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Sheet Title: VESTING TENTATIVE MAP

DEP#

SITE PLAN

ATTACHMENT

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ATTACHMENT 9

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Building 1 North Elevation





Entrance to Parking Lot 1



Building 1 West Elevation

ATTACHMENT 10

ATTACHMENT 2² 10





Building 2 / Bldg. 9 North Elevation (Street A)



Building 2 East Elevation (B Street)



Buidling 2 / Bldg. 9 South Elevation



Building 2 West Elevation

EL 284' MSL CARMEL VALLEY ROAD ATTACHMENT 10



SAN DECO, CA 92/30 BOB/34-2500 (AREBD)784-2599 ANAMING: LATILDE 3J FLANMIG & ENGMEERING 1933 JPANJOUNT DARK, SATE 200 SAN DECO, CA 92/32 BOB/751-0633 FAX (858) 751-0634 NUR. ENGMEER: LATILDE 33 FLANMIG & ENGMEERING 1933 JPANJOUNT DRVK, SATE 200 SAN DECO, CA 92/123 BOB/751-0633 FAX (858) 751-0634

Nome:	
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Address:	1900 MAIN STREET, SUITE 600
	IRVINE CA 92614
Phone #:	(949) 809-3368
Fox #:	(949) 809-3399

SOUTHEAST CORNER OF DEL WAR HEIGHTS ROAD AND CARMEL VALLEY ROAD

PACIFIC HIGHLANDS RANCH VESTING T.M. VILLAGE

Elevations Building 2

CAMPOS DATA ORT BEACH, CA 92660 476-888 FAX (949) 476-8854					
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Nome: MCLARAND VASQUEZ EMSIEK & PARTNERS. IN

	IRVINE CA 92614	
Phone Fax #:		

SOUTHEAST CORNER OF DEL MAR HEIGHTS ROAD AND CARMEL VALLEY ROAD

PACIFIC HIGHLANDS RANCH VESTING T.M. VILLAGE

Elevations Building 3

MCHILLI; NG # PARIMERS 900 MAN ST, 8TH FLR. MME, CA 3261 949) 803-3388 FAX (949) 809-3399 MDSCAPE ARCHITCI; FISCAPES MEMATODAL, AC 9430 CAUPUS DOMC #MPORT BECA, CA 32680 (949) 476-888 FAX (949) 476-8854

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McLaranci Vasquez Emaiek & Partners, Inc.



Building 4 North Elevation (Parking Lot 2)













OWNER/DEVELOPER: PARDEE HOMES
12626 HIGH BLUFF DRIVE, SUITE 100
SAN DECO. CA 92130
(858)794-2500 FAX(858)794-2599
PLANNING: LATITUDE 33 PLANNING & ENCINEERING 1933 PARAMOUNI DRIVE, SUITE 200 SAN DIECO, CA 20(23 GBE) 751–0633 FAX (858) 751–0634
CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERIN 1933 PARAMOUNT DRIVE, SUTE 200 SAN DEGO, CA 92123
658) 751-0533 FAX (858) 751-0634

Name:	MCLARAND VASQUEZ EMSIEK & PARTNERS. INC			
Address:	1900 MAIN STREET. SUITE 800			
Phone #: Fax #:	(949) 809-3388 (949) 809-3399			

SOUTHEAST CORNER OF DEL MAR HEIGHTS ROAD AND CARMEL VALLEY ROAD

PACIFIC HIGHLANDS RANCH VESTING T.M. VILLAGE

Elevations Building 4



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Commercial



Building 6 North Elevation

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US PARAMOL	2 LATITUDE 33 PLANNING & ENGINEERING INT DRVC, SUITE 200 92123 13 FAX (858) 751-0634
ome:	MCLARAND VASQUEZ EMSIEK & PARTNERS. INC
.doress:	1900 MAIN STREET, SUITE 800 IRVINE, CA \$2614
hone #: ax #:	(949) 809-3388 (949) 809-3389
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SOUTHEAST CORNER OF DEL WAR HEICHTS ROAD AND CARNEL VALLEY ROAD

PACIFIC HIGHLANDS RANCH VESTING T.M. VILLAGE

Elevations Building 6

ARCHITECT:
LIVE & PARTNERS
1900 WAIN ST. BTH FLR.
IRWNE, CA 92614
(949) 809-3588 FAX (949) 809-3399
LANDSCAPE ARCHITECT:
LIFESCAPES INTERNATIONAL. INC.
4930 CAMPUS DRIVE
NEMPORT BEACH, CA 92550
(949) 476-888 FAX (949) 476-8854

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cLarand Vasquez Emsiek & Partners, Inc.







Residential

Residential

Building 6 North-West Elevation



Residential

Building 6 North-East Elevation

ATTACHMENT 10











Building 7 East Elevation (Village Center Loop Road) Office



Building 7 South Elevation (Street D) Office Garage Entry



Building 7 West Elevation (Street D) Office

ATTACHMENT 10



ATTACHMENT

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Elevations Building 7

McLarand Vasquez Emaiek & Partners



Building 8 North West Elevation





Building 8 South West Elevation

Residential



Residential



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SOUTHEAST CORNER OF DEL MAR HEICHTS ROAD AND CARNEL VALLEY ROAD

PACIFIC HIGHLANDS RANCH VESTING T.M. VILLAGE

Elevations Building 8

ARCHECC: UF & PARKERS 1900 UAN ST. BTH FIR RHMC, CA 22614 (949) 809-3388 FAX (949) 809-3399 AMDSCHF ARCHECT: UFSCARES INFORMATIONAL AIC 4930 CHURUS DRIVE WHORT BEACK, CA 22660 (949) 476-888 FAX (949) 476-8854



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Parking Summary:

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Building-5	120	137	183		968
Building-6	176	201	495		16
Building-7	0	0	58		100
Building-8	139	191	0		0
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OWNER/DEVELOPER: PARDEE HOMES 12626 HIGH BLUFF DRIVE, SUITE 100 SAN DIEGO, CA 92130 (858)794-2500 FAX(858)794-2599 PLANNING: LATITUDE 33 PLANNING & ENGINEERING 4933 PARAMOUNT DRIVE, SUITE 200 SAN DIEGO, CA 92123 (858) 751-0633 FAX (858) 751-0634 CTML ENGINEER: LATITUDE 33 PLANNING & ENGINEERING 4933 PARAMOUNT DRIVE, SUITE 200 SAN DIEGO, CA 92123 (858) 751-0633 FAX (858) 751-0634

Prepared By: Nome: <u>MCLARAND VASOUEZ EMSIEK & PARINERS, INC</u>

Address:	1900 MAIN STREET, SUITE BOD
	IRVINE, CA. 92614
Phone #:	(949)-809-3388
Fax #:	(949)-809-3399

Project Address: <u>Southeast corner of del mar heights</u> <u>Road and carmel valley road</u>





Revision	13:	
Revision	12:	
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Revision	2:	3-15-2007
Revision	1:	4-5-2006
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PLANNING COMMISSION RESOLUTION NO. VESTING TENTATIVE MAP NO. 433521 PACIFIC HIGHLANDS RANCH VILLAGE PROJECT NO. 7029

WHEREAS, PARDEE HOMES, a California Corporation, and PACIFIC CARMEL AFG, LLC, a California limited liability company, PACIFIC CARMEL MAG, LLC, a California limited liability company, PACIFIC CARMEL RWJ, LLC, a California limited liability company and PACIFIC CARMEL TMJ, LLC, a California limited liability company, collectively known as the GONSALVES OWNERSHIP as Subdivider/Applicant, and JOHN EARDENSOHN, Engineer, submitted an application with the City of San Diego for a Vesting Tentative Map, No. 433521, for the subdivision and development of a project with 294 residential units, 195,000 square feet of commercial retail space, 20,000 square feet of commercial office space, a proposed parcel for a future public library and a civic use area, with specific deviations to the requirements of the Land Development Code. The project site is located at the northeast corner of Carmel Valley Road and Del Mar Heights Road in the CC-1-3 and Urban Village Overlay Zones of the Pacific Highlands Ranch Subarea Plan; and

WHEREAS, the Map proposes the subdivision of a 27.67 acre site into twenty-two lots; lots 1, 11 and 12 for commercial use, lot 8 for parking, lots 2, 3 and 4 for commercial use and parking, lots 6, 7, 14, 15 and 16 for residential use, lots 5, 9, 10, 13, 18 and 19 for mixed use, lot 17 for cinemas and commercial use, lot 20 for main street, village square and HOA, lot 21 for public library site and parking and lot 22 for HOA; and

WHEREAS, a portion of the map is a subdivision condominium project as defined in section 1350 et.seq. of the civil code of the state of California and is filed pursuant to the Subdivision Map Act. The number of residential condominium units in lot 5 and 6 is 67, in lot 7,9, and 10 is 63, in lot 13 is 1, in lot 14 is 75, in lot 15 is 41, in lot 16 is 26, in lot 18 is 14 and in lot 19 is 7. The total number of residential condominium dwelling units is 294.

WHEREAS, the conclusions of the Findings to Master Environmental Impact Report No. 96-7918 included specific mitigation for the potential impacts resulting from the implementation of the project at the site, as also included in the Master Environmental Impact Report No. 96-7918. The Master Environmental Impact Report No. 96-7918 addressed impacts to biological resources and instituted the appropriate mitigation. Therefore, the potential impacts associated with the proposed project would be adequately addressed. No new mitigation set will be required for the proposed project and the mitigation in the Master Environmental Impact Report No. 96-7918 will mitigate all impacts to below a level of significance; and

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

Project No. 7029 VTM No. 433521 INSERT APPROVAL DATE

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 294; and

WHEREAS, the Subdivider will continue to be required to underground any new service run to the proposed structures within the subdivision; and

WHEREAS, on HEARING DATE, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 433521 and pursuant to Section 125.0440 of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 433521:

- 1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (Land Development Code Section 125.0440.a and State Map Action Sections 66473.5, 66474(a), and 66474(b)). The proposed uses of the lots shown on the Vesting Tentative Map are consistent with the Pacific Highlands Ranch Subarea Plan which identifies these sites for a mixed-use development combining residential single family and multi-family market-rate housing and affordable housing, community serving commercial and retail space in a mixed-use village core with a retail/employment/office center; a library, transit center; a village urban core, civic activities such as community meeting rooms, pedestrian plaza and town green and other on- and off-site infrastructure improvements. The project site is situated within the master planned community of Pacific Highlands Ranch. The proposed project is a master planned, mixed use residential/commercial development on a 27.67 acre site designated for Mixed-Use Community Commercial uses in the Pacific Highlands Ranch Subarea Plan. Further the design and implementation of the proposed project will achieve the goal, policies and objectives of the Pacific Highlands Ranch Subarea Plan.
- 2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 125.0440.b). The proposed development complies with the regulations of the CC-1-3 and Urban Village Overlay Zones and site-specific development regulations for the property, as allowed through the approval of a Planned Development Permit. Five deviations are approved with the project and are described as follows: 1) Minimum side and rear yard setback; 2) Rear yard setback; 3) Ground floor use restrictions affecting parking and residential uses; 4) Building Height, and 5) Minimum lot width and street frontage. The proposed

Project No. 7029 VTM No. 433521 INSERT APPROVAL DATE

development complies with all relevant regulations of the Land Development Code, as allowed through the approval of a Planned Development Permit. Specific conditions of approval require the continued compliance with all relevant regulations of the City of San Diego effective for this site and have been written as such into Planned Development Permit No. 12852, Site Development Permit No. 433515 and Conditional Use Permit No. 628324. Development of the property will meet all requirements of these regulations. Concept plans for the project identify all other development criteria in effect for the site. All relevant regulations shall be complied with at all times for the life of the project. In these ways the proposed development will comply with the applicable and relevant regulations of the Land Development Code.

