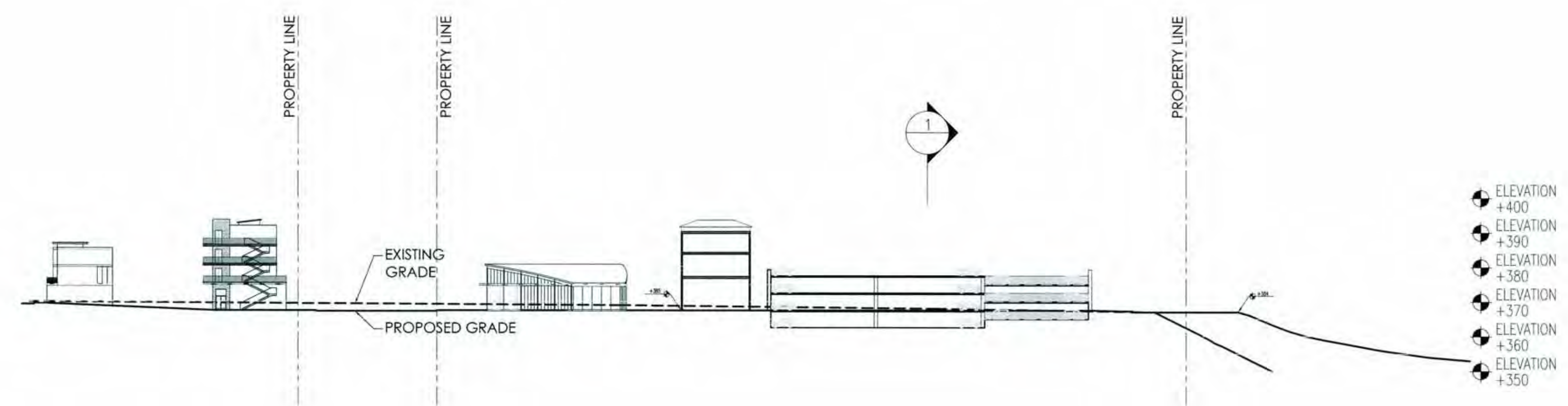
Project Name: MERGE 56

Revision 15: 10-19-2017 14th SUBMITTAL
Revision 14: 08-25-2017 13th SUBMITTAL
Revision 13: 11-21-2016 12th SUBMITTAL
Revision 12: 09-20-2016 11th SUBMITTAL
Revision 11: 07-26-2016 10th SUBMITTAL
Revision 10: 06-21-2016 9th SUBMITTAL
Revision 9: 12-22-2015 8th SUBMITTAL
Revision 8: 08-31-2015 7th SUBMITTAL
Revision 7: 07-08-2015 6th SUBMITTAL
Revision 6: 05-15-2015 5th SUBMITTAL
Revision 5: 03-02-2015 4th SUBMITTAL
Revision 4: 10-12-2014 3rd SUBMITTAL
Revision 3: 09-09-2014 2nd SUBMITTAL
Revision 2: 07-21-2014 FULL SUBMITTAL
Revision 1: 03-27-2014 MR SUBMITTAL





1 SITE SECTION
1" = 50'-0"



2 SITE SECTION
1" = 50'-0"



KEY PLAN

S A F D I E R A B I N E S
A R C H I T E C T S
925 Fort Stockton Drive, San Diego, California 92103
(619) 297-6153 Fax: (619) 299-6072 www.safdie-rabines.com

DEVELOPER: SEA BREEZE 56, LLC
3325 DEL MAR HEIGHTS ROAD #246
SAN DIEGO, CA 92130
(658) 361-6555

PLANNING: LATITUDE 33 PLANNING & ENGINEERING
9968 HIBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131
(658) 751-0633 FAX(658) 751-0634

CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING
9968 HIBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131
(658) 751-0633 FAX(658) 751-0634

CIVIL ENGINEER: HUNSAKER & ASSOCIATES
8707 MAPLES STREET
SAN DIEGO, CA 92121
(658) 558-4500

LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE
928 HORNBLAND STREET
SAN DIEGO, CA 92107
(658)274-3222 FAX(658)274-3223

LANDSCAPE ARCHITECT: WELAND & ASSOCIATES INC.
291 SIERRA WAVE
SMALL MEADOWS, CA 93314
(760)274-1679 FAX(658)468-4939

ARCHITECT: SAFDIE RABINES ARCHITECTS
925 FORT STOCKTON DRIVE
SAN DIEGO, CA 92103
(619)297-6153 FAX(619)299-6072

Prepared By: LATITUDE 33 PLANNING & ENGINEERING
Name: 36009
Address: 9968 HIBERT STREET, 2ND FLOOR
SAN DIEGO, CA 92131
Phone #: (658) 751-0633
Fax #: (658) 751-0634

Project Address: CARMEL MOUNTAIN ROAD BETWEEN SUNDANCE AVE
AND VIA PANACEA

Project Name: MERGE 56

Revision 15: 10-19-2017 14th SUBMITTAL
Revision 14: 08-29-2017 13th SUBMITTAL
Revision 13: 11-21-2016 12th SUBMITTAL
Revision 12: 09-20-2016 11th SUBMITTAL
Revision 11: 07-26-2016 10th SUBMITTAL
Revision 10: 06-21-2016 9th SUBMITTAL
Revision 9: 12-22-2015 8th SUBMITTAL
Revision 8: 08-31-2015 7th SUBMITTAL
Revision 7: 07-08-2015 6th SUBMITTAL
Revision 6: 05-15-2015 5th SUBMITTAL
Revision 5: 03-02-2015 4th SUBMITTAL
Revision 4: 10-17-2014 3rd SUBMITTAL
Revision 3: 09-09-2014 2ND SUBMITTAL
Revision 2: 07-21-2014 FULL SUBMITTAL
Revision 1: 03-27-2014 MR SUBMITTAL

Original Date: 02-20-2014

Sheet Title: A2.5
SITE SECTIONS
DATE
Sheet 31 of 37
DEP#



EXPEDITE



MERGE 56 - UNIT 5



Plan 3 'C' - Formal Spanish



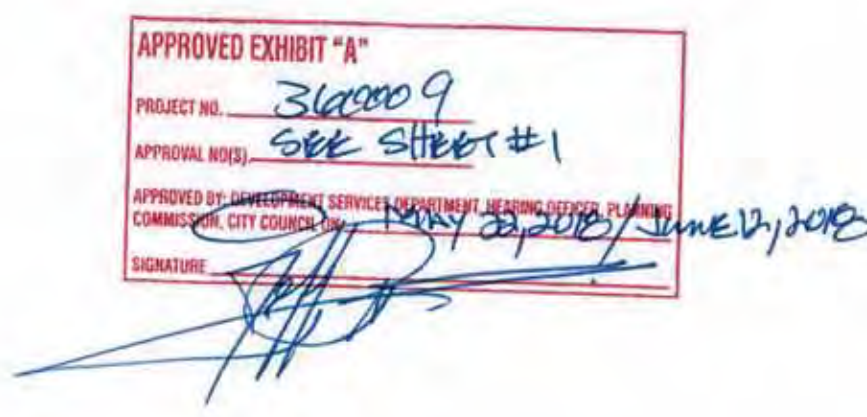
Plan 2 'B' - Spanish Colonial



Plan 1 'A' - Santa Barbara



Typical Cluster Detail

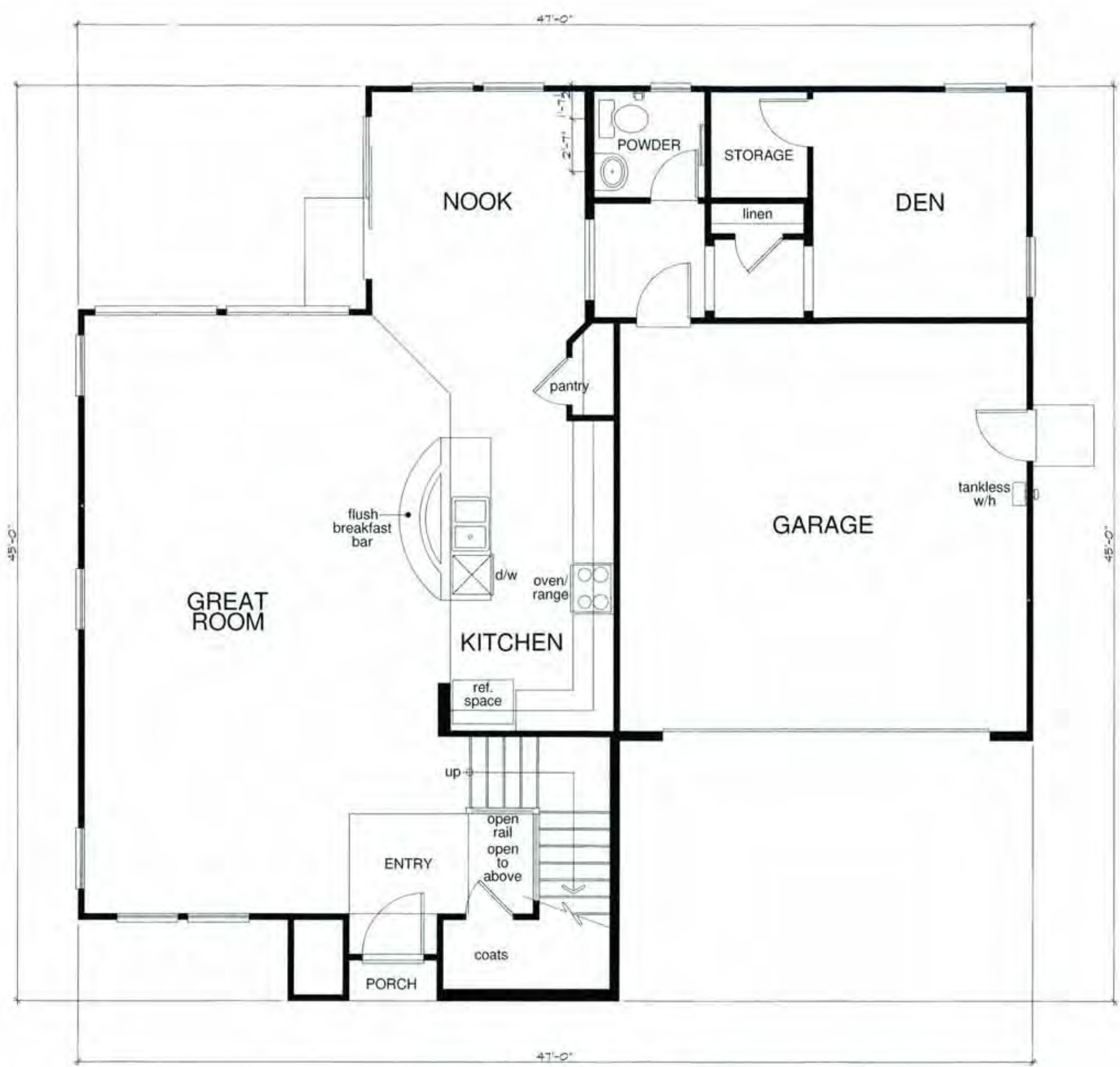
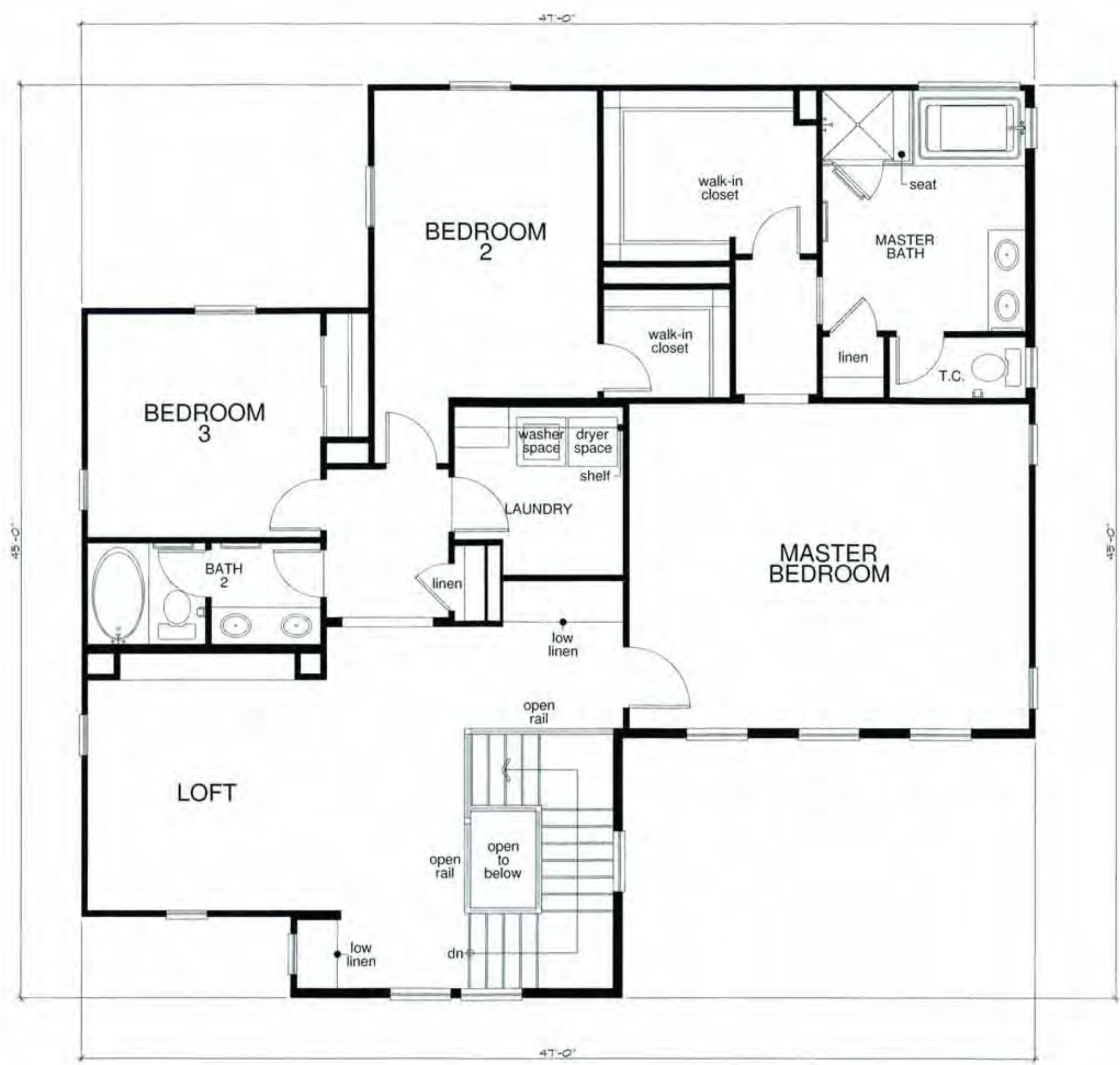


