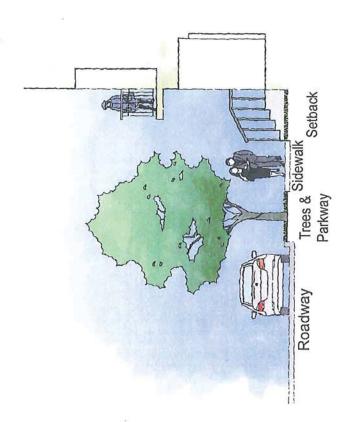


5.4 STREETSCAPES

than Mission Gorge Road or Old Cliffs Road but still act as a Plan. Where units fronting the streets are perched above the dependent upon their classification and location. Mission Gorge Road will be the front door to the project and Old Cliffs Road will the gateway to the project. Both will be designed to streets are envisioned to have a more residential character supporting element to the overall design scheme of the Master street level an opportunity exists for stoops and elevated The streetscape for the site will take on a varying character create a pleasant urban space with a pedestrian realm. Interior Along the front of the stoops runs a 5 foot sidewalk separated by a parkway strip planted with street trees and turf quality principles of the site. These areas provide a level of visual relief as well as additional sensory enhancement. The be planted with a combination of medium height shrubs, small and/or plant material that will act as support to the water space between the units and the sidewalk, the setback, should groundcovers and small scale patio trees. patios.

The streets are to be lined on both sides by deciduous and/or evergreen street trees spaced at no more than 30 feet on center that will provide a canopy of shade, filtered sunlight, and articulation to the architectural facade These will provide shade while screening views from adjacent units across the street.

The selection of shrub and ground cover species is important as a support mechanism to the street trees and provides a greater definition of scale at the street level for pedestrians. To balance a desire for consistency and variety, the development of several different planting schemes is recommended. Palettes will vary depending on the associated use of the adjacent walks and proximity to units.



Mission Gorge Road

Mission Gorge Road is the primary frontage street linking the Grantville community as well as fronting the Shawnee Master Plan. The streetscape will provide continuity through community while providing definition to the project edge and setting up the framework for access to the Shawnee Master Plan. Street trees will provide shade as well as an ability to define the project edge and a separation between vehicular and pedestrian traffic.

The design of this frontage will encourage pedestrian activity and connectivity from the Master Plan to the Grantville community through the design of wide sidewalks and incorporation of bike lanes. Platanus acerifolia (London Plane) trees will provide scale, shade and a visual buffer to the adjacent roadway. Camphor trees, Tulip trees and Strawberry trees will provide additional accent and screening from the street.

Old Cliffs Road

As the gateway to the community the entry and streetscape of Old Cliffs Road is key to establishing the character of the site and its streetscaping. The streetscape will address how the interaction between vehicular, pedestrian and bicycle circulation will be achieved and perceived. Street trees such as Jacaranda, Chinese Flame trees and Camphor trees will provide shade as well as an ability to provide a pedestrian scale to the adjacent buildings and their frontage along the road.

The design of this frontage will encourage pedestrian activity through the design of wide sidewalks that can comfortably accommodate pedestrian circulation along the frontage of the live/work units and commercial establishments. In addition to circulation, space should be allocated for furnishings such as, benches, street lighting, potted plants, trash receptacles, street trees and their grates. Narrow planters with low shrubs between sidewalk and building, strategically located near entrances, can add a line of green that can help soften the building sidewalk transition.

River Road

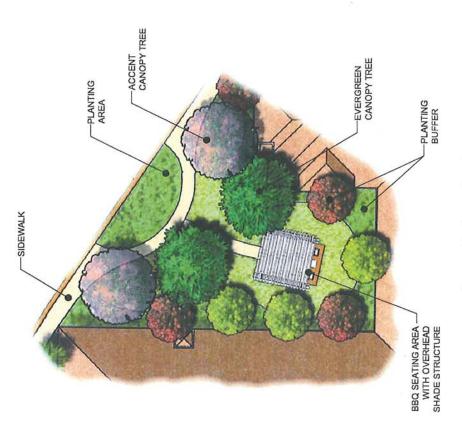
River Road will become a transition area where the more regimented tree spacing and placement at the street level begins to blend with the more organic layout of trees and landscaping in the River Park. Use of Platanus acerifolia (London Plane) trees provide a framework and introduction of materials similar in size and form to the use of predominantly native and indigenous trees and shrubs in River Park. The interface of River Road with the park and adjacent properties is key as its landscaping becomes the cohesive element to the site design interface.

5.5 AMENITY SPACE

Interior Courtyards/Open Space

In the case of interior courtyard spaces, whether on grade or constructed over parking decks, space should be allocated for both private patios of units facing the courtyard and larger courtyards that can be enjoyed by residents. Patio spaces should be defined by built-up planters, low walls or tubular steel fencing that will provide privacy separation. The patio area should be designed for a larger gathering space that allocates areas for seating and circulation across the courtyard.

The size of the open space/courtyards will determine the encouraged (where feasible) to promote exercise for residents as well as providing a place for community gathering and interaction. Barbecues, fire pits, overhead trellis structures and other amenities also provide places for socialization and are encouraged to be utilized. Other amenities such as self contained water features are encouraged to resonate sound (white noise) within the courtyard and help form gathering areas. Where planters are used, the height of the planters can vary to provide seating opportunities in some areas while trees in other areas. Use of turf is encouraged only if the area available is appropriate to accommodate meaningful use of the space for play. Small, narrow strips of turf are discouraged as they are unusable and inefficient in their water use. The landscape architect should undertake shade studies for tree planting in courtyards to ensure proper planting and avoid being tall enough to support adequate soil depth for small Pools and spas adverse shading of patios and units. viability of amenities provided.