- 3. The site is physically suitable for the type and density of development (Land Development Code Section 125.0440.c and State Map Act Sections 66474(c) and 66474(d)). The conclusions of several technical and scientific reports specifically concerned with determining the suitability of the site for the type and density of the proposed development concluded that in fact the site is suitable for both the type and density of the proposed project. The results of water and wastewater analysis, geotechnical, traffic analysis, water quality technical report and drainage and hydrology, and biology studies concluded individually the physical suitability of the site for the type and density of the proposed development.
- 4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat (Land Development Code Section 125.0440.d and State Map Act Section 66474(e)). The conclusions of several technical and scientific reports specifically concerned with determining the suitability of the site for the type and density of the proposed development concluded that in fact the site is suitable for both the type and density of the proposed project. The results of water and wastewater analysis, geotechnical, traffic analysis, water quality technical report and drainage and hydrology, and biology studies concluded individually the physical suitability of the site for the type and density of the proposed development. In addition and more specifically the conclusions of the Findings to Master Environmental Impact Report No. 96-7918 included specific mitigation for the potential impacts resulting from the implementation of the project at the site, as also included in the Master Environmental Impact Report No. 96-7918. The Master Environmental Impact Report No. 96-7918 addressed impacts to biological resources and instituted the appropriate mitigation. Therefore, the potential impacts associated with the proposed project would be adequately addressed. No new mitigation set will be required for the proposed project and the mitigation in the Master Environmental Impact Report No. 96-7918 will mitigate all impacts to below a level of significance. Therefore, the subdivision or the proposed improvements will not

likely cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat.

- 5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (Land Development Code Section 125.0440.e and State Map Act Section 66474(f)). The proposed subdivision will construct necessary sewer and water facilities to serve the residents and occupants of the development; will enter into a Maintenance Agreement for the ongoing permanent Best Management Practices [BMP's] maintenance; will comply with all requirements of State Water Resources Control Board [SWRCB] Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01 (NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. The subdivision will also provide for the health. safety, and welfare of the residents and occupants by constructing all buildings in accordance with current construction standards and codes. All structures constructed will be reviewed by professional staff for compliance with all relevant and applicable building, electrical, mechanical and fire codes to assure the structures will meet or exceed the current regulations. As such the proposed subdivision will not be detrimental to the public health, safety, and welfare.
- 6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (Land Development Code Section 125.0440.f and State Map Act Section 66474(g)). There are no existing easements acquired by the public at large for access through of use of property within the subdivision, therefore there will be no affects to the public with regard to any rights to pass across or for use of the property within the subdivision.
- 7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Land Development Code Section 125.0440.g and State Map Act Section 66473.1). The design of the proposed subdivision will provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. Examples of passive or natural heating opportunities in the subdivision design, include the design of lot size and configuration to permit orientation of a structure in an east-west alignment for southern exposure. Examples of passive or natural cooling opportunities in subdivision design include design of lot size and configuration to permit orientation of a structure to take advantage of shade or prevailing breezes. In providing for future passive or natural heating or cooling opportunities in the design of the proposed subdivision, consideration will be given to the local climate, to landform contours, to the configuration of the parcels to be divided, and to other design and improvement requirements, and such provisions will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning

and zoning in force at the time the tentative map is filed. For the purposes of this section, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, and technological, environmental and social factors.

- 8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Land Development Code Section 125.0440.h and State Map Act Section 66412.3). The proposed subdivision will provide 294 dwelling units. These dwelling units will assist the City in meeting the housing needs of the City, and region, which has determined to be experiencing a housing crisis. Additionally, the development of these 294 dwelling units will be balanced against their need for public services and available fiscal and environmental resources through the payment of property taxes, utility charges, economic stimulus effects, and diversity of contributions. Further, the Subdivider has entered into a Master Affordable Housing Agreement with the San Diego Housing Commission which addresses the Pacific Highlands Ranch Subarea and will enter into a subsequent agreement specifically for the proposed project, thus affordable housing will continue to be provided by the development of new housing in the subarea and will further the goals of providing housing to a wide spectrum of citizens to enhance and further the goals of the city of San Diego. All necessary public facilities within the subarea will be provided as planned in the public facilities financing plan. The decision maker has determined the proposed subdivision and resulting development will balance the needs of the region with the fiscal and environmental resources of the City, region, state, and country.
- 9. That said Findings are supported by the minutes, map(s), and exhibits, all of which are herein incorporated by reference. The said findings stated above are supported by the drawings, design guidelines, subarea plan, and all other relevant documents and reports used in the review process for evaluating the proposed subdivision and are a part of the official record for these decisions.

BE IT FURTHER RESOLVED that, based on the Findings hereinbefore adopted by the Planning Commission, Vesting Tentative Map No. 433521, is hereby granted to PARDEE HOMES, a California Corporation, Subdivider/Applicant, subject to the following conditions:

GENERAL

1. This Vesting Tentative Map will expire [INSERT DATE - 3 YEARS FROM DECISION DATE].

Project No. 7029 VTM No. 433521 INSERT APPROVAL DATE

- 2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to recording the Final Map, unless otherwise noted.
- 3. Prior to recording the Final Map taxes must be paid on this property pursuant to section 66492 of the Subdivision Map Act. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition
- 4. The Final Map shall conform to the provisions of Planned Development Permit No. 12852, Site Development Permit No. 433515 and Conditional Use Permit No. 628324.
- 5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"] harmless from any claim, action, or proceeding, against any Indemnified Party to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, and defends the action in good faith. The Subdivider shall not be required to pay or perform any settlement unless such settlement is approved by the Subdivider.

ENGINEERING

- 6. Pursuant to City Council Policy 600-20, the Subdivider shall provide evidence to ensure that an affirmative marketing program is established.
- 7. The drainage system proposed for this subdivision, as shown on the approved Vesting Tentative Map, is private and subject to approval by the City Engineer.
- 8. The Subdivider shall obtain an Encroachment Maintenance and Removal Agreement, for a portion of the private drainage system within the public right of way that connects to the existing 60 inch RCP pipe.
- 9. This subdivision is in a community plan area designated in the General Plan as "Planned Urbanizing". As such, special financing plans have been, or will be, established to finance the public facilities required for the community plan area. Therefore, in connection with Council approval of the final map, the Subdivider shall comply with the provisions of the financing plan then in effect for this community plan area, in a manner satisfactory to the Development Services Manager. This compliance shall be achieved by entering into an agreement for

the payment of the assessment, paying a Facilities Benefit Assessment (FBA) or such other means as may have been established by the City Council.

- 10. Prior to the issuance of grading permits, a geotechnical investigation report shall be required that specifically addresses the proposed grading plans and cites the City's Job Order number and Drawing number. The geotechnical investigation shall provide specific geotechnical grading recommendations and include geotechnical maps, using the grading plan as a base, that depict recommended location of sub-drains, location of outlet headwalls, anticipated removal depth, anticipated over-excavation depth, and limits of remedial grading.
- 11. The Subdivider 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.
- 12. Compliance with all conditions shall be assured, to the satisfaction of the City Engineer, prior to recording the Final Map, unless otherwise noted.
- 13. The Subdivider is permitted to file up to five final maps. The Subdivider has requested approval to file final maps out of numerical sequence. This request is approved, subject to the provision that the City Engineer can review the off-site improvements in connection with each unit.
- 14. The Subdivider has reserved the right to record multiple final maps over the area shown on the approved Vesting Tentative Map. In accordance with Article 66456.1 of the Subdivision Map Act, the City Engineer shall retain the authority to review the areas of the Vesting Tentative Map the Subdivider is including in each final map. The City Engineer may impose reasonable conditions relating to the filing of multiple final maps, in order to provide for orderly development, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.
- 15. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB.
- 16. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the

owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99 08 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99 08 DWQ.

- 17. The Subdivider shall comply with all current street lighting standards according to the City of San Diego Street Design Manual, known as Document No. 297376, filed November 25, 2002, and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 by Resolution R-296141, satisfactory to the City Engineer. This may require, but not be limited to, installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.
- 18. The Subdivider shall underground existing and/or proposed public utility systems and service facilities within the subdivision in accordance with the San Diego Municipal Code.
- 19. 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.
- 20. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.

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

MAPPING

- 21. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
- 22. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
- 23. The Final Map shall:

- a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
- b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

WASTEWATER

- 24. Prior to issuance of an engineering permit for public improvements, the Subdivider shall provide an acceptable sewer study, satisfactory to the Metropolitan Wastewater Department Director, for all proposed public sewer facilities in accordance with the City of San Diego's current sewer design guide to determine appropriate sewer facilities needed to serve this development and for the drainage basin in which it lies, and to show that the proposed public sewer facilities will have adequate capacity and cleansing velocities.
- 25. All proposed public sewer facilities are to be designed and constructed in accordance with established criteria in the most current City of San Diego sewer design guide. Proposed facilities that do not meet the current standards shall be private or re-designed.
- 26. The Subdivider shall install all sewer facilities required by the accepted sewer study, necessary to serve this development. Sewer facilities as shown on the approved tentative map will require modification based on the accepted sewer study.
- 27. The Subdivider shall design and construct all proposed private sewer facilities serving more than one lot to the most current edition of the City of San Diego's sewer design guide. Improvement drawings are required for private sewer facilities serving more than one lot.
- 28. The Subdivider shall provide evidence, satisfactory to the Metropolitan Wastewater Department Director, indicating that each building/dwelling unit will have its own sewer lateral or provide CC&R's for the operation and maintenance of on-site private sewer facilities that serve more than one unit.