EXPEDITE

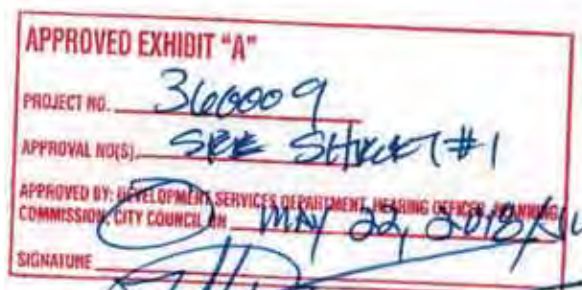
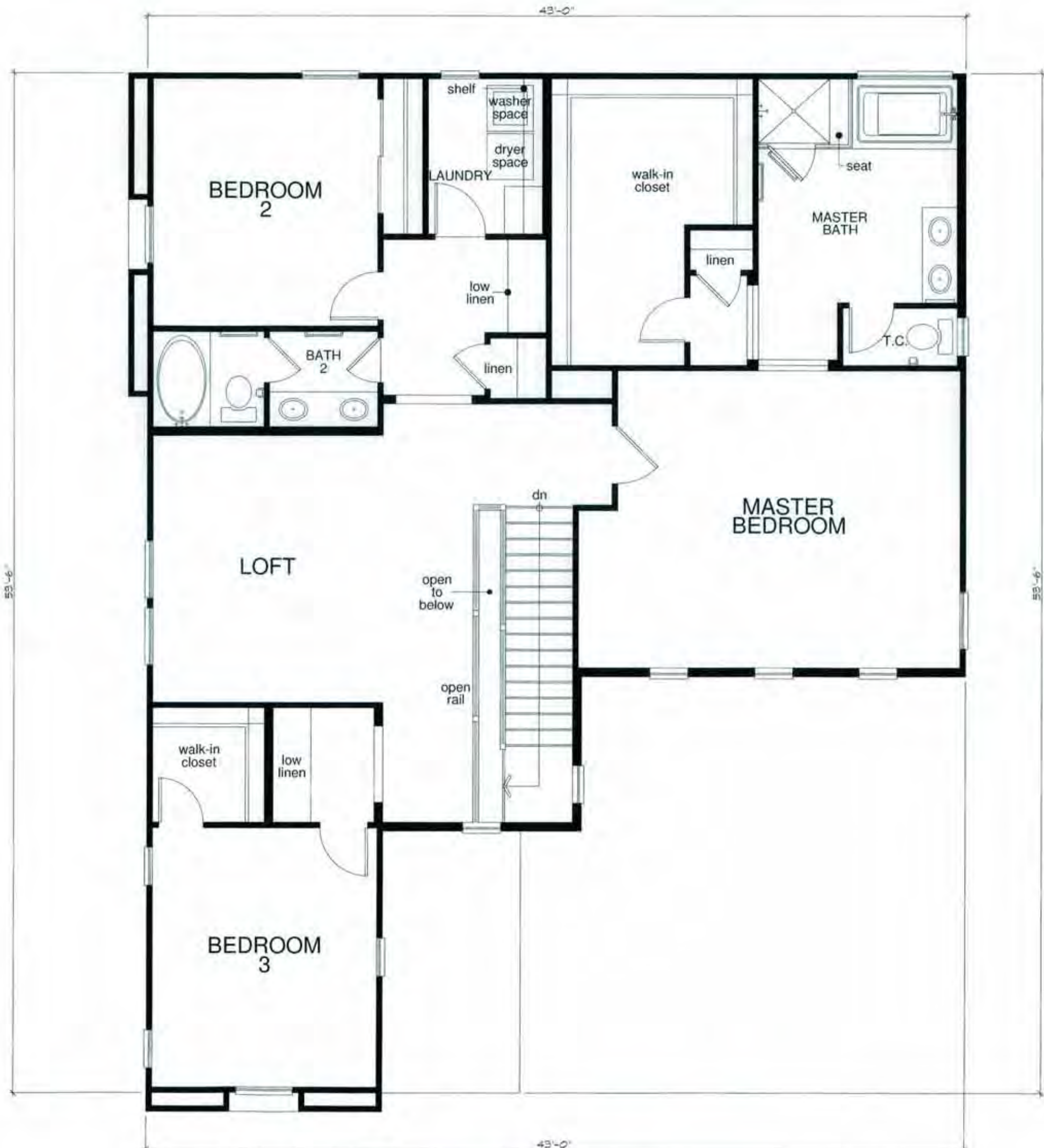


DEVELOPER: SEA BREEZE 56, LLC 3525 DEL MAR HEIGHTS ROAD #240 SAN DIEGO, CA 92130 (858) 561-8555	PLANNING: LATITUDE 33 PLANNING & ENGINEERING 5355 MIRA SORRENTO PLACE, SUITE 650 SAN DIEGO, CA 92121 (858) 751-0633 FAX(858) 751-0634	CIVIL ENGINEER: HUNSAKER & ASSOCIATES 9707 MAPLES STREET SAN DIEGO, CA 92121 (858) 558-4500	LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE 928 HORNBLAND STREET SAN DIEGO, CA 92107 (858)274-3222 FAX(858)274-3223	LANDSCAPE ARCHITECT: WELAND & ASSOCIATES, INC. 291 SIERRA WAVE SMALL MEADOWS, CA 93514 (760)214-1870 FAX(858)486-4939	ARCHITECT: SATDIE RABINES ARCHITECTS 925 FORT STOCKTON DRIVE SAN DIEGO, CA 92103 (619)297-6153 FAX(619)299-6072
Prepared By: LATITUDE 33 PLANNING & ENGINEERING	Name: 5355 MIRA SORRENTO PLACE, SUITE 650 SAN DIEGO, CA 92121	Phone #: (858) 751-0633 Fax #: (858) 751-0634	Project Address: CARMEL MOUNTAIN ROAD BETWEEN SUNDANCE AVE AND VIA PANACEA	Project Name: MERGE 56	Sheet Title: A3.1 TYPICAL CLUSTER DETAIL
Revision 14: _____	Revision 13: _____	Revision 12: _____	Revision 11: _____	Revision 10: _____	Revision 9: _____
Revision 8: _____	Revision 7: _____	Revision 6: _____	Revision 5: _____	Revision 4: _____	Revision 3: _____
Revision 2: _____	Revision 1: _____	Original Date: 02-20-2014	Sheet 32 of 37	DEP # _____	

SQUARE FOOTAGE			
PLAN 247.2777			
FIRST FLOOR AREA	1220	SQ. FT.	
SECOND FLOOR AREA	1557	SQ. FT.	
TOTAL AREA	2777	SQ. FT.	
GARAGE AREA	417	SQ. FT.	
PORCH AREA			
PATIO AREA(S)	ELEVATION 'A'	13	SQ. FT.
	ELEVATION 'B'	13	SQ. FT.
	ELEVATION 'C'	13	SQ. FT.
PATIO AREA(S)	OPT. PATIO SLAB	156	SQ. FT.
	OPT. COVERED PATIO	156	SQ. FT.



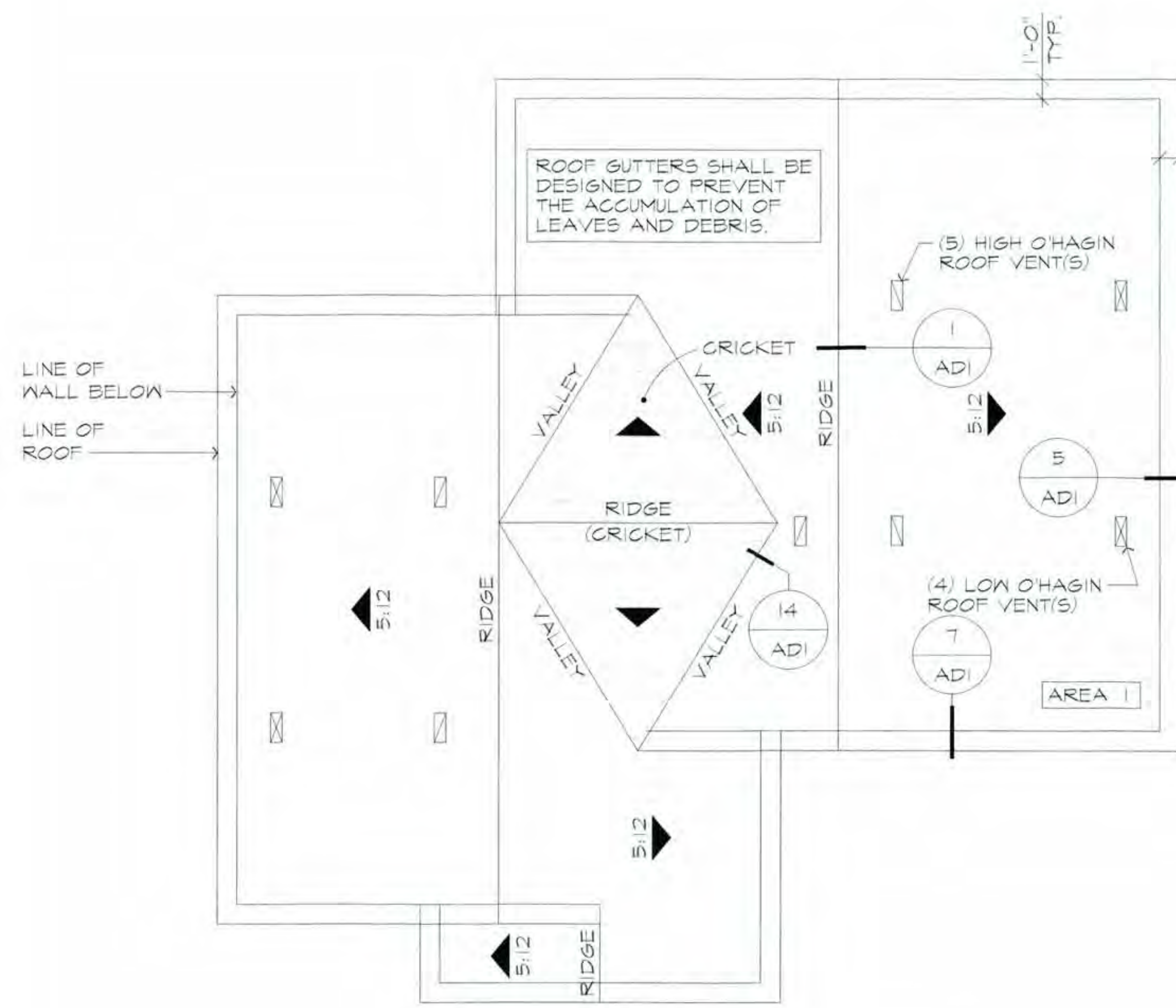
SQUARE FOOTAGE			
PLAN 247.2898			
FIRST FLOOR AREA	1270	SQ. FT.	
SECOND FLOOR AREA	1628	SQ. FT.	
TOTAL AREA	2898	SQ. FT.	
GARAGE AREA	418	SQ. FT.	
PORCH AREA(S)			
PATIO AREA(S)	ELEVATION 'A'	12	SQ. FT.
	ELEVATION 'B'	12	SQ. FT.
	ELEVATION 'C'	12	SQ. FT.
PATIO AREA(S)	OPT. PATIO SLAB	121	SQ. FT.
	OPT. COVERED PATIO	121	SQ. FT.