Conceptual courtyard

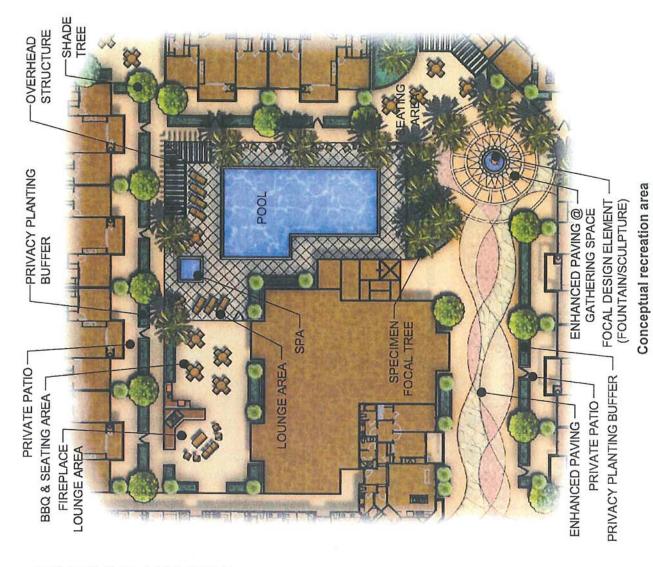
Recreation areas should be sized according to the density of the project to allow sufficient sized facilities for the residents that might include a large pool, spa and gathering areas for residents and their guests. It is important to create large areas for socialization and recreation to help create a sense of

community. Recreation areas should be centrally located to allow ease of access and use for residents. Clubhouses / recreation buildings provide opportunities for programmed social activities, informal gatherings and parties.

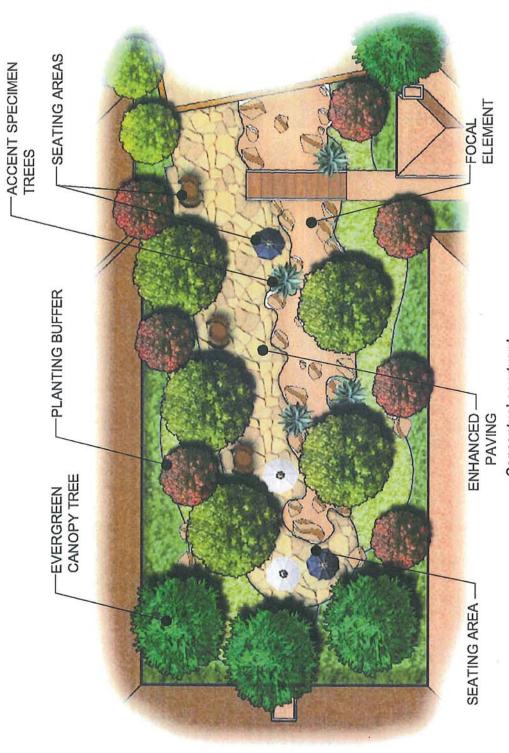


Conceptual recreation area

garages) can enjoy the same amenities as pool and recreation area to be same Projects built on structure (atop parking those facilities built on grade. Proper forward planning in the design stages can allow a providing private patio areas there is an increased in barbecues, overhead shade structures and ample lounging areas amenities as recreation areas built on grade. make for a pleasurable outdoor experience. for socializing within the With adjacent residential units provided featuring many of Built opportunity community. sizable



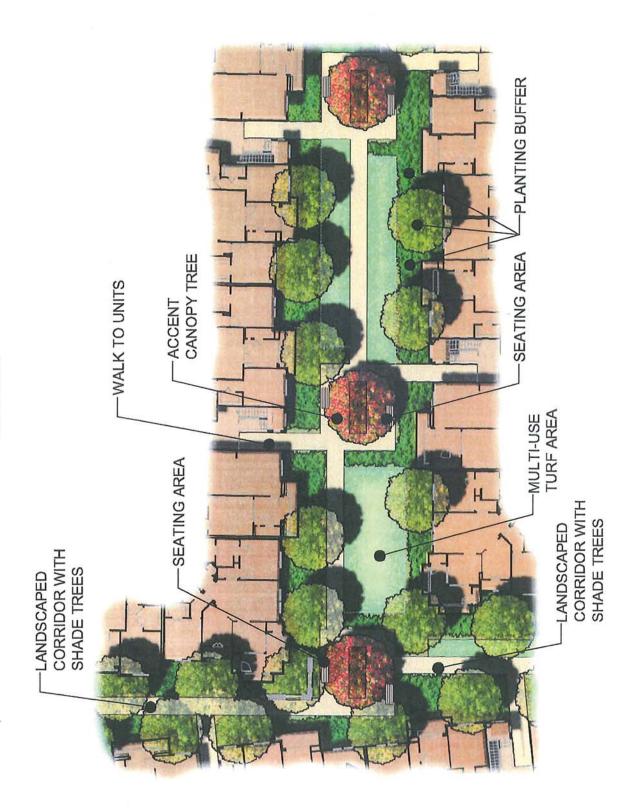
OPEN SPACE & LANDSCAPE TREATMENTS



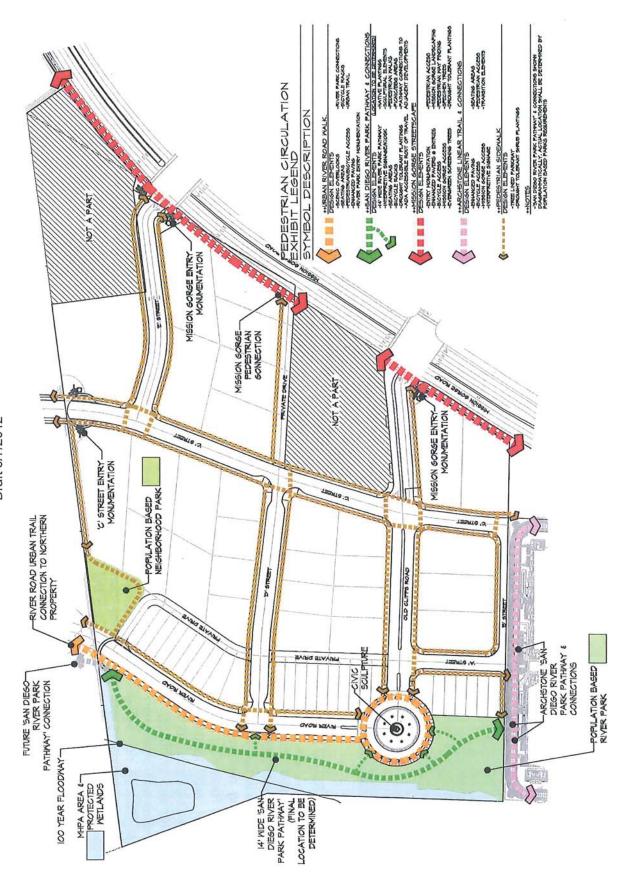
Conceptual courtyard

The importance of small gathering areas should not be overlooked as they can provide an area of interest and relaxation. Small court areas can be as simple as providing a fragrant landscape planting scheme with paths and seating or

can include putting greens, sculpture gardens, outdoor chess or checkers as well as a number of other elements that invite residents and visitors to experience the space.