- 29. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.
- 30. Provide an Encroachment Removal Agreement for and prior to proposed improvements of any kind, including utilities, landscaping, enriched paving, and electrical conduits to be installed within the public right-of-way or public easement.
- 31. No structures or landscaping that would inhibit vehicular access will be installed in or over any sewer easement. No shrubs more than two feet in height at maturity are allowed within any sewer easements. No trees are allowed within 10 feet of any Public Sewer Mains or Sewer Laterals. No pressurized landscape irrigation mains or electrical facilities are allowed within any Sewer Easements.
- 32. No other utilities, including gas, electric, telephone and fiber optic cable, shall be located within ten feet of any public sewer main when these utilities are installed parallel to the sewer main. General Utility Easements in private roads and driveways shall be sized with sufficient width to provide for other agencies facilities. In side yards or other non street areas, a General Utility Easement must be dedicated for the exclusive use of the City of San Diego or the Metropolitan Wastewater Department. Other agencies will require separate easements.

WATER

- 33. The Subdivider shall design and construct all public water facilities as required in the accepted water study for this project, necessary to serve this development in a manner satisfactory to the Director of Public Utilities and the City Engineer. Water facilities, as shown on the approved vesting tentative map, will require modification based on the accepted water study and final engineering.
- 34. The Subdivider agrees to design and construct all proposed public water facilities, including services and meters, in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public water facilities and associated easements, as shown on the approved vesting tentative map Exhibit "A", shall be modified at final engineering to comply with standards. Proposed facilities that do not meet the current standards shall be private.
- 35. The Subdivider shall install fire hydrants at locations satisfactory to the Fire Marshal, the Director of Public Utilities and the City Engineer. If more than two fire hydrants or thirty dwelling units are located on a dead-end water main then the Subdivider shall install a redundant water system satisfactory to the Director of Public Utilities.

- 36. The Subdivider shall grant adequate water easements, including vehicular access to each appurtenances, meters; blow offs; valves; fire hydrants; et cetera, for all public water facilities that are not located within fully improved public right-of-ways, satisfactory to the Director of Public Utilities. Easements shall be located within singles lots, when possible, and not split longitudinally. Vehicular access roadbeds shall be a minimum of twenty feet wide and surfaced with suitable approved material satisfactory to the Director of Public Utilities and the City Engineer.
- 37. Grants of water easements shall have a the following minimum widths: water mains with no appurtenances including valves shall be fifteen feet wide; water mains with services or fire hydrants shall have twenty-four feet of paving and full height curbs. Fire hydrants within easements having no curbs or rolled curbs shall have protective posts. Easements, as shown on the approved vesting tentative map, will require modification based on standards and final engineering.
- 38. The Subdivider shall process encroachment maintenance and removal agreements, for all acceptable encroachments into the water easement, including but not limited to structures, enhanced paving, or landscaping. No structures or landscaping of any kind shall be installed in or over any vehicular access roadway.
- 39. The Subdivider shall provide CC&Rs for the operation and maintenance of any on-site private water facilities that serve or traverse more than a single dwelling unit or common area.
- 40. For any portion of the subdivision which will have gated access, then the Subdivider shall provide keyed access to the Water Operations Division of the Water Department in a manner satisfactory to the Director of Public Utilities. The City will not be responsible for any issues that may arise relative to the availability of keys.

GEOLOGY

41. Prior to the issuance of a grading permit, a geotechnical report shall be submitted and approved by the City Engineer in accordance with the City of San Diego's "Technical Guidelines for Geotechnical Reports."

TRANSPORTATION

42. Prior to recording the first final map, the Subdivider shall assure by permit and bond the construction of Carmel Valley Road from SR-56 to Subarea IV/Torrey Highlands boundary as a six lane/four lane modified major street. The Subdivider shall dedicate 146' of right-of-way and shall provide a minimum of 126 of curb to curb distance, curb, gutter and five foot wide sidewalk within a ten foot curb to property line distance then transitioning to a minimum curb to curb width of 102 feet within 128 feet of right-of-way east of Del Mar Heights Road, satisfactory to the City Engineer.

- 43. Prior to recording the first final map, the Subdivider shall assure by permit and bond the modification of the traffic signal at the intersection of Carmel Valley Road/Street "A," satisfactory to the City Engineer.
- 44. Prior to recording the first final map, the Subdivider shall assure by permit and bond the modification of the traffic signal at the intersection of Village Center Loop Road/Driveway "E," satisfactory to the City Engineer.
- 45. Prior to recording the first final map, the Subdivider shall assure by permit and bond the modification of the traffic signal at the intersection of Village Center Loop Road/Street "C," satisfactory to the City Engineer.
- 46. Prior to recording the first final map, the Subdivider shall assure by permit and bond the construction of Street "A" as a four lane modified urban collector street. The Subdivider shall dedicate 114 feet of right-of-way and shall provide a minimum of 84 feet curb to curb distance, curb, gutter and 15 foot wide sidewalk within 15 foot curb to property line, satisfactory to the City Engineer.
- 47. Prior to recording the first final map, the Subdivider shall assure by permit and bond the construction of Street "B" as a two lane modified urban collector street. The Subdivider shall dedicate 99 feet of right-of-way and shall provide a minimum of 69 foot curb to curb distance, curb, gutter and 15 foot wide sidewalk within 15 foot curb to property line, satisfactory to the City Engineer.
- 48. Prior to recording the first final map, the Subdivider shall assure by permit and bond the construction of Street "C" as a two lane modified urban collector street. The Subdivider shall dedicate 99 feet of right-of-way and shall provide a minimum of 69 feet curb to curb distance, curb, gutter and 15 foot wide sidewalk within 15 foot curb to property line, satisfactory to the City Engineer.

INFORMATION:

• The approval of this Vesting Tentative Map by the Planning Commission of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).

- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
- Any party, on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Vesting Tentative Map, may protest the imposition within 90 days of the approval of this Vesting Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.
- Where in the course of development of private property, public facilities are damaged or removed the property owner shall at no cost to the City obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer. Municipal Code Section 142.0607.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SAN DIEGO, CALIFORNIA, ON HEARING DATE [IN CAPS].

By

John S. Fisher Development Project Manager Development Services Department

Job Order No. 421524

PLANNING COMMISSION RESOLUTION NO. PLANNED DEVELOPMENT PERMIT NO. 12852, SITE DEVELOPMENT PERMIT NO. 433515 and CONDITIONAL USE PERMIT NO. 628324 PACIFIC HIGHLANDS RANCH VILLAGE PROJECT NO. 7029

WHEREAS, PARDEE HOMES, a California Corporation, Owner/Permittee, filed an application with the City of San Diego for a permit to subdivide and develop a project with 294 residential units, 195,000 square feet of commercial retail space, 20,000 square feet of commercial office space, a transit center, community library site and a civic use area (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Planned Development Permit No. 12852, Site Development Permit No. 433515 and Conditional Use Permit No. 628324), on portions of a 27.67 acre site;

WHEREAS, the project site is located at the northeast corner of Carmel Valley Road and Del Mar Heights Road in the CC-1-3 and Urban Village Overlay Zones of the Pacific Highlands Ranch Subarea Plan;

WHEREAS, the project site is legally described as being a subdivision of Parcel 2 of Parcel Map No. 18971, filed May 23, 2002 as File No. 2002-0439514 of Official Records together with a portion of the west half of the northwest quarter of section 15, township 14 south, range 3 west, San Bernardino Meridian, according to official plat thereof, all lying northerly and westerly of the San Diego Freeway 56, as described in deed recorded December 28, 2001 as File No. 2001-0965036 and February 26, 2002 as File No. 2002-0161208 of Official Records;

WHEREAS, on V13 - DATE, the Planning Commission of the City of San Diego considered Planned Development Permit No. 12852, Site Development Permit No. 433515 and Conditional Use Permit No. 628324 pursuant to the Land Development Code of the City of San Diego;

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

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

FINDINGS:

Planned Development Permit - Section 126.0604(a)

1. The proposed development will not adversely affect the applicable land use plan. The proposed development of 294 residential units, 195,000 square feet of commercial retail space, 20,000 square feet of commercial office space, a proposed parcel for a future public library and a civic use area is consistent with the Pacific Highlands Ranch Subarea Plan. The Pacific Highlands Ranch Subarea Plan envisions the proposed project area as a high density, pedestrian-oriented community with residential, commercial office, retail, and a civic-use area. The compact mixed-use development creates an interactive neighborhood, and draw residents to the focal point of the community, the Village Square. Therefore, the proposed development implements the Pacific Highlands Ranch community design guidelines, as well as goals and objectives of the Subarea Plan, and will not adversely affect the applicable land use plan.

The project was deemed complete on May 14, 2003 prior to the update of the General Plan in March 2008. Therefore, the project was reviewed with consideration of the policies of the previous General Plan. The project is consistent with the broader goals and objectives of updated General Plan of 2008 and the specific land use deviations. The project will incorporate many sustainable features into the project.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The development will provide 294 residential units, 195,000 square feet of commercial retail space, 20,000 square feet of commercial office space, a proposed parcel for a future public library and a civic use area. The proposed project will support the provision of public services; such as, police, fire, medical, schools, public parks and libraries through the payment of Facilities Benefit Assessment fees due prior to the issuance of building permits. The proposed project will provide the necessary sewer and water facilities to serve the residents and businesses within the development. Pacific Highlands Ranch is served by Police and Fire services with response times consistent with the City's General Plan Standards.

The 294 multi-family dwelling units will contribute to the City of San Diego housing shortage and provide affordable units in accordance with the Pacific Highlands Ranch Master Affordable Housing Program. The proposed project will incorporate energy and water efficient materials and efficiency strategies, and has been planned and designed to conform with the wide variety of 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 proposed project is sensitive to the natural open space and view opportunities surrounding the project and is designed to provide a quality development that will not be detrimental to the public health, safety, and welfare.

The proposed development will provide public benefits which would not have occurred otherwise. The proposed project will provide all necessary sewer and water facilities to serve the residents and businesses within the development; will enter into a Maintenance Agreement for the ongoing permanent Best Management Practices [BMP's] maintenance; will comply with all requirements of State Water Resources Control Board [SWRCB] Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01 (NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. The conditions of approval for the project will require compliance with several operational constraints and development controls intended to assure the continued public health, safety, and welfare. The development will also provide for the health, safety, and welfare of the residents by constructing all buildings in accordance with current construction standards and codes. All structures constructed will be reviewed by professional staff for compliance with all relevant and applicable building, electrical, mechanical and fire codes to assure the structures will meet or exceed the current regulations.