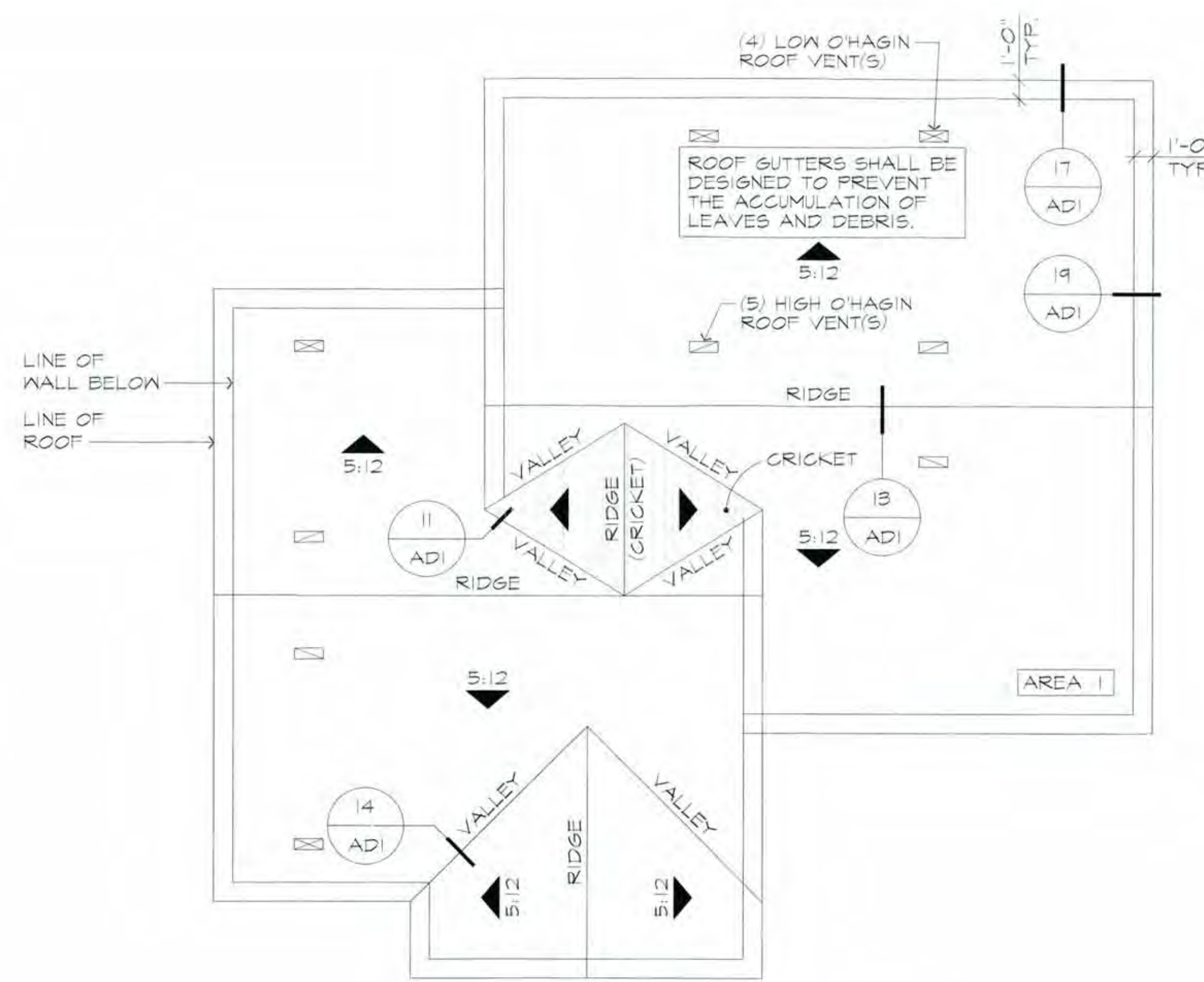
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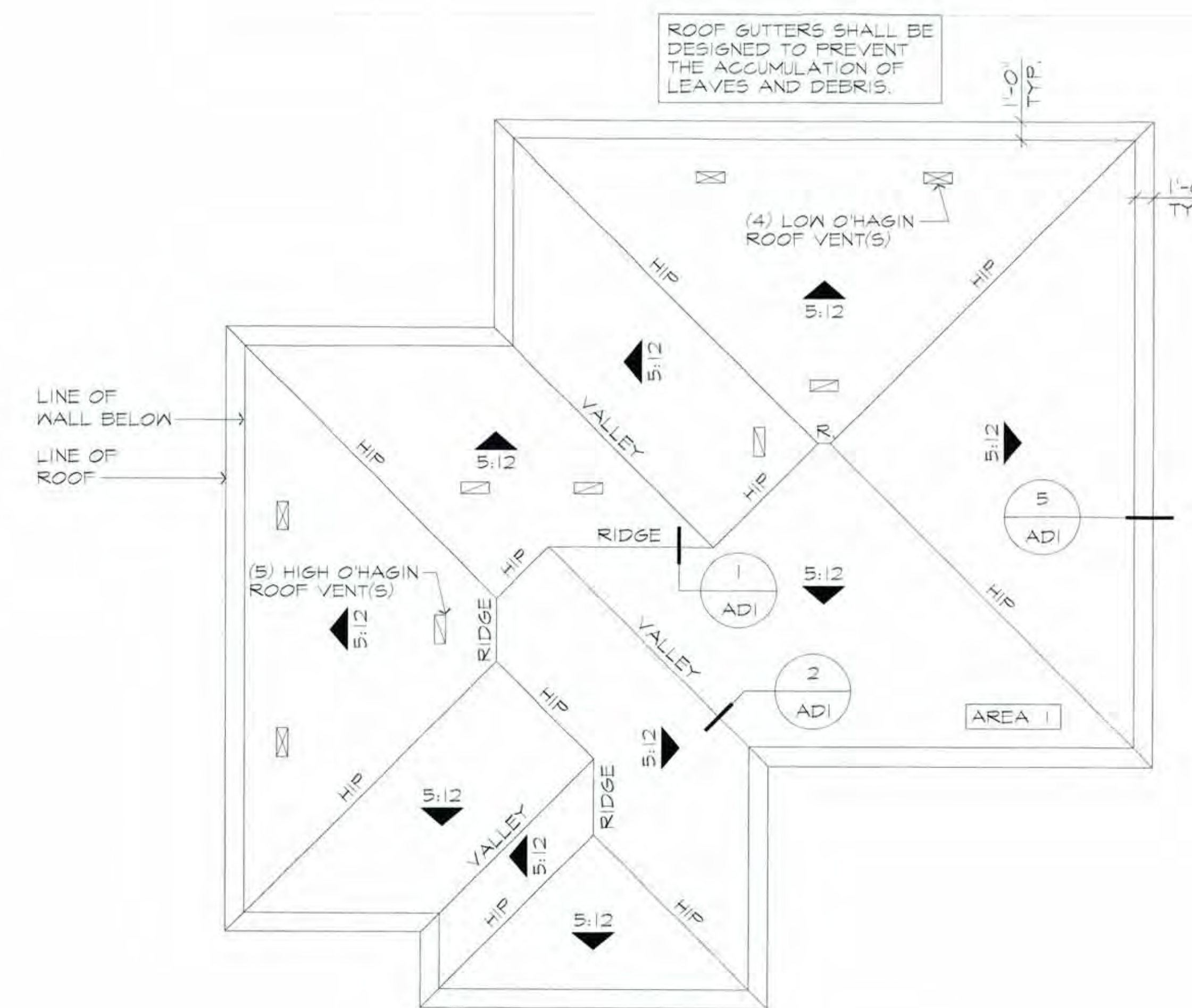
DEVELOPER: SEA BREEZE 56, LLC 3525 DEL MAR HEIGHTS ROAD #246 SAN DIEGO, CA 92131 (658) 301-8553	PLANNING: LATITUDE 33 PLANNING & ENGINEERING 5355 MIRIA SORRENTO PLACE, SUITE 850 SAN DIEGO, CA 92121 (658) 751-0633 FAX(658) 751-0634	CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING 5355 MIRIA SORRENTO PLACE, SUITE 850 SAN DIEGO, CA 92121 (658) 751-0633 FAX(658) 751-0634	CIVIL ENGINEER: HUNSAKER & ASSOCIATES 9107 MAPLES STREET SAN DIEGO, CA 92121 (658) 558-4500	LANDSCAPE ARCHITECT: NEIL LANDSCAPE ARCHITECTURE 928 HORNBLAND STREET SAN DIEGO, CA 92107 (658) 274-3222 FAX(658) 274-3223	LANDSCAPE ARCHITECT: WELAND & ASSOCIATES INC. 291 SIERRA WAY SMALL MEADOWS, CA 93514 (760) 214-1870 FAX(658) 486-4939	ARCHITECT: SAKIE RABINS ARCHITECTS 925 FORT STOCKTON DRIVE SAN DIEGO, CA 92103 (619) 297-6153 FAX(619) 299-6072
Prepared By: Name: LATITUDE 33 PLANNING & ENGINEERING	Address: 5355 MIRIA SORRENTO PLACE, SUITE 850 SAN DIEGO, CA 92121	Phone #: (658) 751-0633	Fax #: (658) 751-0634	Project Address: CARMEL MOUNTAIN ROAD BETWEEN SUNDANCE AVE AND VIA PANACEA	Project Name: MERGE 56	Revision 14: _____ Revision 13: _____ Revision 12: _____ Revision 11: _____ Revision 10: _____ Revision 9: _____ Revision 8: _____ Revision 7: _____ Revision 6: _____ Revision 5: _____ Revision 4: _____ Revision 3: _____ Revision 2: _____ Revision 1: _____
Original Date: 02-20-2014	Sheet Title: A3.2 FLOOR PLANS	Sheet 33 of 37	DEP#			