Conceptual courtyard





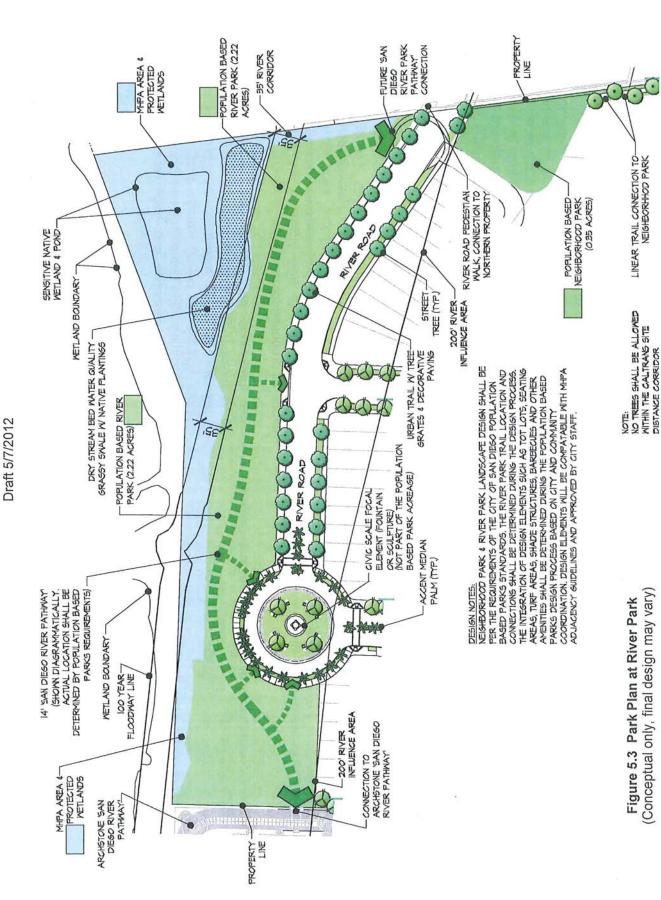
5.6 RIVER ROAD AND RIVER PARK

The River Road, flanked by landscaped parkways and sidewalks on either side, will frame the view of the traveler. On the east side two and three-story townhomes will face the road providing residents with views of the River Park. The West side of River Road will have a continuous walkway at the street level with "pedestrian overlooks" with seating and interpretive signage conveying information about the San Diego River and its history. Large, specimen trees will accent these spaces and provide an interface between the street and the River Park. A rich selection of landscape will cover the gentle slope leading down to the river punctuated by a meandering trail that will lead people along the length of the

Access to the River Park will occur at the Urban Plaza at the end of Old Cliffs Road and at River Road near the property line at the north end of the project. The ultimate design of San Diego River Park and the adjacent population-based parks will be determined by the combined efforts and input of the City and local Community members. The park may include amenities such as:

Pedestrian overlooks & events structures
Multi purpose events lawn and open lawn areas
Tot lots and multi age play equipment
Basketball and/or volleyball courts
Benches and picnic areas
Exercise course(s)

Shawnee/CG7600 Master Plan



OPEN SPACE & LANDSCAPE TREATMENTS

THE SAN DIEGO RIVER PARK MASTER PLAN (SDRPMP) 5.7

life to lush vegetation and wildlife habitat in contrast to the The San Diego River is the principle natural amenity for the site, surrounding communities and the San Diego region because of the beauty created by the flowing waters that give semi-arid climate of southern California. The river naturally produces a riparian zone on its' banks where unique vegetation is well adapted to the moist soil and produce a distinctive habitat for flora and fauna. This riparian zone has important biological functions that this project supports by ensuring its' protection through implementation of the San Diego River Park Master Plan.

The entire River Park will stretch from the Pacific Ocean at the The San Diego River Park Master Plan is a policy document west to its' headwaters in the Cuyamaca Mountains at the east end. The Master Plan has a vision statement and five guiding prepared for the City of San Diego that outlines a plan to carry out a vision of restoration and renewal of the San Diego River. principles:

Vision Statement: Reclaim the valley as a common, a synergy of water, wildlife and people.

Principles:

- Restore and maintain a healthy river system.
- Unify fragmented lands and habitats.
- Create a connected continuum, with a sequence of unique places and experiences.
 - Reveal the valley history
 - Reorient development toward the river to create value. 4. 73

and will contribute to the success of the plan. In addition to improving this unique San Diego feature for the citizens of the city, the value added to the project as a whole is immense. As to the eastern river bank, Shawnee/CG7600 will apply the As a small piece of a much larger puzzle, Shawnee/CG7600 site falls within the Upper Valley Reach of the San Diego River with any puzzle, it takes many small forms to create a vision. To the extent possible with the limited portion of land adjacent design guidelines recommended in the SDRPMP.

The San Diego River Park Master Plan has two distinct areas that will be identified in the Navajo Community Plan CPIOZ; the River Corridor area and the River Influence area. The plus 35 feet on both sides of the river. The 35 foot wide area s reserved for a multi-use path. Passive recreation uses are picnic areas and interpretive/scenic overlooks. Figure 5.4 River Path Corridor and Influence Areas illustrates these River Corridor is measured as the FEMA 100 year floodway allowed within the River Corridor, such as hiking, bicycling, elements proposed for the river. Trail furnishings and lighting will be provided for the convenience and safety of pedestrians and cyclists as outlined n the SDRPMP. As mentioned in a previous section on outdoor lighting, full cut-off fixtures shall be used for pole mounted lighting. Site furnishings can include seating, bicycle acks, drinking fountains and trash receptacles spaced at intervals proportional to trail length.