The residential component of the project, 294 multi-family dwelling units, will contribute to and decrease the existing housing shortage and will provide 72 or 80 affordable units in accordance with the Pacific Highlands Ranch Master Affordable Housing Program. As such the proposed development will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the regulations of the Land Development Code. The development will provide 294 residential units, 195,000 square feet of commercial

retail space, 20,000 square feet of commercial office space, a proposed parcel for a future public library and a civic use area. The proposed development complies with the regulations of the CC-1-3 Zone and site-specific development regulations for the property, as allowed with the approval of a Planned Development Permit. In order to create a more desirable project, implement the goals of the Pacific Highlands Ranch Subarea Plan and comply with the Urban Village Overlay zone, the deviations requested are appropriate for the location and for this development. The requested deviations are necessary for building height, lot width, frontage, setbacks, and residential ground floor parking restrictions. The proposed development will comply with all other applicable requirements, including density, floor area ratio, street design, grading and landscaping, of the CC-1-3 Zone, as allowed through a Planned Development Permit, reflecting the desired objectives and goals for the site as described in the Pacific Highlands Ranch Subarea Plan. The proposed project has been determined to not interfere with the airspace regulated by the Federal Aviation Administration and Marine Corps Air Station Miramar or local airport land use regulations.

4. The proposed development, when considered as a whole, will be beneficial to the community. The development will provide 294 residential units, 195,000 square feet of commercial retail space, 20,000 square feet of commercial office space, a proposed parcel for a future public library and a civic use area. Many amenities will be available to the surrounding Pacific Highlands Ranch residents, such as, groceries, restaurants, shopping, entertainment, employment, and civic-use gathering areas/public open space. The development will contribute needed market rate housing and affordable housing for people earning sixty-five percent of the area median income, commercial space for retail business, retail space for a theater entertainment complex, commercial office space and a legal parcel for the development of a public library. The proposed design is consistent with the objectives and goals described and identified in the Pacific Highlands Ranch Subarea Plan for this site. When considered as a whole, the proposed development with all the opportunities and services it will bring to the community will be beneficial to the community.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone. The development will provide 294 residential units, 195,000 square feet of commercial retail space, 20,000 square feet of commercial office space, a proposed parcel for a future public library and a civic use area. In order to create a more desirable project, implement the goals of the Highlands Ranch Subarea Plan and comply with the Urban Village Overlay zone, the deviations requested are appropriate for this location and for the proposed development. The requested deviations necessary for the project address building height, minimum lot width, minimum lot frontage, yard setbacks, residential ground floor parking restrictions and parking lot trees on the roof deck of parking structures. Deviations, as allowed by the approval of a Planned Development Permit, are required to approve the proposed project. The project will include six deviations:

a. LDC Section 131.0531, Table 131-05E, Maximum Building Height

As required by the CC-1-3 Zone, the maximum building height limit is forty-five feet. The Pacific Highlands Ranch Village theme and design will provide architectural elements to enhance the buildings and the overall aesthetic appearance of the project. A building height deviation is necessary to implement the concepts envisioned in the community design element of the Pacific

Highlands Ranch Subarea Plan for the proposed project. Consistent with the Pacific Highlands Ranch Subarea Plan, the proposed project focuses the composition of land uses in a compact development to reduce the dependency on automobile, improve air quality and promote high quality, interactive neighborhoods.

b. LDC Section 131.0531, Table 131-05E; Minimum Lot Width, Minimum Street Frontage, and Minimum Yard Setbacks

Three sets of deviations relate to the minimum lot standards of lot width, street frontage, and setbacks. Given that the property is unique in shape, and is within the Urban Village Overlay zone, there are twenty-two differing lot configurations and sizes for each specific land use. Several lots have unique configurations and/or lack public street frontage. The lots that deviate from the underlying zone based on the minimum 100' lot width are Lots 5, 9, 11, 12, 13, 16 and 19. These lots widths range from 61 feet to 87 feet. The lots that deviate from the minimum 100' public street frontage requirement are Lots 8, 11, 12, 13, 15, 16, 17, 19 and 20. These lots frontages range from zero to 82 feet. The CC-1-3 Zone requires zero or ten foot front and rear setbacks, however Lot 14 is situated as such that the rear setback is less than ten feet. Consistent with the Pacific Highlands Ranch Subarea Plan, the proposed project focuses the composition of land uses in a compact development to reduce the dependency on automobile, improve air quality and promote high quality, interactive neighborhoods.

c. LDC Section 131.0540(c); Ground Floor Restriction

The fifth deviation is the residential ground floor parking restriction. The ground floor parking occurs on land locked parcels, away from the streets 'A' and 'B'. Consistent with the Pacific Highlands Ranch Subarea Plan, the proposed project focuses the composition of land uses in a compact development to reduce the dependency on automobile, improve air quality and promote high quality, interactive neighborhoods.

d. LDC Section 131.0540(c) and Table 142-04D Vehicle Use Area Requirements; One tree within thirty feet of each parking space

The sixth deviation is to allow an alternative to providing trees in containers on the roof deck of a parking structure. The purpose of trees in parking lots is to create shading of the pavement to reduce the heat island effect and improve the appearance of large expansive parking areas. The proposed trellis structures would provide a quality and quantity of shading on the parking deck of Lot 8/Building 5 superior to trees living in containers. The shade created by trellis structures would be immediate and permanent upon completion of the project. Trees installed in containers on the top deck of the parking structure would experience a shorter life cycle than if planted in the ground and never attain the amount of shade as would be permanently provided by the trellis structures. The regulation requires approximately twenty trees on the roof of proposed Lot 8/Building 5 parking structure. In lieu of trees in containers the proposal is to provide approximately 11,680 square feet of permanent trellis structure over eighty-nine percent of the trellis structures would provide instantaneous shading of the covered area on the roof while reducing the reflected heat from the parking structure.
As the project implements a unique design, many of the lots relate to the proposed uses rather than strict compliance with the CC-1-3 Zone regulations. To implement the design goals of the Subarea Plan and the Urban Village Overlay Zone, these deviation requests are necessary. Consistent with the Pacific Highlands Ranch Subarea Plan, the proposed project focuses the composition of land uses in a compact development to reduce the dependency on automobile, improve air quality and promote high quality, interactive neighborhoods.

Site Development Permit - Section 126.0504(a)

1. The proposed development will not adversely affect the applicable land use plan. The proposed development of 294 residential units, 195,000 square feet of commercial retail space, 20,000 square feet of commercial office space, a proposed parcel for a future public library and a civic use area is consistent with the Pacific Highlands Ranch Subarea Plan. The Pacific Highlands Ranch Subarea Plan envisions the proposed project area as a high density, pedestrianoriented community with residential, commercial office, retail, and a civic-use area. For additional information, see Planned Development Permit Finding No. 1 above.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The proposed development of 294 residential units, 195,000 square feet of commercial retail space, 20,000 square feet of commercial office space, a proposed parcel for a future public library and a civic use area is consistent with the Pacific Highlands Ranch Subarea Plan. The Pacific Highlands Ranch Subarea Plan envisions the proposed project area as a high density, pedestrian-oriented community with residential, commercial office, retail, and a civic-use area. For additional information, see Planned Development Permit Finding No. 2 above.

3. The proposed development will comply with the applicable regulations of the Land Development Code. The proposed development of 294 residential units, 195,000 square feet of commercial retail space, 20,000 square feet of commercial office space, a proposed parcel for a future public library and a civic use area is consistent with the Pacific Highlands Ranch Subarea Plan. The Pacific Highlands Ranch Subarea Plan envisions the proposed project area as a high density, pedestrian-oriented community with residential, commercial office, retail, and a civic-use area. For additional information, see Planned Development Permit Finding No. 3 above.

Conditional Use Permit - Section 126.0305

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

Plan. The proposed development of 294 residential units, 195,000 square feet of commercial retail space, 20,000 square feet of commercial office space, a proposed parcel for a future public library and a civic use area is consistent with the Pacific Highlands Ranch Subarea Plan. Consistent with the Pacific Highlands Ranch Subarea Plan, the proposed project will be a high density, mixed-use, pedestrian-oriented core of the community. Within the compact mixed-use development the cinema will be an amenity enhancing the interaction of the neighborhood as it attracts residents and visitors to the Village Square as the focal point of the community. The cinema is consistent with the overall theme and plan for the proposed project and implements the design guidelines and criteria of the Pacific Highlands Ranch Subarea Plan. Consistent with the Pacific Highlands Ranch Subarea Plan, the proposed project focuses the composition of land uses in a compact development to reduce the dependency on automobile, improve air quality and promote high quality, interactive neighborhoods. Therefore, the proposed development

implements the goals and objectives of the Pacific Highlands Ranch Subarea Plan and will not adversely affect the applicable land use plan.

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

safety, and welfare. The proposed development of 294 residential units, 195,000 square feet of commercial retail space, 20,000 square feet of commercial office space, a proposed parcel for a future public library and a civic use area is consistent with the Pacific Highlands Ranch Subarea Plan. The Pacific Highlands Ranch Subarea Plan envisions the proposed project area as a high density, pedestrian-oriented community with residential, commercial office, retail, and a civic-use area. The proposed project will support the provision of public services; such as, police, fire, medical, schools, public parks, and libraries through the payment of Facilities Benefit Assessment fees due prior to the issuance of building permits. The proposed project will provide the necessary sewer and water facilities to serve the residents and businesses within the development. Pacific Highlands Ranch is served by Police and Fire services with response times consistent with the City's General Plan Standards.

The 294 multi-family dwelling units will contribute dwelling units to alleviate the current housing shortage and provide affordable units in accordance with the Master Affordable Housing Program. The proposed project will incorporate energy and water efficient materials and techniques and has been planned and designed to conform with the wide variety of the City of San Diego's codes, policies, and regulations the primary focus of which is the protection of the public's health, safety, and welfare. The proposed project is sensitive to the natural open space and view opportunities surrounding the project, and has been tailored to provide a quality development promoting pedestrian street-level activity. Within the focal point of the community, the cinema will attract residents and visitors while enhancing the interaction of people in the neighborhood. The cinema is consistent with the overall theme and plan for the proposed project and implements the design guidelines and criteria of the Pacific Highlands Ranch Subarea.