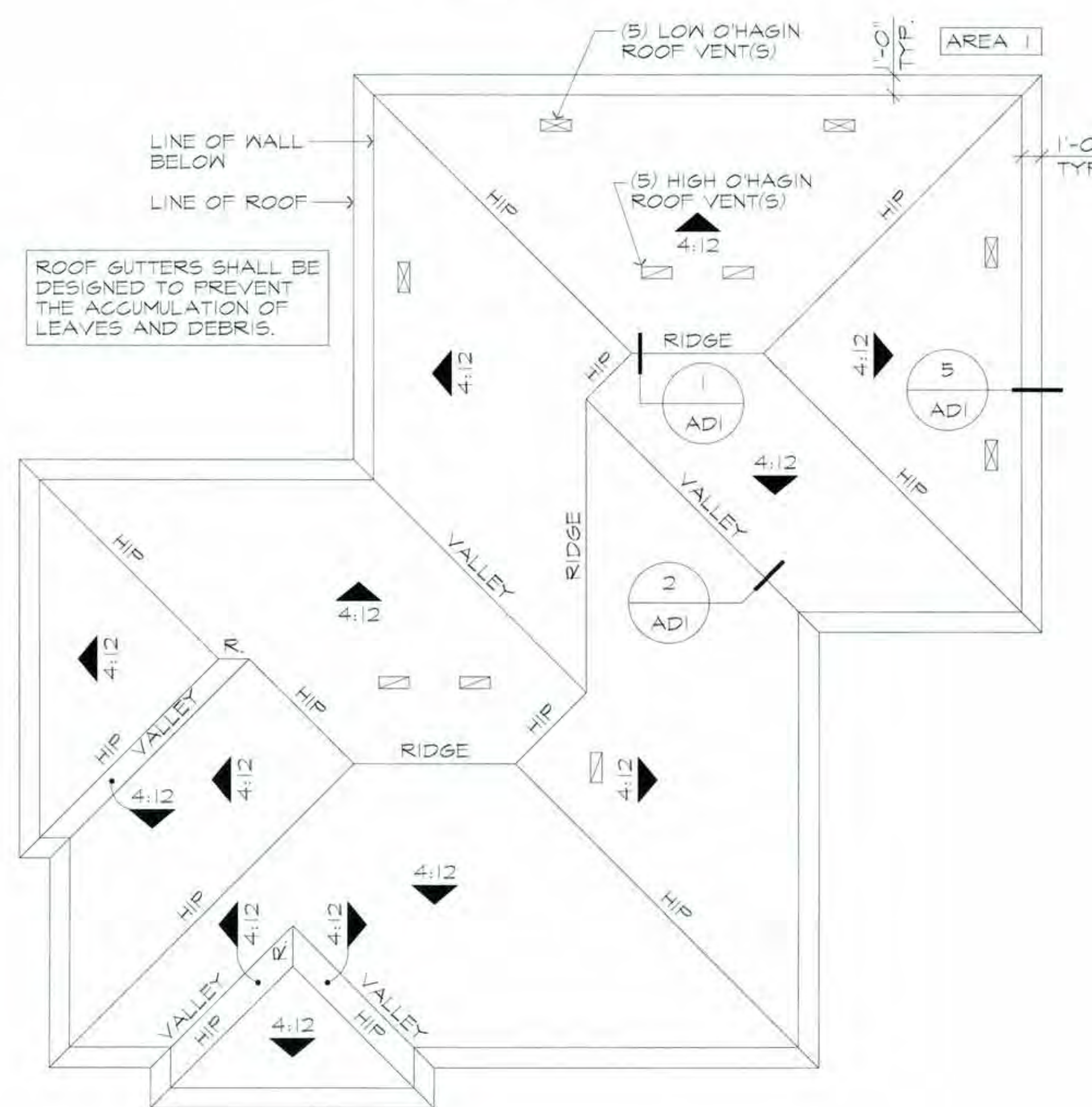
Roof Plan 1A



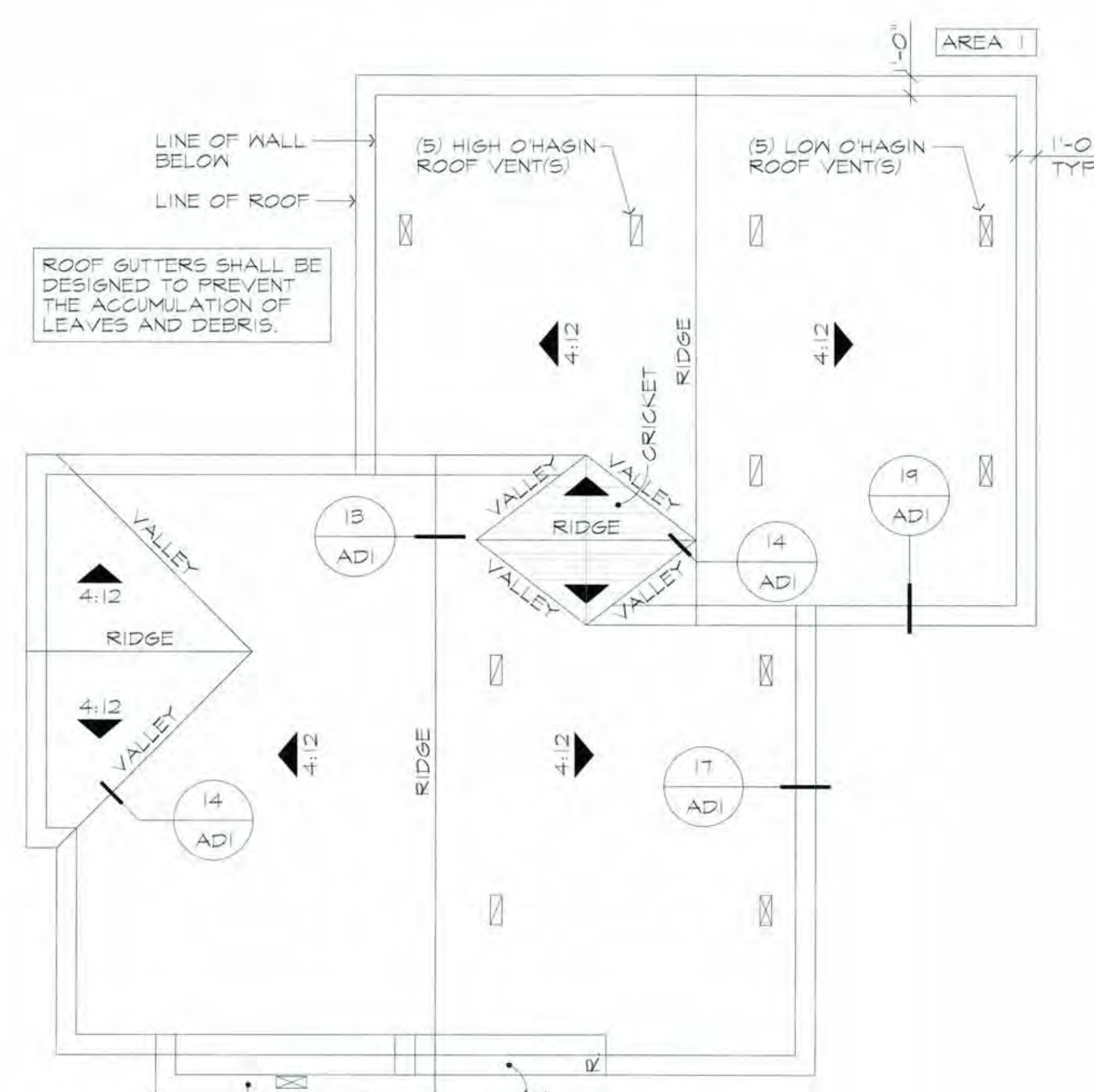
Roof Plan 1B



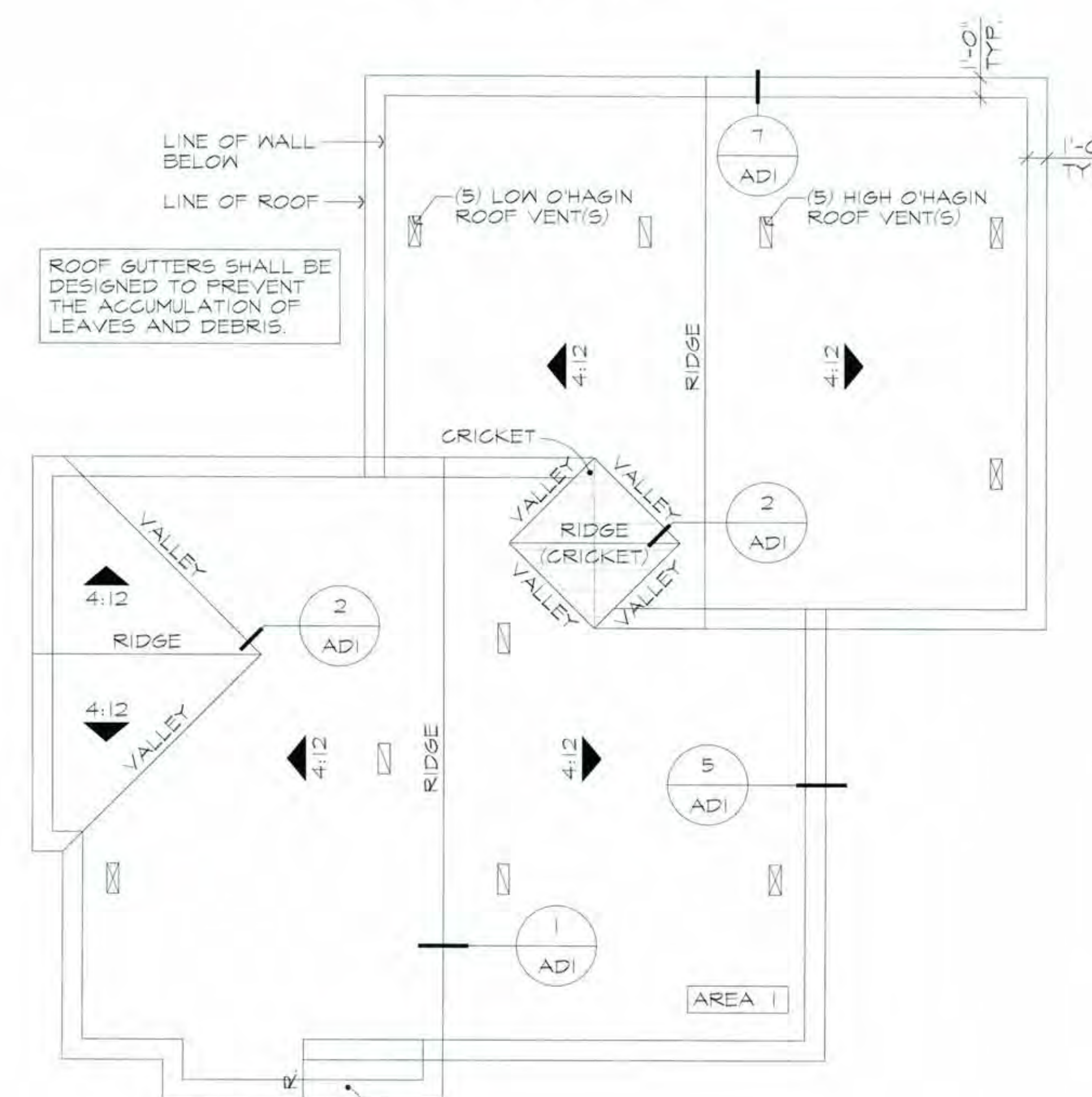
Roof Plan 1C



Roof Plan 2A



Roof Plan 2B



Roof Plan 2C



EXPEDITE



DEVELOPER: SEA BREEZE 56, LLC
3525 DEL MAR HEIGHTS ROAD #246
SAN DIEGO, CA 92130
(858) 361-8555

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LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE
928 HORNBLAND STREET
SAN DIEGO, CA 92107
(858) 274-3222 FAX(858) 274-3223

LANDSCAPE ARCHITECT: WELAND & ASSOCIATES, INC.
3841 MEADOWS, CA 92514
(760) 214-1870 FAX(858) 486-4939

ARCHITECT: SARDINE RABINIS ARCHITECTS
925 FORT STOCKTON DRIVE
SAN DIEGO, CA 92103
(619) 297-6123 FAX(619) 299-6072

Prepared By: LATITUDE 33 PLANNING & ENGINEERING
Name: Address: 5355 MIRA SORRENTO PLACE, SUITE 650
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Fax #: (858) 751-0634