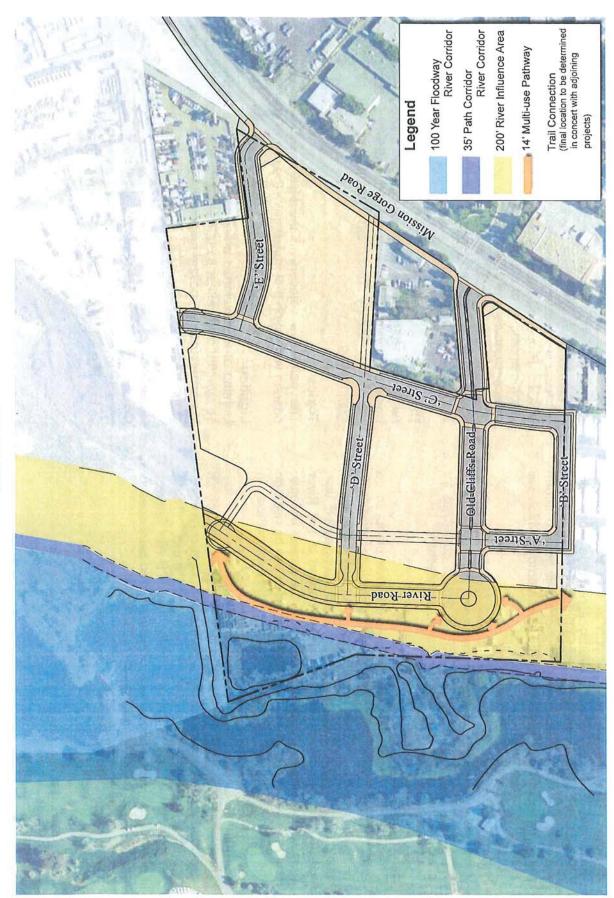


Figure 5.4 River Corridor and River Influence Area

Users of the river pathway and trails can benefit from the posting of signage that is informational, interpretive, and/or directional. For way finding, directional signage along with informational signage will guide those unfamiliar with the river pathway and trails. Interpretive signage will help to inform users of the distinct features of the river corridor which will enrich their experience.

The River Influence Area is the first 200 feet from the River Corridor area on both sides of the river. All development within this area will follow the SDRPMP design guidelines for site planning, architecture and landscape architecture.

5.7.1 Plant Groups

The SDRPMP design guidelines require native plants to be used in the River Corridor Area; this includes the 100 floodway and the 35' river path corridor. All non native plants within this area should be removed and revegetated with native plant species. Native species proposed in the River park shall be per the recommendations of the project biologist and reviewed by city staff. Non-native grasses can be used on the River Corridor on the non-river side of the river pathway in public parks.

There are three types of planting groups proposed to establish a hierarchy of vegetation from a pure native community to a hybrid community appropriate for developed areas. These three groups include a Native Species List, a Buffer Species List, and an Urban Species List. Recommended plant species can be found in the Appendices of the SDRPMP.

MULTIPLE SPECIES CONSERVATION PLAN

A small portion of the west end of the site falls within the City of San Diego Multi-Habitat Planning Area of the MSCP. The following is a partial outline of the Adjacency Guidelines in the MSCP. Proposed future River Park uses will conform to the recommendations of the Biology Report and applicable MHPA adjacency guidelines to protect and enhance existing wetland areas and sensitive resources along the San Diego River. The MHPA shall be reserved for sensitive habitat and species. No active use will be allowed.

Drainage

All on-site storm water will be discharged into a bio-infiltration treatment swale located outside of the MHPA as described in the Water Quality Treatment Report prepared by Fuscoe Engineering.

Toxics

The park area adjacent to the MHPA will be planted with riparian vegetation that may require the use of chemicals.

Lighting

Lighting of all developed areas adjacent to the MHPA should be directed away either by utilizing light shield, cut-off fixtures, low lumen fixtures, bollard height fixtures for path lighting or inground fixtures.

Voice

Special consideration should be taken with regard to noise impacts to the MHPA. The EIR will make recommendations as to mitigation of noise impacts if any to the MHPA.

Barriers

Barriers may be required along the MHPA boundaries to impede public access.

Invasives

No invasive non-native plant species shall be introduced into areas adjacent to the MHPA.

5.9 POPULATION-BASED PARKS

The City of San Diego adopted in 2008 a new General Plan update that addresses the needs of residents' access to parks. Now that San Diego has been substantially built out, the great majority of future housing demand will be satisfied within communities that have already been developed. The requirement of park land area for new development is based upon the number of residents proposed and is fixed at 2.8 acres of park area per 1,000 residents. The number of persons per household in the Grantville Redevelopment area is calculated at 1.92 (pph) which when calculated with the proposed number of dwelling units for this site is equivalent to 5.5 acres.

This park requirement (5.5 acres) can be fulfilled on site either by providing park land area, payment of in lieu fees or a combination of the two. Shawnee/CG7600 will provide a majority of the population-based park requirements (2.57 acres) on site by providing land reserved for parks. The balance of the requirement (2.93 acres) will be satisfied by payment of an ad hoc fee that will be used for the pro-rata share of a recreation center and community swimming pool,

and expansion of existing parks, or design and construction of future parks within the Navajo Community.

Any park area proposed by this development to satisfy the population-based park requirement of the project must comply with Council Policy 600-33 COMMUNITY NOTIFICATION AND INPUT FOR CITY-WIDE PARK DEVELOPMENT PROJECTS, which requires all public parks to go through a design process which includes public input and Park & Recreation Board approval.

6.0 IMPLEMENTATION

6.1 OVERVIEW

The process of developing Shawnee/CG7600 will be to allow for the construction of homes and commercial space at a pace commensurate with future market demand. Site development work and infrastructure will be developed in phases large enough to appropriately support the number of homes delivered.

6.2 DEVELOPMENT INTENSITY

The factors that lead to the proposed development intensity of Shawnee/CG7600 are manifold. The actual number of homes and commercial space built on the site will ultimately depend upon market conditions at the time of development. The maximum number of homes and commercial space allowed is set by zoning, traffic projections, infrastructure, constraints of the land and environmental considerations.

6.3 ZONES

Upon approval by City Council action of the Shawnee/CG7600 Master Plan PDP, SDP and Vesting Tentative Map, the zones proposed for the site will replace the existing AR-1-1 and IL-2-1 zones. Table 6.1 Zones and Development Intensity, itemizes the different zones selected from the San Diego Municipal Code applied to the planning areas of the site which are illustrated in Figure 4.10.