The conditions of approval for the proposed project will require compliance with several operational constraints and development controls intended to assure the continued public health, safety, and welfare. All Uniform Building, Fire, Plumbing, Electrical, Mechanical Code, and the Municipal Code regulations governing the construction of buildings and the continued operation of the site will preclude adverse effects to persons or other properties in the vicinity. Compliance with these regulations will preclude detrimental effects to the public health, safety, and welfare. Consistent with the Pacific Highlands Ranch Subarea Plan, the proposed project focuses the composition of land uses in a compact development to reduce the dependency on automobile, improve air quality and promote high quality, interactive neighborhoods.

3. The proposed development will comply to the maximum extent feasible with

the regulations of the Land Development Code. The proposed development of 294 residential units, 195,000 square feet of commercial retail space, 20,000 square feet of commercial office space, a proposed parcel for a future public library and a civic use area is consistent with the Pacific Highlands Ranch Subarea Plan. The Pacific Highlands Ranch Subarea Plan envisions the proposed project area as a high density, pedestrian-oriented community with residential, commercial office, retail, and a civic-use area. For additional information, see Planned Development Permit Finding No. 3 above.

4. The proposed use is appropriate at the proposed location. The proposed development of 294 residential units, 195,000 square feet of commercial retail space, 20,000 square feet of commercial office space, a proposed parcel for a future public library and a civic use area is consistent with the Pacific Highlands Ranch Subarea Plan. The cinema is located in the commercial core of the community and will contribute to the well being of the public and provide an opportunity for social interaction. Consistent with the Pacific Highlands Ranch Subarea Plan, the proposed project focuses the composition of land uses in a compact development to reduce the dependency on automobile, improve air quality and promote high quality, interactive neighborhoods. As defined in the Pacific Highlands Ranch Subarea Plan, the proposed project is intended to be commercial and social core of the community and the location of the cinema, fronting the Village Square, civic use area, and library, creates a dynamic and active focal point.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Planned Development Permit No. 12852, Site Development Permit No. 433515 and Conditional Use Permit No. 628324 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 12852, 433515 and 628324, a copy of which is attached hereto and made a part hereof.

John S. Fisher Development Project Manager Development Services

Adopted on: V27 - DATE OF APPROVAL

Job Order No. 421524

Attachment 15

RESOLUTION NUMBER R-_____ADOPTED ON

WHEREAS, on June 2, 2003, Pardee Homes, submitted an application to the Development Services for a Vesting Tentative Map, Planned Development Permit and Conditional Use Permit;

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

WHEREAS, the issue was heard by the Planning Commission October 15, 2009; and

WHEREAS, the Planning Commission of the City of San Diego considered the issues discussed in Findings to Master EIR No. 96-7918 (Pacific Highlands Ranch - Subarea III) for the Pacific Highlands Village Project, Project No. 7029; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego, that it is hereby certified that Findings to Master EIR No. 96-7918 (Pacific Highlands Ranch - Subarea III) for the Pacific Highlands Ranch Village Project, Project No. 7029 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.) as amended, and the State guidelines thereto (California Administration Code Section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission.

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

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

By:

John S. Fisher Development Project Manager

ATTACHMENT: Exhibit A, Mitigation Monitoring and Reporting Program

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

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

JOB ORDER NUMBER: 421524

SPACE ABOVE THIS LINE FOR RECORDER'S USE

PLANNED DEVELOPMENT PERMIT NO. 12852, SITE DEVELOPMENT PERMIT NO. 433515 and CONDITIONAL USE PERMIT NO. 628324 PACIFIC HIGHLANDS RANCH VILLAGE PROJECT NO. 7029 PLANNING COMMISSION

This Planned Development Permit [PDP] No. 12852, Site Development Permit [SDP] No. 433515 and Conditional Use Permit [CUP] No. 628324 is granted by the Planning Commission of the City of San Diego to PARDEE HOMES, a California Corporation, and PACIFIC CARMEL AFG, LLC, a California limited liability company, PACIFIC CARMEL MAG, LLC, a California limited liability company, PACIFIC CARMEL RWJ, LLC, a California limited liability company, and PACIFIC CARMEL TMJ, LLC, a California limited liability company, collectively known as the GONSALVES OWNERSHIP, Owner/Permittee pursuant to San Diego Municipal Code [SDMC] Sections 126.0604(a), 126.0504 and 126.0305. The 27.67 acre site is located at the northeast corner of Carmel Valley Road and Del Mar Heights Road in the CC-1-3 and Urban Village Overlay Zones of the Pacific Highlands Ranch Subarea Plan. The project site is legally described as being a subdivision of Parcel 2 of Parcel Map No. 18971, filed May 23, 2002 as File No. 2002-0439514 of Official Records together with a portion of the west half of the northwest quarter of section 15, township 14 south, range 3 west, San Bernardino Meridian, according to official plat thereof, all lying northerly and westerly of the San Diego Freeway 56, as described in deed recorded December 28, 2001 as File No. 2001-0965036 and February 26, 2002 as File No. 2002-0161208 of Official Records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to subdivide and develop a project with 294 residential units, 195,000 square feet of commercial retail space, 20,000 square feet of commercial office space, a proposed parcel for a future public library and a civic use area, with specific deviations to the requirements of the Land Development Code, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated [**INSERT Approval Date**], on file in the Development Services Department. Of the 294 residential units seventy-five units, as shown on Lot 14 of Vesting Tentative Map No. 433521, shall accrue to the Gonsalves Ownership, collectively, and 219 units shall accrue to Pardee Homes. All of the 195,000 square feet of commercial retail space shall accrue to Pardee Homes. All of the 20,000 square feet of commercial office space, as shown on Lot 2 of Vesting Tentative Map No. 433521, shall accrue to the Gonsalves Ownership, collectively.

The project shall include:

- a. Subdivide and develop a project with 294 multi-family residential units, 195,000 square feet of commercial retail space, 20,000 square feet of commercial office space, a proposed parcel for a future public library and a civic use area, with specific deviations to the requirements of the Land Development Code;
- b. Five general deviations are granted throughout the project include: 1. Allow a deviation to LDC Section 131.0540(c) for ground floor use restrictions, 2 through 5. Allow deviations to LDC Section 131.0531, Table 131-05E for minimum lot width; minimum lot street frontage; minimum front yard setback; minimum rear yard setback; and maximum building height. For a full and complete list of locations, refer to Exhibit "A," sheet 3 of 34.
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking; and
- e. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

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

2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.

Non compliance with the terms of this Permit by one of the Owner/Permittee entities, Pardee Homes or the Gonzalvez Ownership, shall not place the other Owner/Permittee into noncompliance under the terms of this Permit. The complying Owner/Permittee shall be allowed to proceed with its development under this Permit notwithstanding the non-compliance or continual non-compliance by the other Owner/Permittee.

4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.

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

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

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

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

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

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

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

11. The property that is subject to the terms of this Permit may be developed in phases.

HOUSING COMMISSION REQUIREMENTS:

12. Prior to issuance of the first residential building permit, the Owner/Permittee shall enter into an Affordable Housing Agreement with the Housing Commission to ensure compliance with the Declaration of Covenants, Conditions and Restrictions Regarding Affordable Housing Program for Pacific Highlands Ranch (NCFUA Subarea III), including the set-aside of no less than twenty percent of the pre-density bonus units as affordable housing.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

13. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project

14. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in the Pacific Highlands Ranch Village Project Findings to the Pacific Highlands Ranch Subarea III Plan Master EIR (LDR No. 96-7918), No. 7029, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in the Pacific Highlands Ranch Village Project Findings to the Pacific Highlands Ranch Subarea III Plan Master EIR (LDR No. 96-7918), No. 7029, satisfactory to the Development Services Department and the City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Transportation/Traffic Circulation, Biological Resources, Hydrology/Water Quality, Land Form Alteration/Visual Quality, Geology/Soils, Paleontological Resources, Noise, Public Services/Facilities, Water Conservation, and Public Safety

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

ENGINEERING REQUIREMENTS:

17. Prior to issuance of any occupancy permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.

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

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

20. The Planned Development Permit No. 12852, Site Development Permit No. 433515 and Conditional Use Permit No. 628324 shall comply with the conditions of the Pacific Highlands Ranch Village Vesting Tentative Map No. 433521.

21. The drainage system proposed for this development and outside of the public right-of-way is private and subject to approval by the City Engineer.

22. All driveways and curb openings shall comply with City Standard Drawings G-14A G-14B, G-16 and SDG-100.

23. Prior to the issuance of a building permit 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.

24. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB.

25. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99 08 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99 08 DWQ.

26. Prior to issuance of an occupancy permit, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement for a portion of the private 48 inch RCP drainage pipe within the public right-of-way, satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

27. Prior to issuance of any engineering permits for grading, construction documents for the revegetation and hydro-seeding of all disturbed land shall be submitted in accordance with the Landscape Standards, to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit and Exhibit "A."

28. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the Development Services Department for approval. Improvement plans shall take into account 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.

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

30. Prior to issuance of any construction permits for any structures, complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance

with Exhibit "A." Construction plans shall provide for a forty square foot area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.

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

32. 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.

33. The Owner/Permittee shall be responsible for the installation and maintenance of all landscape improvements consistent with the Land Development Code: Landscape Regulations and the Land Development Manual: Landscape Standards. Invasive species are prohibited from being planted adjacent to any canyon, water course, wet land or native habitats within the city limits of San Diego. Invasive plants are those which rapidly self propagate by air born seeds or trailing as noted in section 1.3 of the Landscape Standards.

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

35. If any required landscape, including existing or new plantings, hardscape, landscape features, et cetera, indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced 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.

PLANNING/DESIGN REQUIREMENTS:

36. No fewer than 2,189 parking spaces (2,055 on site and 134 on local internal streets) shall be permanently maintained on the site within the approximate location shown on the project's Exhibit "A," which includes 91 disabled accessible spaces per CBC Chapter 11A, Section 1118A. Additionally, a minimum of 59 motorcycle, 167 bicycle and 8 off-street loading spaces shall be provided on site. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.

37. 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.

38. All signs associated with this development shall be consistent with sign criteria established by City-wide sign regulations or a subsequently approved Comprehensive Sign Plan.

39. The Owner/Permittee shall post a copy of this permit and the Vesting Tentative Map in the sales office for consideration by each prospective buyer.

40. 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.

41. The cinema theater shall be limited in its hours of operation. The cinema theater shall close at midnight Sunday through Thursday and shall close no later than 1:00 a.m. on Friday and Saturday.