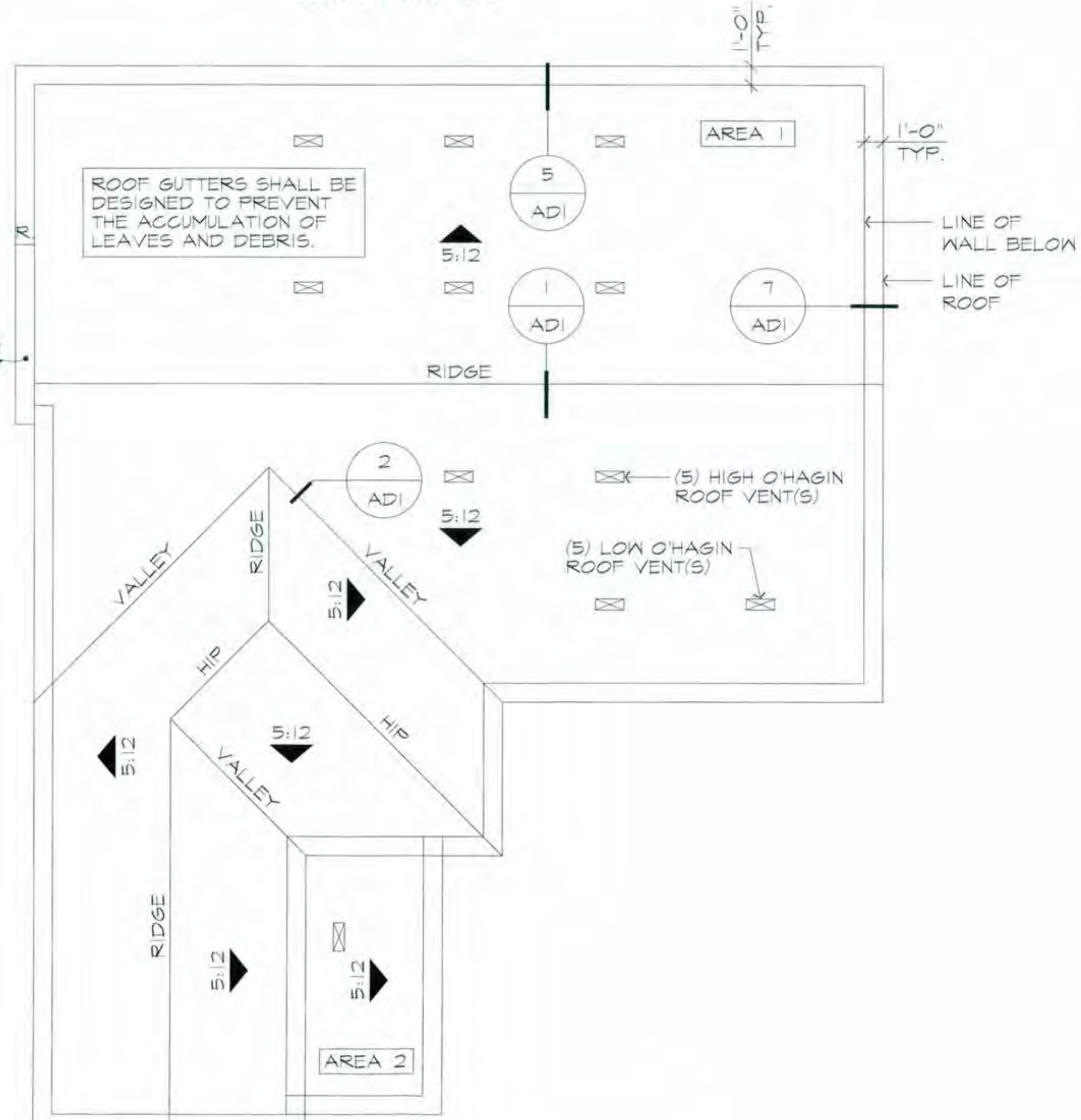
Project Address: CARMEL MOUNTAIN ROAD BETWEEN SUNDANCE AVE
AND VIA PANACEA

Project Name: MERGE 56

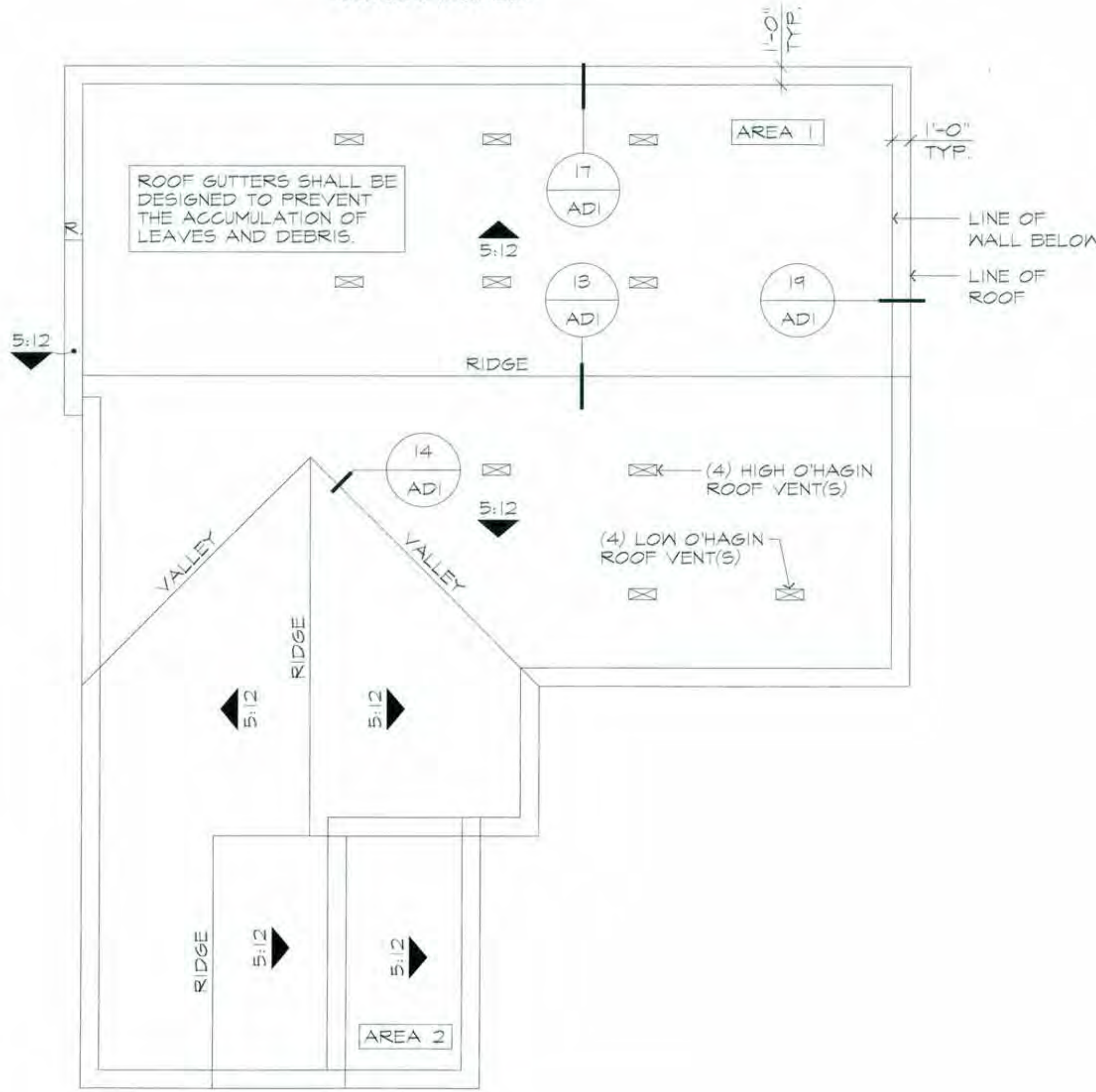
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Revision 13: _____
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Revision 3: _____
Revision 2: _____
Revision 1: _____

Original Date: 02-20-2014

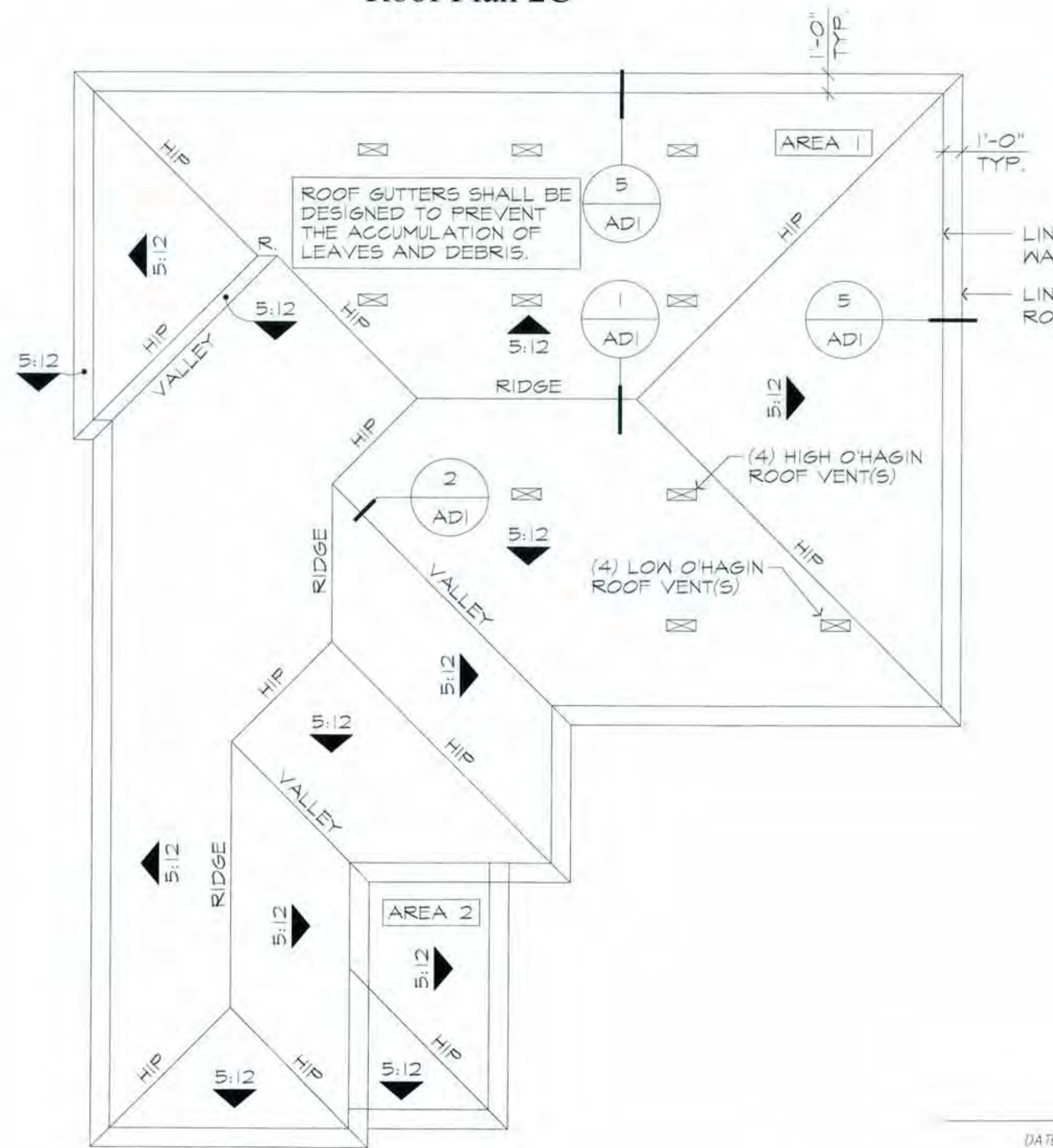
Sheet Title: **A3.3** SHEET 34 OF 37
DATE: _____
ROOF PLANS