Development shall comply with the zoning requirements of the base zone except where deviations are identified in Chapter 4 and Appendix A Deviations Table.

Envisioned for the Shawnee/CG7600 site are single-family townhouses and multifamily residential zones with some limited ground floor commercial uses that allow flexibility in land use types depending on market conditions at the time of development. Land uses must fall within the limits of the zone and the Navajo Community Plan.

Table 6.1 Zones and Development Intensity

			The second secon	
Planning Area	Land Use	Land Area	LDC Zone	Development Intensity
Riverside	Single-family attached Residential with rear access garage Open space adjacent to the River Park	1.96 Acres	RT-1-4	27 units
Village Center	Multi-Family Residential & Commercial At-grade and Subterranean Parking Neighborhood Pocket Park, 0.35 Acres	6.62 Acres	RM-3-9	471 units 15,000 sf Commercial
Mission Gorge Road	Multi-Family Residential & Commercial At-grade and Subterranean Parking	4.83 Acres	RM-4-10	525 units 22,500 sf Commercial
River Park	Population-Based Parks 2.22 Acres MHPA & Open Space Wetland Buffer, 1.55 Acres	3.77 Acres	OP-2-1/OC-1-1	

1. Acreages are approximate and may vary in final mapping.

6.4 PHASING

Frequently, development is done in phases depending upon factors such as size of development, market demand or development resources. Preparing a phasing plan allows for the ordered development of a site so that the appropriate level of infrastructure, such as streets, water and sewer, as well as site facilities and improvements are available for the number of homes at each stage of development. Phased Planned Development Permit requirements are outlined in section 143.0475 of the San Diego Municipal Code.

The area along the San Diego River, Riverside, will witness the commencement of development for the project with River Road and the Old Cliffs Road extension into the site laying the groundwork for the remainder of the development by providing the access and use of the most important amenity, the San Diego River. Phasing is tiered so that development progresses from the west to east. Next to be developed is the central portion of the site followed by the areas adjacent to Mission Gorge Road.

Table 6.2 Phasing

Phase	On-Site Improvements	Off-Site Improvements
Phase 1 - Riverside		
27 dwelling units	 Demolition and grading River Road and private drive with improvements & utilities Old Cliffs Road with improvements & utilities Streets 'A', 'B' and portion of 'C' south of Old Cliffs Rd. Open space improvements Recreational facilities Public River Park 	• Utility connections
Phase 2 - Village Center	THE COURSE WAS A REPORT OF THE PARTY OF THE	
471 dwelling units 15,000 sf commercial	 Completion of Streets 'C' and 'D' with improvements Open space improvements Recreational facilities Public Pocket Park 	Intersection improvements Mission Gorge Road & Old Cliffs Road
Phase 3 – Mission Gorge Road	Road	TRANSPORT OF THE PROPERTY OF T
525 dwelling units 22,500 sf commercial	 Street 'E' completion & connection to MGR with improvements Open space improvements Private recreational facilities 	 Mission Gorge Road widening MGR improvements Second intersection at Mission Gorge Road with Street 'E'

6.5 PERMIT PROCESSING REQUIREMENTS

All development plans for the project site will be reviewed by the City of San Diego Development Services Department in a Substantial Conformance Review. Building placement, area, scale and design will be reviewed for conformance with the Design Guidelines and Development Standards and Regulations detailed in this Master Plan Document. Table 6.3 itemizes the development scenarios that may occur at Shawnee/CG7600 and the review process required by the City.

6.6 LOT RECONFIGURATION/CONSOLIDATION

When a proposed lot configuration does not conflict with the intent of the Master Plan and the State Subdivision Map Act and is in compliance with the selected base zone, as modified by this Master Plan and the Shawnee/CG7600 Master PDP, lots within the project site may be reconfigured through a lot consolidation and/or boundary adjustment.

Table 6.3 Project Review Process

Category	Development Project	City Review
-	-Consistency with Base Zone land uses designation and development intensity.	Process One Substantial Conformance Review
	-Consistency with Base Zone development regulationsConsistency with allowable deviations and Design Guidelines	
	established by this Master Plan -Consistency with Lot Reconfiguration and/or Consolidation.	
က	-Consistency with Master Plan PDP	Process Three
	-Separately regulated use as defined in LDC	
4	-Master Plan PDP Amendment	Process Four
2	-Requires change to Land Use Designation development intensity -Rezone	Process Five

6.7 AFFORDABLE HOUSING

Payment of the affordable housing in-lieu fee shall be provided within Shawnee/CG7600 in accordance with the City of San Diego Affordable Housing Ordinance (LDC Section 142.1300).

6.8 MAINTENANCE REQUIREMENTS

Maintenance shall be the responsibility of the property owners within Shawnee/CG7600 as described below.

6.8.1 Parkways and Public Areas

Included in this project are parks, parkways and public areas that beautify the development. The maintenance of these common areas shall be the responsibility of the City, developer, a Home Owner's Association, or Maintenance Assessment District established for Shawnee/CG7600.

6.8.2 Private Development Landscaped Areas

Landscaping, private recreational amenities and open areas will also be developed in conjunction with private development proposals. The maintenance of these areas will be the responsibility of individual property owners or a Home Owner's Association.