TRANSPORTATION REQUIREMENTS

42. Prior to issuance of any building permit, the project shall conform to the Subarea III/Pacific Highlands Ranch Transportation Phasing Plan and the approved Traffic Study/final EIR.

WASTEWATER REQUIREMENTS:

43. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of all public sewer facilities necessary to serve this development.

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

45. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check. Improvement drawings are required for private sewer facilities serving more than one lot.

46. The Owner/Permittee shall provide evidence, satisfactory to the Public Utilities Director, indicating that each building/dwelling unit will have its own sewer lateral or provide CC&R's for the operation and maintenance of on-site private sewer mains that serve more than one ownership.

47. The Owner/Permittee shall provide an Encroachment Removal Agreement for and prior to proposed improvements of any kind, including utilities, landscaping, enriched paving, and electrical conduits to be installed within the public right-of-way or public easement.

48. No structures or landscaping that would inhibit vehicular access will be installed in or over any sewer easement. No shrubs more than two feet in height at maturity are allowed within any sewer easements. No trees are allowed within ten feet of any Public Sewer Mains or Sewer Laterals. No pressurized landscape irrigation mains or electrical facilities are allowed within any Sewer Easements.

WATER REQUIREMENTS:

49. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of any new water service(s) outside of any driveway, and the disconnection at the water main of the existing unused water service adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.

50. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device, on irrigation water service, in a manner satisfactory to the Public Utilities Director and the City Engineer.

51. Prior to the issuance of any certificates of occupancy, all public water facilities shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.

INFORMATION ONLY:

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

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

Permit Type/PTS Approval No.: PDP No. 12852, SDP No. 433515 and CUP No. 628324 Date of Approval:

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

Development Project Manager

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

The undersigned Owner/Permittee, except as they related to lots 2 and 14 of Vesting Tentative Map No. 433521, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

Pardee Homes, a California Corporation Owner/Permittee

By _____

Beth Fischer Vice President

NOTE: Notary acknowledgments 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, as they related to lots 2 and 14 of Vesting Tentative Map No. 433521, and promises to perform each and every obligation of Owner/Permittee hereunder.

> Gonsalves Ownership, a consortium of California limited liability companies Owner/Permittee

By _____ Mary Alice Gonsalves Owner

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

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CARMEL VALLEY COMMUNITY PLANNING BOARD 427 C Street, #308 San Diego, CA 92101 PH: 619-239-9877 x. 14/FAX: 858-239-9878 www.cvsd.com/groups/planning.html

CARMEL VALLEY COMMUNITY PLANNING BOARD MEETING 7 pm, Tuesday, July 8, 2008 Carmel Valley Library, Community Room 3919 Townsgate Dr., San Diego, CA 92130

MEETING MINUTES

A. CALL TO ORDER AND ATTENDANCE

Chair Frisco White called the meeting to order.

B. APPROVAL OF MINUTES

Chair White requested a motion to approve the June meeting minutes. The following changes were requested:

- On item G-2, Scott Tillson clarified that statements made by the Representatives of Council offices were relayed at the meeting through advocates or employees, not by the actual Representatives.
- Under item H-2, Manjeet Ranu wanted to disclose that as a resident he expressed his support for the Village @ PHR, but has since listened to the community in his new role.
- Under item H-2, the number of exhibits should be amended to three exhibits.
- Item H-1 should be moved to the Information Agenda.

Rick Newman made a motion to approve the meeting minutes as amended. The motion was seconded by Laura Copic and was approved unanimously.

C. CONSENT AGENDA

1. Ocean Air Recreation Council: Consider letter of support addressed to Stacy LoMedico, City of San Diego Park Director, to form the Ocean Air Recreation Council.

The Board unanimously approved the motion to forward the letter of support for the Ocean Air Recreation Council to Stacy LoMedico. [Letter submitted: "Ocean Air Rec Council 2"]

D. PUBLIC COMMUNICATION

Max Kilman, an Eagle Scout from Encinitas, briefed the group on his Eagle Scout project, which will include adding three benches, replacing six trash cans, and installing three dung disposal stations along the CVREP trail. The Park and Recreation dept. has a service that will empty the trash cans on a regular basis.

The dept. has also agreed to fund the project, estimated at \$1,200, to a reasonable extent. Ken Farinsky also suggested he contact the County of San Diego to inquire about grants.

Marvin Gerst requested the Board's help with regard to the San Diego Surf Cup Soccer Tournament. The tournament is held twice every year and is granted a special event permit without the review or approval of the planning group (required by the Special Events Dept.). The tournament has continued without planning group approval for the past 10 years. Mr. Gerst requested that the CVCPB write a letter asking the Special Event Dept. to inform the Surf Cup Tournament officials that they must comply with special event permit requirements, including planning board approval. Chair White recommending adding this issue as an action item on September's meeting agenda.

Anne Harvey inquired about the Del Mar Grand National Golf Resort and a ballot measure (supported by the CVCPB) that allowed the resort to be built. Included in the measure was a room tax that would be used to acquire conservation land in the City. Scott Tillson stated that the deal was refinanced to net present value and the amount was paid off upfront because the City needed money t for land acquisition. Anne Harvey requested that a City staff member look into the issue or that the issue be placed on September's agenda for discussion.

Christian Clews stated that he had dinner at the Paradise Grille last weekend and spoke with the owner. Christian heard that Robert Vicino had persuaded the Planning Department to conduct another parking lot survey. Christian spoke to someone else and heard that Mr. Vicino had intimidated one of the store owners at the mall into giving him a copy of their lease. He also heard that Mr. Vicino may have attempted to buy this property in the past, which could be the reason for his opposition. Christian thinks the Board should know that someone is taking issue with their action and feels that the Planning Department should not go against the Board's action.

E. ANNOUNCEMENTS

Ken Farinsky announced that the Summer Park Concerts will take place every Sunday from 5-7 p.m. at various local parks. Pardee Homes is sponsoring the concert series. More information can be found at <u>www.cvsd.com</u>.

Gaylon Sells (SDPD) reported that the beaches on the 4th of July were very quiet and orderly. On July 1st, the hands free cell phone law took effect. The San Diego jurisdiction will be giving warnings for the first 30 days and anyone under 18 is not permitted to use a cell phone while driving. Tentative dates and details for the next Community Crime Forum are being coordinated. An e-mail will be sent once details are finalized.

F. WRITTEN COMMUNICATIONS

There were no written communications this month.

G. INFORMATION AGENDA

1. **Peppertree Point:** Presentation of a proposal to develop high-end residential homes on a 5.22 acre site.

Michael Yanicelli (Gables Residential) gave a presentation on the Peppertree Point project, which was also discussed at the Regional Issues Sub-Committee meeting last month. The project will consist of 92 high-end rental units, which will not convert to condominiums. The project is a mixture of 8 townhomes and 84 apartments. The proposal exceeds the parking requirements by 10% with possibilities for additional parking spaces onsite. The parking structure will be subterranean with two levels. Various photographs were shown to demonstrate the slope and the sight line from the CVREP trail. The well-traversed hill on the site will be completely re-vegetated and undulated. In addition, the applicant offered to construct a watering/rest station where the smaller trail from CVREP comes up across Canyon Road. The designated open space will be fee-titled to the City and will be dedicated and restored as part of a 5-year mitigation monitoring program.

Scott Tillson and Christian Clews expressed their concerns with traffic during peak hours along Carmel Creek Road, due to the Jewish Academy and other establishments in the region. With regard to architecture, Ken Farinsky requested that the roof heights across the units be staggered in order to avoid a straight line of rooftops. Manjeet Ranu requested that naturalized material be used for the retaining walls and emphasized the importance of coordinating project access from Carmel Creek Road. The applicant will meet with the Regional Issues Sub-Committee in September after addressing the Board's comments.

H. ACTION AGENDA:

1. **Proposition M Amendment:** Consider amending the existing language regarding the construction of the W SR-56 to N I-5 and S I-5 to E SR-56 ramps.

Allen Kashani and Manjeet Ranu recused themselves from participating in this item. Potential changes to the current Prop. M language was discussed at a joint Torrey Pines Community Planning Board (TPCPB) Connectors Task Force/Regional Issues Sub-Committee meeting the previous week. Jan Fuchs also provided a summary ["Joint Meeting July 2, 2008: Regional Issues Subcommittee and Torrey Pines Planning Board's State Route 56 Connectors/I-5 Task Force Meeting Summary"] of the meeting's highlights. Chair White referenced an email he received from the Chairman of the Torrey Pines Planning Board, informing the CVCPB that they have voted on an amendment to the existing language and will be forwarding a letter to the City.

Chair White explained that at their July 3rd meeting, the TPCPB approved the following language: "Development within the phase shifted area of the Pacific Highlands Ranch Subarea Plan shall not exceed 1,900 dwelling units until such time that the Interstate 5 / State Route 56 Interchange Project **is completed and constructed**; and". The TPCPB would like the CVCPB to consider approving similar proposed language.

Scott Tillson recommended reviewing the current phasing plan to see how development is scheduled to occur. This will help determine which projects can progress in increments before the construction of the I-5/56 interchange. This presupposes that the language will not be amended. Ken Farinsky felt that a decision on amending the language should not be made at this time. Dave Bartick agreed and opposed any changes, stating that the language proposed might water down the "guarantee" that the community had with the

timing of development vs. infrastructure. Laura Copic made a motion to <u>not</u> amend Proposition M. Instead, she recommended that the Board allow the current SR 56/I-5 process to run its course. If amending Proposition M seems warranted when more is known about the benefits and impacts of the connectors, then it could be a consideration. Dave Bartick seconded the motion and the motion passed 10-1-0.

2. Village @ Pacific Highlands Ranch: Reconsideration of a VTM and SDP for the development of 27.67 acres of the Pacific Highlands Ranch Village.

Allen Kashani recused himself from participating in this item. Ron Brockoff (Pardee Homes) introduced himself to the Board and audience.

A Sub-Committee meeting was held on June 19th with board and community members present. Various topics of concern were discussed at that meeting and Ron shared his responses to these topics:

- Hours of Operation: The commercial center will not operate past midnight Sunday through Thursday, and not past 1:00 a.m. on Friday, Saturday.
- Security: Full time security will be on site, but specifics on security guards and routes are not established at this time.
- Parking: There are currently more parking spaces than required, with employee parking and guest parking already taken into account.
- Structure Height: The structure height was defined by the highest point of the structure, not the actual roofline.
- Pedestrian and vehicle access point along Peppergrass Creek Road has been realigned to accommodate the grid pattern

Manjeet Ranu complimented Ron and Ted Shaw for their response to requests about the project and addressing the concerns of the community.