Roof Plan 3A



Roof Plan 3B

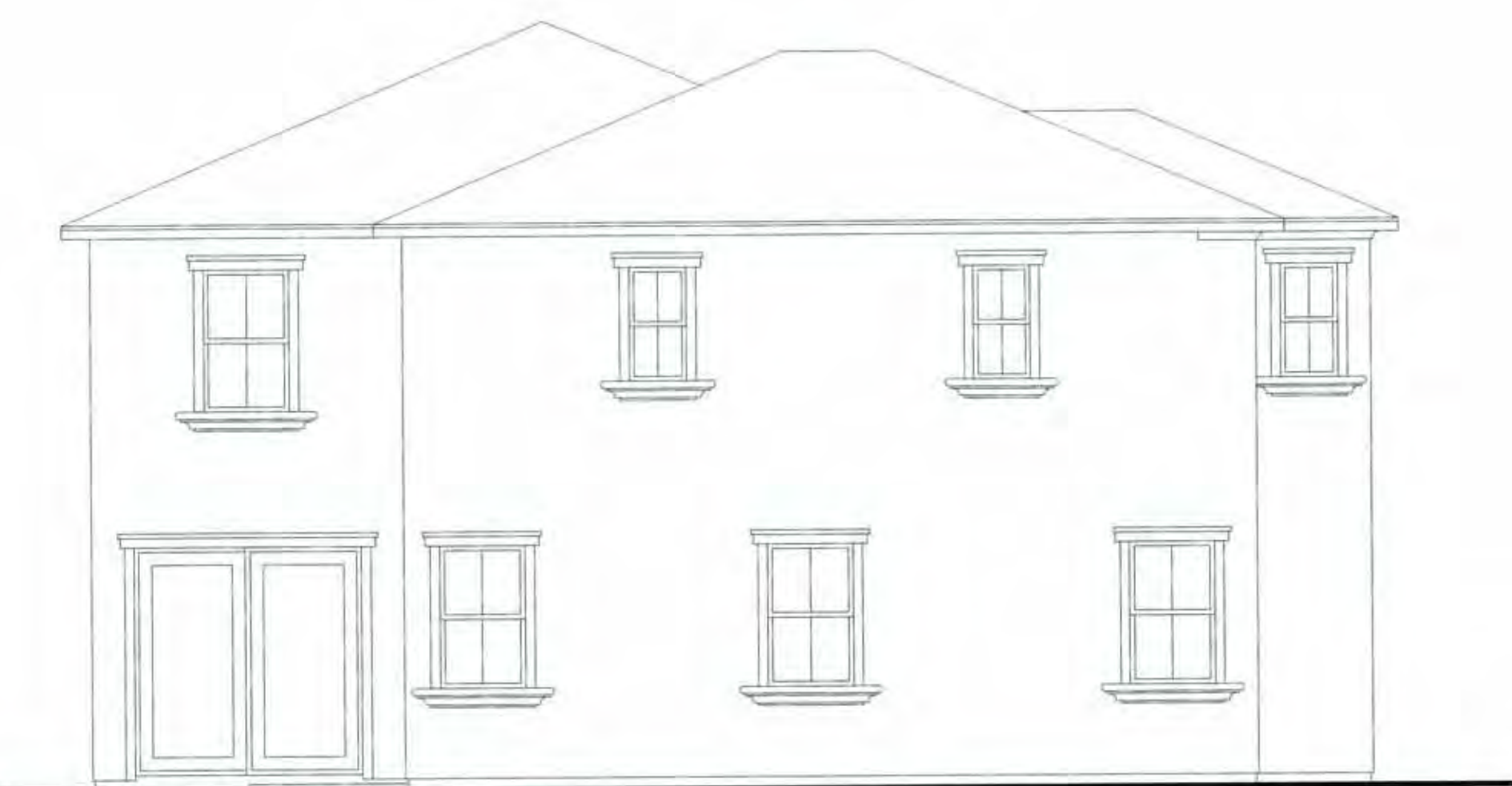


Roof Plan 3C

Plan 1 'C' - Formal Spanish



Front Elevation



Left Elevation



Rear Elevation

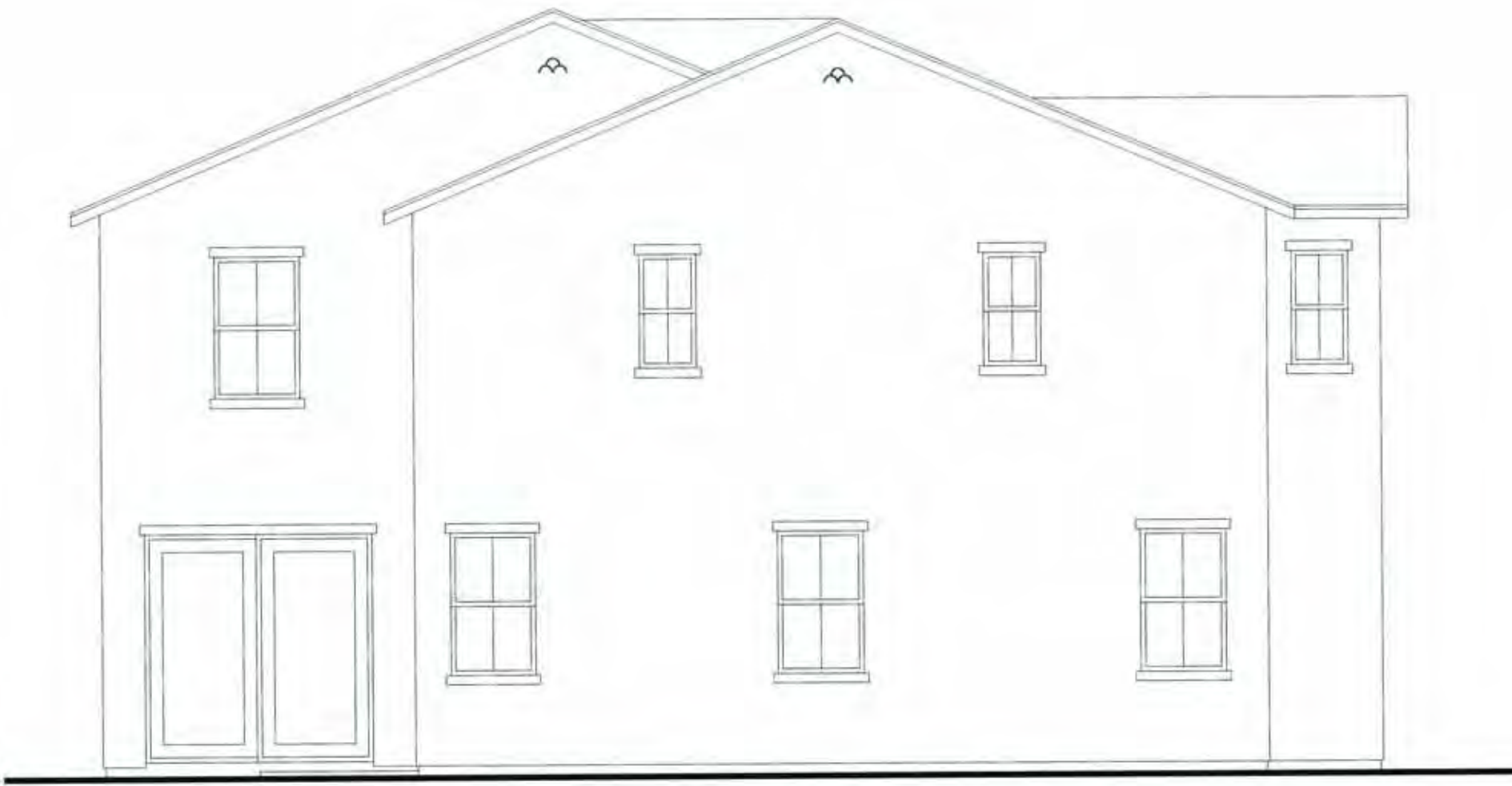


Right Elevation

Plan 1 'B' - Spanish Colonial



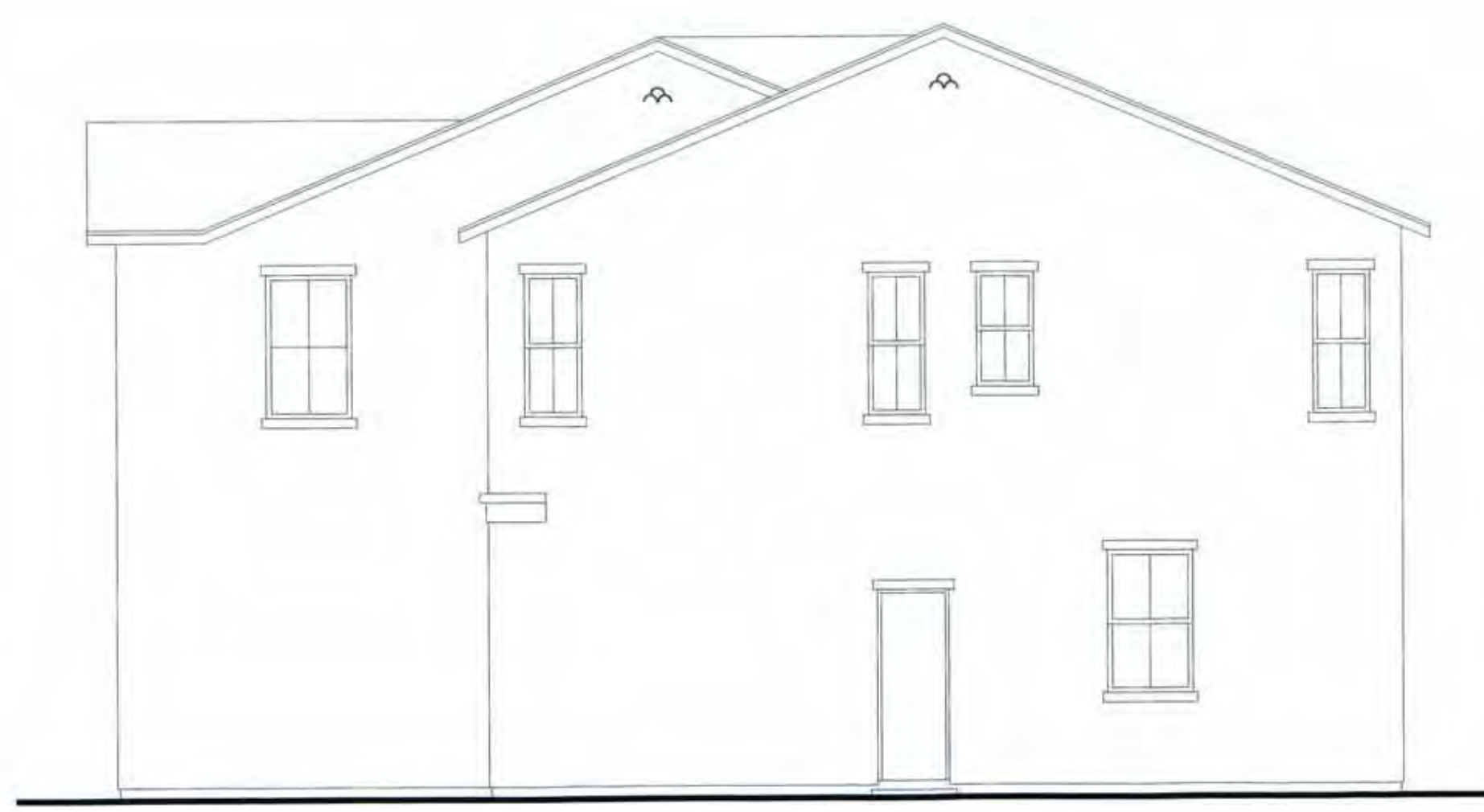
Front Elevation



Left Elevation



Rear Elevation

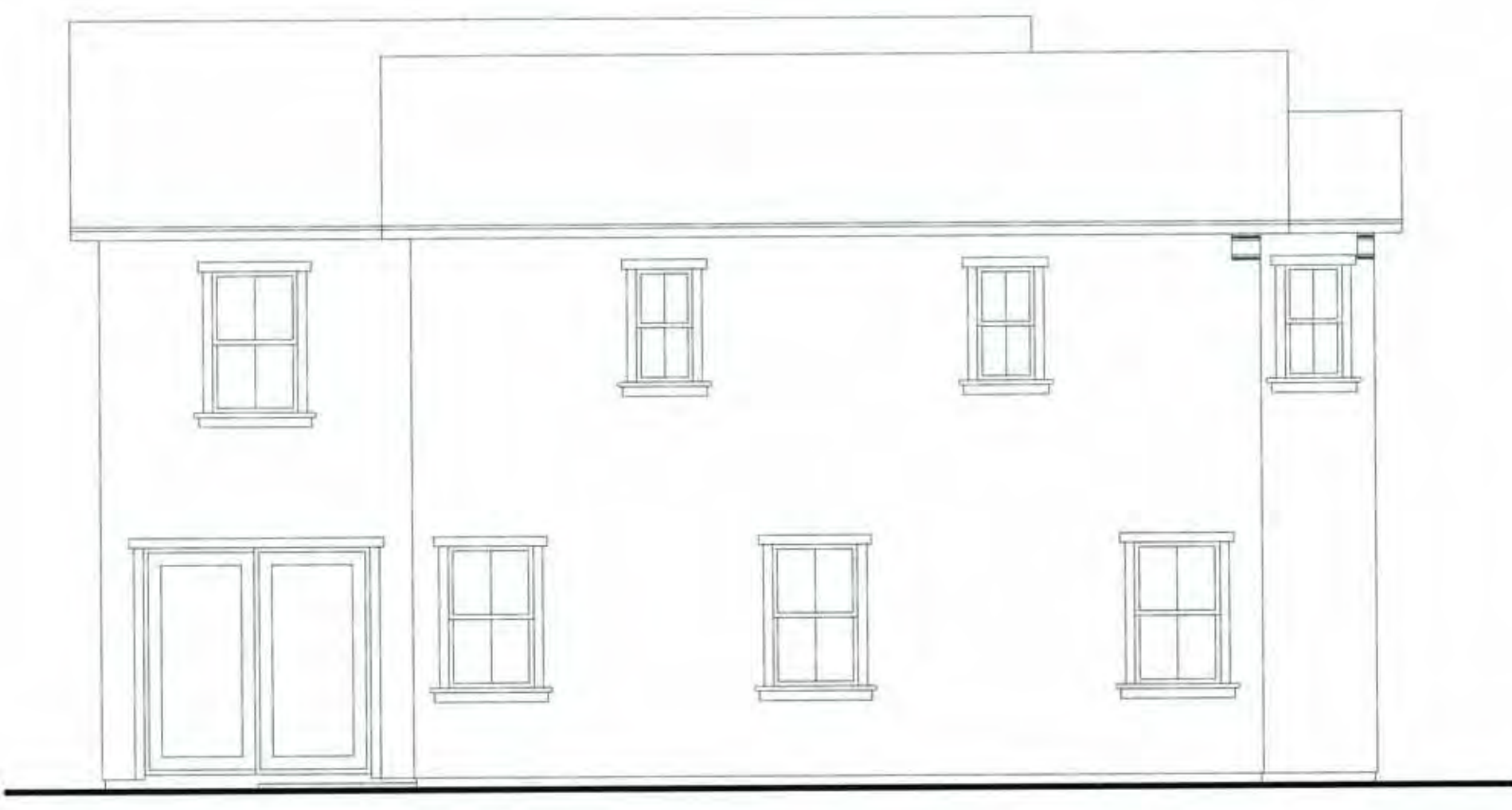


Right Elevation

Plan 1 'A'-Santa Barbara



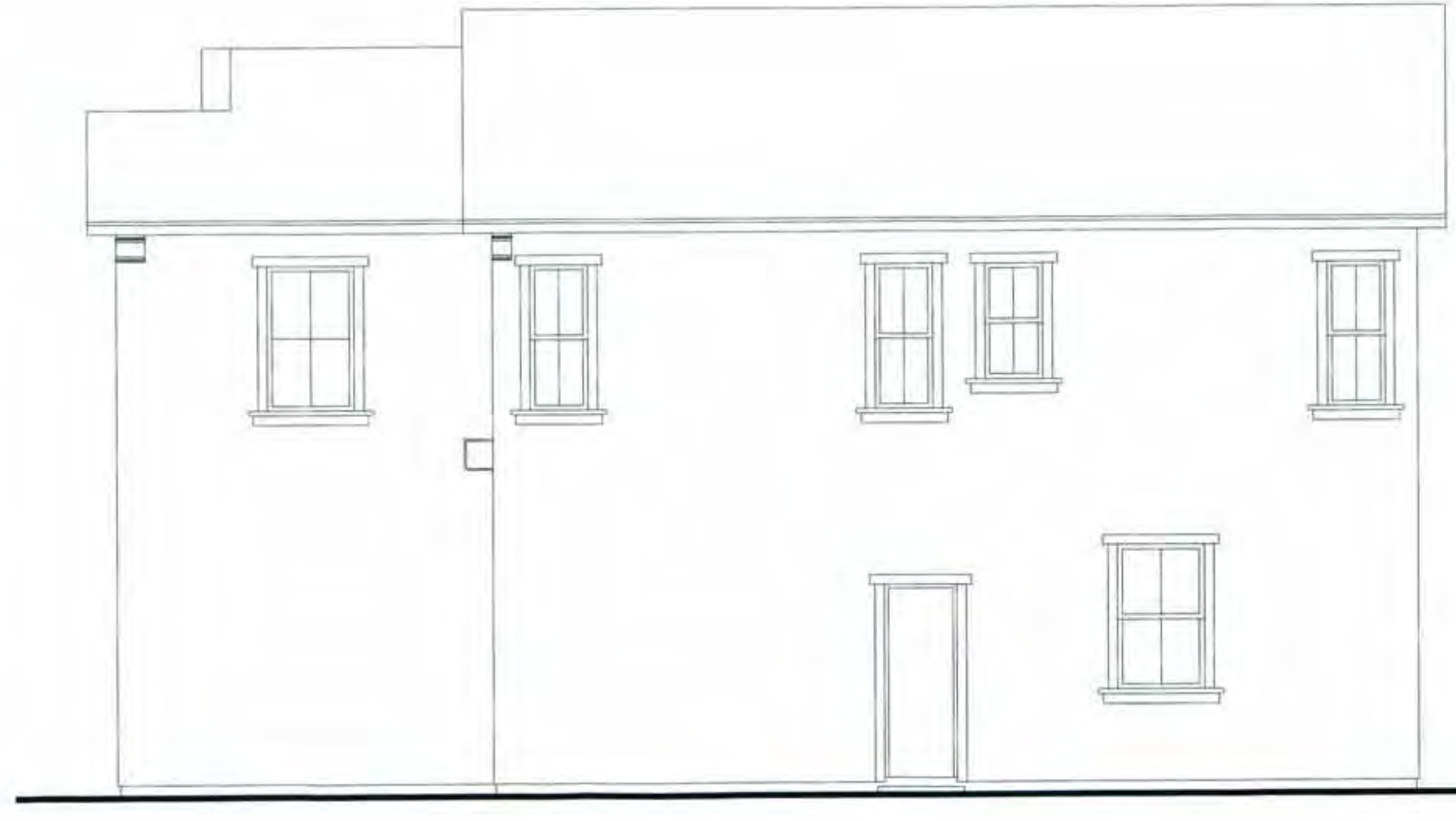
Front Elevation



Left Elevation



Rear Elevation



Right Elevation



EXPEDITE

BUILDING HEIGHTS			
PLAN 1			
LOT NUMBER	LOWEST ADJACENT ELEVATION	ROOF RIDGE ELEVATION	OVERALL STRUCTURE HEIGHT
2	407	421.4	14.4
4	393	414.9	9.9
10	394.5	422.0	32.7
18	390	424.4	34.4
19	405	424.4	21.4
22	418	423.4	4.4
25	417.8	422.3	4.5
26	418.5	422.2	3.6
32	414.2	420.7	6.5
33	414.2	421.6	7.4
34	413.6	421.5	7.4
35	412.5	420.4	8.1
36	410.2	421.4	11.2
41	404	422.9	18.9
44	394.5	422.5	28.0
47	394.5	414.4	25.1
50	394.5	414.4	24.4
53	394	415.7	21.7
56	393	415.7	22.7
58	374	410.7	36.7
66	390.5	415.0	24.5
68	394.5	414.2	24.7
70	343	425.2	82.2
74	412	423.4	11.4
80	406	414.5	13.5
84	395.5	416.0	20.5



DEVELOPER: SEA BREEZE 56, LLC
3525 DEL MAR HEIGHTS ROAD #246
SAN DIEGO, CA 92131
(619) 361-8555

PLANNING: LATITUDE 33 PLANNING & ENGINEERING