Table A-1 Deviations Table

		י אייים יי	בפיומנוסווס ומפוס			
Zoning and Development Regulations	Mission Gorge Rd.	sorge Rd.	Village Center	enter	Rive	Riverside
LDC Zone	RM-4-10	4-10	RM-3-9	6-	RT	RT-1-4
	Allowed	Proposed	Allowed	Proposed	Allowed	Proposed
Setback Requirements						
Min Front Setback (feet)	varies1	5 ft	10 ft/20 ft ²	5 ft	5 ft	5 ft
Mission Gorge Road	varies	0 ft-15 ft				
Old Cliffs Road	varies	0 ft	10 ft/20 ft ²	0 ft		
Max Front Setback		15 ft		15 ft	15 ft	15 ft
Min Side Setback	varies	0 ft	5 ft 2	0 ft	0 ft	0 ft
Max Side Setback		1		į.		ı
Min Street Side Setback	varies	0 ft	10 ft ²	0 ft	5 ft	5 ft
Max Street Side Setback		15 ft		15 ft		15 ft
Min Rear Setback	varies1	0 ft	5 ft ²	0#	3 ft	0 ft
Max Structure Height	ı	85 ft	60 ft	65 ft	21/31ft slab 25ft/35ft raised	25/35 ft
Max Lot Coverage (%)	50 interior/ 60 corner lot	See section 4.7.9	T	ľ	75	75
Floor Area Ratio	3.60 1/3 for parking	3.60	2.70 1/3 for parking	2.70	1.10/1.50	
Justification	Setbacks: The reduced setbacks allow the strue address the street in an urban manner and proving address the street in an urban manner and proving the sidewalks to increase pedestrian activition to regard the sidewalks to increase pedestrian activition to reduily design. Increase height also allows flexible and height variation from one building to anothe Coverage: Exclude ground floor parking from cowhen covered by common open space per section incentivize additional recreational and common achieve high quality design by covering parking parking additional recreational and common achieve high quality design by covering parking parking and parking parking and parking and parking pa	educed setback et in an urban m lks to increase ped height allows ulation and roofil ncrease height a tion from one buude ground floor y common open ional recreationality design by cr	Setbacks: The reduced setbacks allow the structures to address the street in an urban manner and provide entryways from the sidewalks to increase pedestrian activity. Height: Increased height allows greater architectural flexibility for building articulation and roofline variation to achieve high quality design. Increase height also allows flexibility in density and height variation from one building to another. Coverage: Exclude ground floor parking from coverage count when covered by common open space per section 4.6.9 to incentivize additional recreational and common open areas and achieve high quality design by covering parking	res to entryways al flexibility ieve high / in density rage count 4.6.9 to	Setbacks: The reduced setback not needed with 26 foot private drive for automobile backup space. Height: Increase height allows greater architectural flexibility for building articulation and roofline variation to achieve high quality design.	e reduced seded with 26 ve for ckup space. se height architectural alding d roofline hieve high
	>	, ,				

1. Two contiguous yards must observe 15 feet on northerly and easterly elevations per LDC section 131.0443(g). 2. See setback requirement section 131.0443 (f).

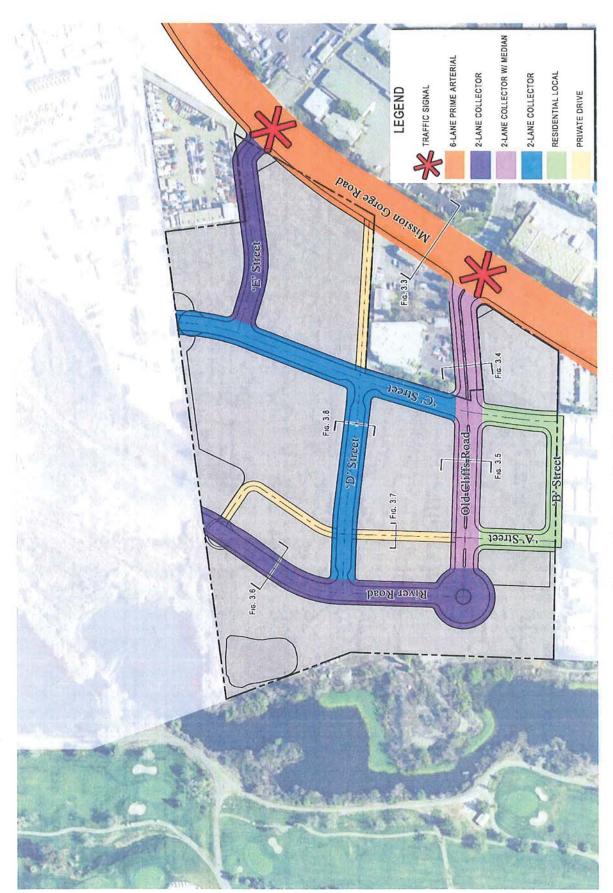


Figure 3.2 Street Classifications Plan

		9



Figure 2.4 Planning Areas

LAND USE

				if



Figure 2.2 Land Use Plan

			.•	

	lable 2.1 Land Use	Land Use and Development Intensity	III III EII SIII		
Planning Area	Land Use	LandArea¹	Density DU/Ac	Target Development Intensity	Target Commercial Area
Riverside	Single-family attached Residential with rear access garage River Park	1.96 Acres	13.8	27 Dwelling Units	
Village Center	Multi-Family Residential At-grade and Subterranean Parking Pocket Park, Population-Based Park 0.35 Acres	6.62 Acres	71.1	471 Dwelling Units	15,000 sf
Mission Gorge Road	Multi-Family Residential At-grade and Subterranean Parking	4.83 Acres	108.7	525 Dwelling Units	22,500 sf
River Park	River Park, Population-Based Park 2.22 Acres. Open Space Mapped MHPA and Wetland Buffer, 1.55 Acres.	3.77 Acres	×	3 x	
Streets	Right-of-way	5.70 Acres			
Total	Project Site	22.88 Acres	14.71	1,023 DU	37,500 sf

1. Acreages are approximate and may vary in final mapping.

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(O-XXXXX)

ORDINANCE NUMBER O	(NEW SERIES)	
ADOPTED ON		

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 22.9 ACRES LOCATED AT 6910-6980, EXCEPTING 6966 MISSION GORGE ROAD, WITHIN THE NAVAJO COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE AR-1-1, AR-1-2, AND IL-2-1 ZONES INTO THE OC-1-1, OP-2-1, RT-1-4, RM-3-8 AND RM-4-10 ZONESALL WITHIN THE COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE (CPIOZ), AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0202, 131.0203, 131.0405, 131.0406, AND 132.1401; AND REPEALING RESOLUTION NO. R-301263 ADOPTED FEBRUARY 28, 2006, OF THE RESOLUTIONS OF THE CITY OF SAN DIEGO INSOFAR AS THE SAME CONFLICTS HEREWITH.