Ron Brockhoff noted that he and Ted Shaw had reviewed Ranu's comments provided at the 10 June 2008 meeting and further discussed at the 19 June 2008 Pacific Highlands Ranch sub-committee meeting. Ron noted that he would be able to address "most" of Ranu's comments. However, Ron stated that it would be difficult to redesign Lot 1 (the northeastern lot) in coordination with the Johnson-Beck property, as Pardee Homes was much further along in their planning than the Finley's were on the Johnson-Beck property. Ranu requested that Pardee Homes and the Finley's continue to work to coordinate design on this lot. Ranu suggested that Pardee Homes include criteria allowing for modifications to Lot 1 in the future to provide for improved and coordinated site design through a substantial conformance review process, stressing the importance of a building to frame the street frontage of Pacific Highlands Ranch Parkway/Street A, since this is a major community pedestrian route.

Scott Tillson made a motion to recommend approval of the project as presented to the Board. Christian Clews seconded the motion. Dean Dubey acknowledged Pardee Homes for their efforts in listening to the concerns of the community, as well as the community for voicing their concerns. He still has issues with the project, such as the use of designated civic space, the height, scale, and location of some of the buildings, and the hours of operation. Pardee Homes agreed to complete a CPTED (Crime Prevention Through Environmental Design) study and address any concerns raised by the study. Manjeet Ranu supports the project, the theater, the civic space, pedestrian focus, and the

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hours of operation, but still has concerns about the northeast corner of the project. With that, Chair White called for the motion, which passed unanimously. Ted Shaw and Ron Brockoff tentatively planned to attend December's CVCPB meeting to provide a project update.

3. August Meeting

Chair White requested a motion to cancel the August meeting. Christian Clews made a motion to cancel the August meeting, which was seconded by Dave McIntyre. The motion passed unanimously.

I. SUBCOMMITTEE MEETING REPORTS AND ANNOUNCEMENTS

1. Regional Issues

No report given.

Next Meeting: Wednesday, Sept. 3rd, 4:30 p.m. at the Carmel Valley Rec. Center

2. Design Review Committee

No report given.

Next Meeting: No meeting scheduled.

3. F.B.A. No report given.

Next Meeting: No meeting scheduled.

4. M.A.D.

Rick Newman gave a report on the M.A.D. meeting last week. He reported that the M.A.D. surplus fund will be reduced until around 2015, at which time the fund will be insolvent, according to a ten year forecast study by the City of San Diego. Therefore, a ballot measure is likely in the future to increase M.A.D. fees. Ken Farinsky added that Joe Henderson projected that water will also increase by 7% each year. Future landscaping revisions or water savings campaigns will assist with water usage.

Next Meeting: Tuesday, Sept. 2^{nd,} 4:30 p.m. at the Carmel Valley Rec. Center

5. By-Laws/Elections

No report given.

Next meeting: No meeting announced.

6. Policies and Procedures

No report given.

Next Meeting: To be announced.

7. Signage

No report given.

Next Meeting: No meeting scheduled.

8. Police Substation/Community Concourse No report given.

Next Meeting: No meeting scheduled

9. Trails No report given.

Next Meeting: No meeting scheduled.

10. Pacific Highlands Ranch

No report given.

Next Meeting: No meeting scheduled.

11. Route 56 Steering Committee

Scott Tillson provided a report on the last Steering Committee meeting. There are four project alternatives for further study in the EIR/EIS: 1) No Project Alternative, 2) Direct Ramps Alternative, 3) Hybrid Alternative (ramp from west to north and a city street for the south to east connection, and 4) City Streets Only Alternative (improvements to existing on-ramps and surface street structures in both directions). The preliminary traffic results were also presented. The project alternatives were ranked by efficiency of vehicle movement in the following order: 1) Ramp Alternative, 2) Hybrid Alternative, 3) City Streets Alternative, 4) No Build Alternative.

It is estimated that the draft environmental document will be finalized in a year and it will take 8-10 months for public review and hearings. Overall, it will take 1-2 years before a preferred project alternative is selected.

Next Meeting: No meeting scheduled.

12. CPC No report given.

Next Meeting: No meeting scheduled.

13. Telecommunications

No report given.

Next Meeting: No meeting scheduled.

14. Skate Park

Dave McIntyre reported that the Skate Park is scheduled for late October and is 85% completed.

Next Meeting: July 16th, 10:00 a.m. at the Skate Park.

ATTACHMENT 1.7

15. San Dieguito River Park

No report given.

Next Meeting: No meeting scheduled.

16. MAD N10

No report given.

Next Meeting: No meeting scheduled.

17. CVREP Trail No report given.

Next Meeting: No meeting scheduled.

- J. CHAIR'S REPORT No report given.
- K. COMMUNITY PLANNER REPORT No report given.
- L. COUNCIL DISTRICT 1 REPORT No report given.
- M. MAYOR'S REPORT No report given.
- N. COUNTY BOARD OF SUPERVISOR'S REPORT Sachiko Kohatsu reported that the County needs volunteers for polling locations around the county.
- O. 50th CONGRESSIONAL DISTRICT REPORT No report given.
- P. OLD BUSINESS: There were no items of Old Business.
- Q. ADJOURNMENT The meeting was adjourned.
- **R. NEXT MEETING**: Tuesday, September 9, 2008 Carmel Valley Library, 7 p.m.

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7000/010054

ATTACHMENT 1 8

City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 The City of Ban Diego (619) 446-5000	Ownership Disclosure Statement		
Approval Type: Check appropriate box for type of approval (s) requested	Elanned Development Permit		
Project Title	Project No. Far City Use Only		
The Village at Pacific Highlands Ranch Project Address:			
Northeast corner of Del Mar Heights Road and Carmel Valley	Road		
Rart I - To be completed when property is held by individual(s			
above, will be filed with the City of San Diego on the subject property, we below the owner(s) and tenant(s) (if applicable) of the above referenced who have an interest in the property, recorded or otherwise, and state the individuals who own the property). A signature is required of at least one from the Assistant Executive Director of the San Diego Redevelopment Af Development Agreement (DDA) has been approved / executed by the C Manager of any changes in ownership during the time the application is b the Project Manager at least thirty days prior to any public hearing on the Information could result in a delay in the hearing process.	property. The list must include the names and addresses of all persons type of property interest (e.g., tenants who will benefit from the permit, all of the property owners. Attach additional pages if needed. A signature gency shall be required for all project parcels for which a Disposition and Sity Council. Note: The applicant is responsible for notifying the Project eing processed or considered. Changes in ownership are to be given to		
Name of Individual (type or print):	Name of Individual (type or print):		
Owner Tenant/Lessee Redevelopment Agency Owner Tenant/Lessee Redevelopment Agency			
Street Address:			
City/State/Zip:	City/State/Zip:		
Phone No: Fax No:	Phone No: Fax No:		
Signature : Date:	Signature : Date:		
Name of Individual (type or print):	Name of Individual (type or print):		
Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency		
Street Address:	Street Address:		
City/State/Zip:	City/State/Zip:		
Phone No: Fax No:	Phone No: Fax No:		
Signature : Date:	Signature ; Date:		

Printed on recycled paper. Visit our web site at <u>www.sandjego.gov/development-services</u> Upon request, this information is available in alternative formats for persons with disabilities. DS-318 (5-05)

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ATTACHMENT 18

Project Title:	Project No. (For City Use Only)
The Village at Pacific Highlands Ranch	
	tion or partnership
	te? <u>CA</u> Corporate Identification No. <u>95-25093</u> P3
Partnership	
the property. Please list below the names, titles and addresses of otherwise, and state the type of property interest (e.g., tenants wi in a partnership who own the property). A signature is required of property. Attach additional pages if needed. Note: The applicant ownership during the time the application is being processed or of Manager at least thirty days prior to any public hearing on the sul information could result in a delay in the hearing process. Additional pages in the sub-	subject property with the intent to record an encumbrance against of all persons who have an interest in the property, recorded or ho will benefit from the permit, all corporate officers, and all partners of at least one of the corporate officers or partners who own the is responsible for notifying the Project Manager of any changes in considered. Changes in ownership are to be given to the Project bject property. Failure to provide accurate and current ownership itional pages attached Yes No
Corporate/Partnership Name (type or print): PARDEE_HCINES	Corporate/Partnership Name (type or print):
Cowner Tenant/Lesse	Owner Tenant/Lessee
Street Address: 126226 Hich Brutt Dr. Suite 100 City/State/Zip:	Street Address: City/State/Zip:
Styl Arge CA 7213C	Phone No: Fax No;
(\$53) 194 - ZSCC (853) 194 - 259 Name of Corporate Officer/Partner (type or print);	Name of Corporate Officer/Partner (type or print);
Beth Fischer	Title (type or print):
Signatures THE TREACHERT Date: 03/15/07	Signature : Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print);
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature : Date:	Signature : Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature : Date:	Signature : Date:

ATTACHMENT 1 8

Project Title:	Project No. (For City Use Only)
The Village at Pacific Highlands Ranch	
Part II - To be completed when property is held by a corporatio	n or partnership
Legal Status (please check):	
Corporation X Limited Liability -or- General) What State	Corporate identification No.
By signing the Ownership Disclosure Statement, the owner(s) ackn as identified above, will be filed with the City of San Diego on the s the property Please list below the names, titles and addresses of otherwise, and state the type of property interest (e.g., tenants who in a partnership who own the property). A signature is required of property. Attach additional pages if needed. Note: The applicant is ownership during the time the application is being processed or con Manager at least thirty days prior to any public hearing on the subju- information could result in a delay in the hearing process. Additional pages if needed is a subjuinformation could result in a delay in the hearing process.	all persons who have an interest in the property, recorded or all persons who have an interest in the property, recorded or a will benefit from the permit, all corporate officers, and all partners at least one of the corporate officers or partners who own the responsible for notifying the Project Manager of any changes in nsidered. Changes in ownership are to be given to the Project act property. Failure to provide accurate and current ownership
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
PACIFIC CARMEL AFG LLC	PACIFIC CARMEL MAG LLC
Cowner Tenant/Lessee X 46,445	X 46.448 Tenant/Lessee
Street Address:	Street Address
751 Bangor Street	751 Bangor Street
San Diego, Ca 92106-2903	San Diego, Ca 92106-2903
Phone No. Fax No. 619/224/9051 619/224-8777	Phone No: 619/224-9051 619/224/8777
Name of Corporate Officer/Partner (type or print)	Name of Corporate Officer/Partner (type or print)
Avelino F. Gonsalves	Mary Alice Gonsalves
Title (type or print) Member	Title (type or pant) Member/Manager
Signature AA I Date M	Signature Date.
Julium Freinglarch 15,200	March 15,2007
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
<u>Pico Madeira RWJ LLC</u>	Pico Madeira TMJ LLC
X 3.56% Tenant/Lessee	「Owner」「Tenant/Lessee X 3.56名
Street Address	Street Address:
18198 Valladares Drive	<u>7554 Lake Ree Avenue</u>
San Diego, Ca 92123	San Diego, Ca 92119-3038 Phone No Fax No
Phone No Fax No 858/847-6501	Phone No Fax No 619/461-4168
Name of Corporate Officer/Partner (type or print)	Name of Corporate Officer/Partner (type or print)
Title (type or print): <u>ALCHARD</u> WoodRow JosEPH Signature : Date:	Title (type or print) <u> TRAVIS</u> MARTIN JOSEPH Signature: Date
Corporate/Partnership Name (type or print).	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address:	Street Address
City/State/Zip:	City/State/Zip
Phone No: Fax No ¹	Phone No: Fax No
Name of Corporate Officer/Partner (type or print)	Name of Corporate Officer/Partner (type or pnnt)
Name of Corporate Officer/Partner (type or print) Title (type or print)	Title (type or print):