5355 MIRA SORRENTO PLACE, SUITE 650
SAN DIEGO, CA 92121
(619) 751-0633 FAX(619) 751-0634

CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING
5355 MIRA SORRENTO PLACE, SUITE 650
SAN DIEGO, CA 92121
(619) 751-0633 FAX(619) 751-0634

CIVIL ENGINEER: HUNSAKER & ASSOCIATES
9707 WAPLES STREET
SAN DIEGO, CA 92121
(619) 558-4500

LANDSCAPE ARCHITECT: NEW LANDSCAPE ARCHITECTURE
928 HORNBELEN STREET
SAN DIEGO, CA 92107
(619) 274-3222 FAX(619) 274-3223

LANDSCAPE ARCHITECT: WELAND & ASSOCIATES INC.
291 SIERRA WAVE
SMALL MEADOWS, CA 92034
(760) 214-1870 FAX(619) 486-4939

ARCHITECT: SADDIE RABINES ARCHITECTS
925 FORT STOCKTON DRIVE
SAN DIEGO, CA 92103
(619) 297-6153 FAX(619) 299-6072

Prepared By: LATITUDE 33 PLANNING & ENGINEERING
Name: 5355 MIRA SORRENTO PLACE, SUITE 650
Address: SAN DIEGO, CA 92121
Phone #: (619) 751-0633
Fax #: (619) 751-0634

Project Address: CARMEL MOUNTAIN ROAD BETWEEN SUNDANCE AVE AND VIA PANACEA

Project Name: MERGE 56

Revision 14: _____
Revision 13: _____
Revision 12: _____
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Revision 6: _____
Revision 5: _____
Revision 4: _____
Revision 3: _____
Revision 2: _____
Revision 1: _____

Original Date: 02-20-2014
Sheet Title: A3.4
PLAN 1 ELEVATIONS
Sheet 35 of 37
DATE: _____
DEP# _____