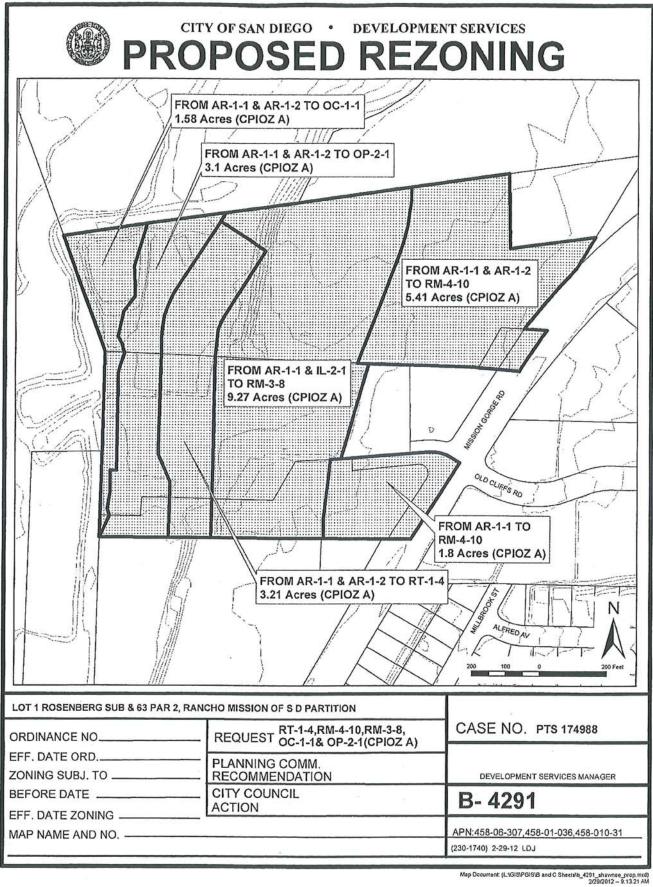
WHEREAS, under Charter section 280(a)(2) this ordinance is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the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

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

Section 1. That 22.9 acres located at 6910-6980 Mission Gorge Road, excepting 6966 Mission Gorge Road, and legally described as a Portion of Lot 63 of Rancho Mission of San Diego, According to Partition Map thereof on file in the County Clerk's office in an action entitled "Juan M. Luco et al VS Commercial Bank of San Diego et al" being Act No. 348, lying westerly of the County Road as said road existed on March 6, 1905; Together with Lot 1, Rosenberg Subdivision, according to Map No. 8254, in the Navajo Community Plan area, in the City of San

ATTACHMENT 8

Diego, California, as shown on Zone Map Drawing No. B-4291, filed in the office of the City
Clerk as Document No. OO, are rezoned from the AR-1-1, AR-1-2, and IL-2-1
zones into the OC-1-1, OP-2-1, RT-1-4, RM-3-8 and RM-4-10 zones all within the Community
Plan Implementation Overlay zone (CPIOZ), as the zones are described and defined by San
Diego Municipal Code Chapter 13, Article 1, Divisions 2 and 4; and Chapter 13 Article 2,
Division 14. This action amends the Official Zoning Map adopted by Resolution R-301263 on
February 28, 2006.
Section 2. That Resolution No. R-301263, adopted February 28, 2006, of the resolutions of the
City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.
Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a
written or printed copy having been available to the City Council and the public a day prior to its
final passage.
Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its
passage, and no building permits for development inconsistent with the provisions of this
ordinance shall be issued unless application therefore was made prior to the date of adoption of
this ordinance.
APPROVED: JAN GOLDSMITH, City Attorney
By Nina Fain Deputy City Attorney
JT XXXXXX Or.Dept: DSD Case No.174988 O-xxxxx



(3-2012)

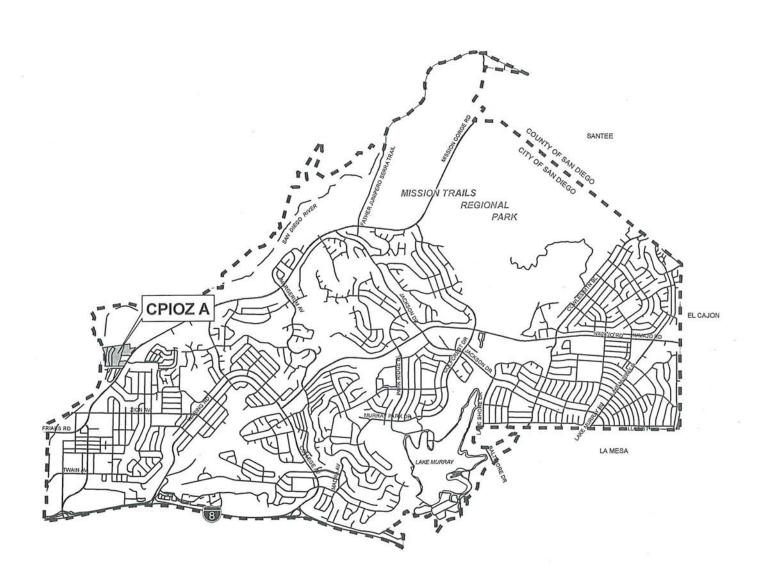




DIAGRAM 132-14?- PROPOSED

Navajo Community Plan Implementation Overlay Zone This is a reproduction of Map Nos. B-4291 for illustration purposes only.

Ch.	Art.	App.	
13	2	14	6

WHEREAS, Shawnee Properties, LLC, a Nevada limited liability company; and CG7600 LP, a Texas Limited Partnership, Owners, and Permittees, filed an application with the City of San Diego for a Planned Development Permit and Site Development Permit to remove existing uses and structures and construct up to 27 single dwelling units and 996 multi-family dwellings with deviations to development regulations, limited commercial office and retail uses, and the creation of open space including a Multiple Habitat Planning Area (MHPA) Boundary Line Adjustment, and a neighborhood park, known as the Shawnee/CG7600 project, located at 6910-6980 Mission Gorge Road, excepting 6966 Mission Gorge Road and legally described as a Portion of Lot 63 of Rancho Mission of San Diego, According to Partition Map thereof on file in the County Clerk's office in an action entitled "Juan M. Luco et al VS Commercial Bank of San Diego et al" being Act No. 348, lying westerly of the County Road as said road existed on March 6, 1905; Together with Lot 1, Rosenberg Subdivision, according to Map No. 8254, in the of the Navajo Community Plan area, in the AR-1-1, AR-1-2, and IL-2-1 zones, which are proposed to be rezoned to the in the proposed OC-1-1, OP-2-1, RT-1-4, RM-3-8, RM-4-10 zones, and the proposed Community Implementation Overlay Zone, Area A; and

WHEREAS, on July 26, 2012, the Planning Commission of the City of San Diego considered Planned Development Permit No. 632544 and Site Development Permit No. 632545 (PDP/SDP), and pursuant to Resolution No. XXXX-PC voted to recommend approval of the Permit; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial

body, a public hearing is required by law implicating due process rights of individuals affected by the decision, and the Council is required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

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

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Planned Development Permit No. 632544 and Site Development Permit No. 632545:

Planned Development Permit Findings - Section 126.0604

A. Findings for all Planned Development Permits

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

The Shawnee/CG7600 Master Plan ("Master Plan"), Site Development Permit, Planned Development Permit ("PDP"), and related land use approvals have been developed to implement the policies, goals, and objectives of the City of San Diego General Plan ("General Plan"), City of Villages Strategy, Navajo Community Plan ("Community Plan"), the Grantville Redevelopment Project Area, the San Diego River Park Master Plan, and related land use polices identified for this site.