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PardeeHomes

Date: August 7, 2009

From: Chuck Curtis

Location: Pardee - Los Angeles

Subject: Officers of Pardee Homes and Subsidiaries

To: Allison Renz, EC3 - 3B9

At present, the officers of Pardee Homes and its subsidiaries are as follows:

Pardee Homes

Michael V. McGee Jon E. Lash Anthony P. Dolim John Anglin John Arvin Robert E. Clauser, Jr. Amy L. Glad Christopher J. Hallman John Osgood Gary Probert John Allen James C. Bizzelle, III Gino Cesario Mike Conkey Robert Dawson Patrick Emanuel Beth Fischer Joyce Mason Ralph Pistone Greg Ray Donna Sanders Loren Smets Gregory P. Sorich Michael C. Taylor Kevin Wilson Jeffrey W. Nitta Tom R. Stocks	President and Chief Executive Officer Executive Vice President S. V. P./Finance; Secretary-Treasurer Senior Vice President, Construction and Purchasing Senior Vice President, Land Development Senior Vice President, Marketing Senior Vice President, Governmental Affairs Senior Vice President and General Counsel Senior Vice President, Community Development Senior Vice President, Sales Vice President of Safety and Vendor Alignment Vice President, Community Development Vice President, Corporate & Strategic Services Vice President, Controller Vice President, Construction Operations Vice President, Aarketing Vice President, Achitecture Vice President, Architecture Vice President, Architecture Vice President, Architecture Vice President, Community Development Vice President, Community Development Vice President, Purchasing and National Accounts Assistant Treasurer Assistant Treasurer
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Allison Renz August 7, 2009 Page Two

> Barbara Bail Rosemary Bonnevie Charles E. Curtis Belle De Braal Claire S. Grace Vicki A. Merrick Allison J. Renz Carole Royce Thomas M. Smith Nancy Trojan

Assistant Secretary Assistant Secretary, Finance Assistant Secretary Assistant Secretary

Pardee Homes of Nevada

Michael V. McGee President and Chief Executive Officer Jon E. Lash **Executive Vice President** Anthony P. Dolim S. V. P., Finance; Secretary-Treasurer John Anglin S. V. P., Construction and Purchasing John Arvin Senior Vice President, Land Development Robert E. Clauser, Jr. Senior Vice President, Marketing Senior Vice President, Governmental Affairs Amv L. Glad Christopher J. Hallman Senior Vice President and General Counsel John Osaood Senior Vice President, Community Development Gary Probert Senior Vice President, Sales John Allen Vice President, Safety and Vendor Alignment Klif D. Andrews Vice President Gino Cesario Vice President, Corporate and Strategic Services Vice President, Construction Operations Lee Cochran Mike Conkey Vice President, Controller Robert Dawson Vice President, Closing Services Vice President, Community Development Dan Hale Vice President, Marketing Joyce Mason Greg Rav Vice President, Landscape Architecture Donna Sanders Vice President, Options Loren Smets Vice President, Architecture Gregory P. Sorich Vice President, Land Disposition Kevin Wilson Vice President, Purchasing & National Accounts Jeffrev W. Nitta Assistant Treasurer Tom R. Stocks Assistant Treasurer Barbara Bail Assistant Secretary Assistant Secretary, Finance **Rosemary Bonnevie** Charles E. Curtis Assistant Secretary Assistant Secretary, Accounting Belle De Braal Hazel Gotzinger Assistant Secretary Claire S. Grace Assistant Secretary Vicki A. Merrick Assistant Secretary Allison J. Renz Assistant Secretary Assistant Secretary Carole Royce

Allison Renz August 7, 2009 Page Three

Thomas M. Smith	Assistant Secretary
Nancy Trojan	Assistant Secretary
Rob Tuvell	Assistant Secretary

Marmont Realty Company

Michael V. McGee	President
Jon E. Lash	Executive Vice President
Anthony P. Dolim	Secretary-Treasurer
Gary Probert	Vice President
Jeffrey W. Nitta	Assistant Treasurer
Tom R. Stocks	Assistant Treasurer
Charles E. Curtis	Assistant Secretary
Claire S. Grace	Assistant Secretary
Vicki A. Merrick	Assistant Secretary
Thomas M. Smith	Assistant Secretary

Las Positas Land Company

Michael V. McGee	President
Jon E. Lash	Executive Vice President
Anthony P. Dolim	Secretary-Treasurer
John Osgood	Vice President
Jeffrey W. Nitta	Assistant Treasurer
Tom R. Stocks	Assistant Treasurer
Charles E. Curtis	Assistant Secretary
Claire S. Grace	Assistant Secretary
Vicki A. Merrick	Assistant Secretary
Thomas M. Smith	Assistant Secretary

As well, the "Articles of Organization Limited-Liability Company" of <u>Pardee Coyote Holdings I,</u> <u>LLC</u>, a Nevada Limited Liability Company, were filed with the Nevada Secretary of State on July 22, 2009. This entity's sole member is Pardee Homes of Nevada. Although it has no officers, Section 4.4 of its Operating Agreement authorizes the member to appoint officers.

Please let me know if I may be of further assistance to you regarding any of these entities.

Thank you.

Charles E. Curtis Legal Counsel

Gonsalves Ownership:

Pacific Carmel AFG, LLC (46.44%) Avelino F. Gonsalves, MDT 12/10/07, Mary Alice Gonsalves, Successor Trustee

> **Pacific Carmel MAG, LLC** (46.44%) Mary Alice Gonsalves, Member and Mgr

Pacific Carmel RWJ, LLC (3.56%) Richard Woodrow Joseph III, Member

Pacific Carmel TMJ, LLC (3.56%) Travis Martin Joseph, Member

Of which the above named LLC's are owned by the individuals identified below:

Pacific Carmel AFG, LLC: Avelino F. Gonsalves, 100%

Pacific Carmel MAG, LLC: Mary Alice Gonsalves, 100%

Pacific Carmel RWJ, LLC: Richard Woodrow Joseph III, 100%

> **Pacific Carmel TMJ, LLC:** Travis Martin Joseph, 100%

PROJECT DATA SHEET			
PROJECT NAME:	Pacific Highlands Ranch V	Village, Project 7029	
PROJECT DESCRIPTION:	Mixed-use development combining market-rate and affordable housing, community serving commercial retail and office space, an urban plaza and a parcel for future development of a public library.		
COMMUNITY PLAN AREA:	Pacific Highlands Ranch		
DISCRETIONARY ACTIONS:	Vesting Tentative Map, Planned Development Permit, Site Development Permit and Conditional Use Permit		
COMMUNITY PLAN LAND USE DESIGNATION:	Town Center		
ZONING INFORMATION: ZONE: CC-1-3 and Urban Village Overlay Zone HEIGHT LIMIT: 45 feet LOT SIZE: 5,000 square feet FLOOR AREA RATIO: 0.75 FRONT SETBACK: None SIDE SETBACK: 10 feet STREETSIDE SETBACK: None REAR SETBACK: 10 feet PARKING: 563 parking spaces required; 675 spaces provided. LAND USE DESIGNATION & ZONE			
NORTH:	Village	Single family residential/vacant	
SOUTH:	School/Park	High School/vacant	
EAST:	Core Residential	Multi-family residential	
WEST:	Peripheral Residential	Single family residential	
DEVIATIONS OR VARIANCES REQUESTED:	 A deviation from LDC Section 131.0531, Table 131-05E, Maximum Building Height. A deviation from LDC Section131.0531, Table 131- 05E; Minimum Lot Width, Minimum Street Frontage, and Minimum Yard Setbacks. A deviation from LDC Section131.0540(c); Ground 		

	 Floor Restriction. 4. Allow a deviation from LDC Section131.0540(c) and Table 142-04D Vehicle Use Area Requirements; One tree within thirty feet of each parking space. 	
COMMUNITY PLANNING GROUP RECOMMENDATION:	There is no recognized planning group for the Pacific Highlands Ranch community. Plans were sent to the Carmel Valley Community Planning Board as a courtesy. On January 13, 2009 the Carmel Valley Community Planning Board voted unanimously to recommend approval of the project.	

DEVELOPMENT SERVICES **Project Chronology Pacific Highlands Ranch Village - PTS# 7029**

Date	Action	Description	City Review Time	Applicant Response
06/02/03	First Submittal	Project Deemed Complete		
08/07/03	First Assessment Letter		48 days	
03/19/07	Second Submittal			1,255 days
05/03/07	Second Review Complete		33 days	
02/14/08	Third Submittal			205 days
03/28/08	Third Review Complete		31 days	
02/17/09	Fourth Submittal			336 days
03/13/09	Fourth Review Complete		18 days	
03/13/09	Issues Complete			
10/15/09	Public Hearing		212 days	
TOTAL ST	AFF TIME		342 days	
TOTAL AP	PLICANT TIME			1796 days
TOTAL PR	OJECT RUNNING TIME	From Deemed Complete to Planning Commission	60 months, 25 days	

Note: All days are tabulated as working business days.

Pacific Highlands Ranch Village

Project Plans; Sheets 1, 2, 4-8, 15-21, 32-34

(available under separate cover)