Plan 2 'C' - Formal Spanish



Front Elevation



Left Elevation



Right Elevation

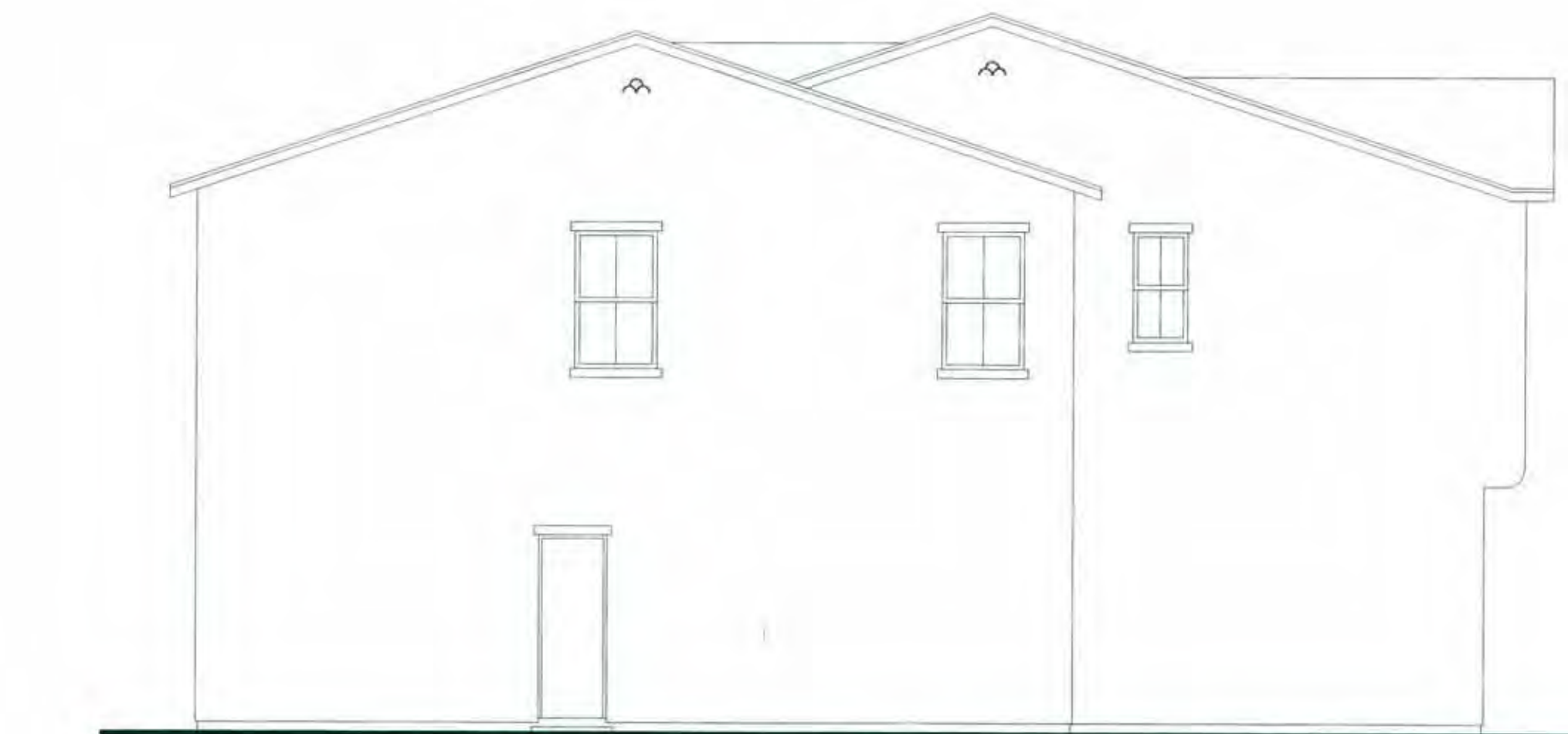
Plan 2 'B' - Spanish Colonial



Front Elevation



Left Elevation



Right Elevation

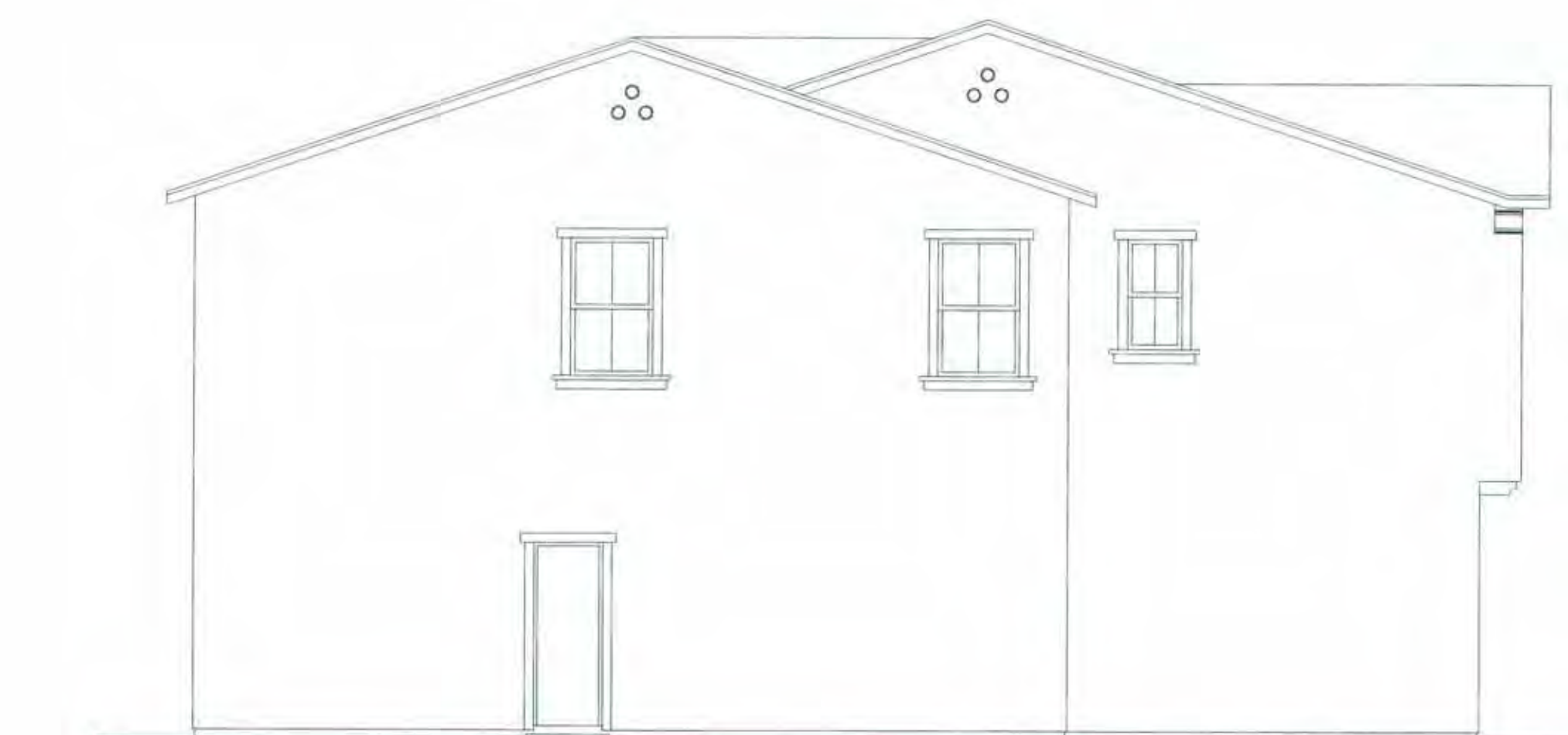
Plan 2 'A'-Santa Barbara



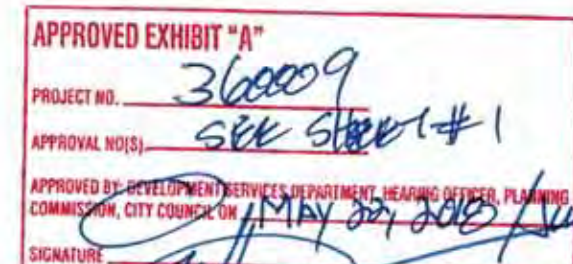
Front Elevation



Left Elevation



Right Elevation



EXPEDITE

BUILDING HEIGHTS				
PLAN 2				
LOT NUMBER	GNEST ADJACENT ELEVATION	ROOF RIDGE ELEVATION	OVERALL STRUCTURE HEIGHT	
1	408.2	420.2	12.0	
2	395.1	414.2	19.1	
3	391.9	411.5	19.6	
4	382.8	406.6	23.8	
5	384.6	420.7	36.1	
6	388	420.4	32.4	
7	391.9	423.9	32.0	
8	404.5	423.5	19.0	
9	415	422.5	7.5	
10	414	422.5	8.1	
11	417	420.7	3.7	
12	415.6	420.7	5.1	
13	410.2	420.3	10.1	
14	409.7	420.2	10.5	
15	409.5	420.4	11.4	
16	404.5	420.7	16.4	
17	394.8	417.5	22.7	
18	391.9	417.5	25.6	
19	387.5	414.1	26.6	
20	384.1	414.1	30.0	
21	380	410.0	30.0	
22	379.6	412.5	32.9	
23	374.2	414.2	39.4	
24	374.5	417.4	42.9	
25	361	422.2	61.2	
26	345	423.5	78.5	
27	401.5	422.6	21.1	
28	422.4	418.0	4.4	
29	388.5	418.2	29.7	



DEVELOPER: SEA BREEZE 56, LLC
3525 DEL MAR HEIGHTS ROAD #248
SAN DIEGO, CA 92130
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PLANNING: LATITUDE 33 PLANNING & ENGINEERING
5355 MIRLA SORRENTO PLACE, SUITE 650
SAN DIEGO, CA 92121
(858) 751-0633 FAX(858) 751-0634

CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING
5355 MIRLA SORRENTO PLACE, SUITE 650
SAN DIEGO, CA 92121
(858) 751-0633 FAX(858) 751-0634

ARCHITECT: HUNSAKER & ASSOCIATES
9707 MARLES STREET
SAN DIEGO, CA 92121
(858) 558-4500

LANDSCAPE ARCHITECT: NERI LANDSCAPE ARCHITECTURE
328 HORNBLAND STREET
SAN DIEGO, CA 92107
(858) 274-3222 FAX(858) 274-3223

LANDSCAPE ARCHITECT: WELAND & ASSOCIATES INC.
291 SIERRA BLVD.
SHAWNEE, OKLAHOMA 74701
(781) 214-1870 FAX(858) 486-4939

ARCHITECT: SANDIE RABINOVICH ARCHITECTS
325 FORT STOCKTON DRIVE
SAN DIEGO, CA 92103
(619) 297-6153 FAX(619) 299-6072

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SAN DIEGO, CA 92121
Phone #: (858) 751-0633
Fax #: (858) 751-0634

Project Address: CARMEL MOUNTAIN ROAD BETWEEN SUNDANCE AVE
AND VIA PANACEA

Project Name: MERGE 56

Revision 14: _____
Revision 13: _____
Revision 12: _____
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Revision 6: _____
Revision 5: _____
Revision 4: _____
Revision 3: _____
Revision 2: _____
Revision 1: _____

Plan 3 'C' - Formal Spanish



Front Elevation

Plan 3 'B' - Spanish Colonial



Front Elevation

Plan 3 'A'-Santa Barbara



Front Elevation



Left Elevation



Left Elevation



Left Elevation

APPROVED EXHIBIT "A"
PROJECT NO. 30009
APPROVAL NO. SEE SHEET #1
APPROVED BY [Signature]
DATE: 7/21/2014

EXPEDITE

BUILDING HEIGHTS				
PLAN 3				
LOT NUMBER	LOWEST ADJACENT ELEVATION	ROOF RIDGE ELEVATION	OVERALL STRUCTURE HEIGHT	
8	421.7	421.6	19.4	
9	398	421.6	23.6	
14	392.1	424.5	32.4	
15	394	424.5	30.5	
20	410	423.5	13.5	
21	411	423.5	6.5	
26	414	421.4	7.4	
27	417	421.4	4.4	
32	418.7	421.6	9.4	
33	414.3	421.5	7.0	
35	391.8	422.1	30.3	
38	422.2	420.1	18.1	
45	398	422.1	24.1	
46	394.5	419.0	24.5	
48	395	419.0	24.0	
54	370	419	48.1	
55	370	419	48.1	
60	364	424.4	48.4	
61	360	423	32.9	
64	364	414.5	30.5	
65	364.2	414.5	28.6	
71	364.2	423.5	24.2	
72	407	423.5	16.6	
76	414.5	420.1	6.1	
79	414.4	414.6	9.2	
74	426.5	414.6	11.1	
82	395.2	414.5	22.6	
83	384	414.5	31.5	

KB HOME
10 MEARLE RE
5230 Pacific Concourse Dr. #330
Los Angeles, CA 90045
(621) 281-0700 Fax: (310) 297-2670

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CIVIL ENGINEER: HUNSAKER & ASSOCIATES
9707 WATLES STREET
SAN DIEGO, CA 92121
(658) 558-4500

LANDSCAPE ARCHITECT: NEIR LANDSCAPE ARCHITECTURE
928 HORNBLENDE STREET
SAN DIEGO, CA 92107
(658) 274-3222 FAX(658) 274-3223

LANDSCAPE ARCHITECT: BELAND & ASSOCIATES INC.
291 SIERRA BLVD
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Project Address: CARMEL MOUNTAIN ROAD BETWEEN SUNDANCE AVE
AND VIA PANACEA

Project Name: MERGE 56

Revision 14: _____
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Original Date: 02-20-2014
Sheet Title: A3.6
PLAN 3 ELEVATIONS
DEP #

Right Elevation

Right Elevation

Right Elevation