The Strategic Framework Element of the General Plan was adopted in October 2008 and represents the City's new strategy to redirect new development and infill development away from undeveloped lands into already urbanized areas and/or areas with conditions allowing the integration of housing, employment, civic, and transit opportunities. This strategy, referred to as the City of Villages strategy, builds upon regional planning and smart growth principles and aims to preserve remaining open space and natural habitat and focus development within areas with available public infrastructure.

Through policies developed in the following eight areas: urban form, neighborhood quality, public facilities and services, conservation and the environment, mobility, housing affordability, economic prosperity and regionalism, and equitable development; the Strategic Framework Element of the General Plan envisions a city of mixed-use, village-style development, where uses are integrated in a manner that offers a variety of housing types, is pedestrian friendly and provides efficient transit service and public facilities.

As stated above, the General Plan proposes new growth to be directed to existing urbanized land. Shawnee/CG7600 Master Plan ("Master Plan") is located in an existing residential neighborhood infill site with present day open-air industrial uses along the San Diego River. Located next to a predominantly single-family neighborhood, the Master Plan's multi-family residential units offer the Grantville neighborhood more variety in housing types to multiple household income levels. Included in the master plan are commercial sales and service uses that would make possible a mixed-use project.

The City of Villages strategy, which is implemented by policies described in the Land Use and Community Planning Element of the General Plan, has as its overall goal the development of a series of mixed-use villages located throughout the City that are connected by high-quality transit. Policy LU-A.6 of the General Plan states that "various villages or individual projects within village areas may serve specific functions in the community and City; some villages may have an employment orientation, while others may be major shopping destination, or primarily residential in nature." With a more concentrated population, the Master Plan presents an opportunity for commercial sales and services to be included in the predominantly residential project, allowing a mix of uses. A potential bus stop along Mission Gorge Road that connects to the existing trolley lines next to Interstate 8 is more viable with higher density development not only for the Shawnee site but also for the adjacent, approved Archstone Communities project ("Archstone") and the proposed River Park project.

The Mobility Element of the General Plan which is designed to create walkable communities has the following goals:

- A city where walking is a viable travel choice, particularly for trips of less than one-half mile.
- A safe and comfortable pedestrian environment.
- A complete, functional, and interconnected pedestrian network, that is accessible to pedestrians of all abilities.
- Greater walkability achieved through pedestrian-friendly street, site and building design.

The Master Plan is envisioned to be a walkable community with pedestrian linkages throughout the site. The incorporation of the San Diego River Park Master Plan path corridor into the site is an important element of the Master Plan.

View and path corridors will link Mission Gorge Road with the San Diego River, which is presently inaccessible to the public. As an open community with public street, surrounding neighbors of the site will have easy access to the San Diego River and its planned pedestrian improvements. Tree-lined sidewalks and crosswalks and pedestrian and vehicular connections to future adjacent projects are planned throughout the site. The project streets are envisioned for pedestrians by incorporating ample sidewalks lined with landscaping and more importantly traffic calming measures. Traffic calming measures such as round-abouts, curb pop-outs, and gateway entrance treatments, are tools to be implemented in the street designs for this project. Minimum street widths with curbside parking slow traffic naturally while creating a safety barrier for pedestrians.

The Economic Prosperity Element of the General Plan recognizes the importance of industrial lands in providing a high standard of living and a diversified economy. The project proposed to convert industrially zoned land to a mixed-use project comprised of residential and commercial uses. Although the project currently is zoned industrial, it is not considered prime industrial land and does not currently include industrial uses that generate significant employment opportunities. The project is well suited for residential uses because of existing infrastructure, the proximity or residential support facilities, and sufficient density to support the location of a bus stop near the project entrance. Finally, the existence of adjacent non-industrial land uses makes the site better suited for residential uses rather than industrial uses.

The Community Plan area encompasses approximately 8,000 acres and is generally bounded on the north by Mission Gorge (the river gorge), on the south by I-8, on the east by the cities of El Cajon and La Mesa, and on the west by the San Diego River channel. Originally approved in 1982, the Community Plan was most recently reprinted in February 2008 and includes the Centerpointe at Grantville Amendment approved in 2007, the August 2002 amendment to the circulation and public transportation element, and the Grantville Amendment approved in 1989.

With respect to residential densities, the Residential Element of the Community Plan states that a wide range of residential densities [should] be permitted to develop in the community. This range would include 30-43 (medium-high density) ... dwelling units per acre of land. These densities will allow single-family houses, duplexes, townhouses, and apartments which will appeal to a wide segment of the population and provide for a diverse balanced population in the community. The Master Plan proposes 1,023 dwelling units on a 22.87 acre site, which calculates to be 45 DU per gross acre. This density is very close to the high end (43 DU/AC) proposed by the Community Plan. Archstone, which is adjacent to the project, has been approved at a residential density of 44 DU/AC. The proposed higher density mixed-use of the project will appeal to a segment of the population that desires the aspects of community living different from single-family neighborhoods.

The Master Plan foresees a neighborhood that tiers down to the San Diego River. With building height progressively reduced from Mission Gorge Road to River Road, variety in bulk and scale will help prevent a solid massing across the site. As Archstone is proposing a building height of 55 feet, there will be minimal building height differential from one site to the other, allaying the concern of over scaled buildings contrasting with existing small scale development.

The Master Plan also recognizes that the San Diego River is a unique natural resource and achieves the objectives of the Open Space Retention and Utilization Element of the Community Plan by incorporating measures for protecting habitat and open space along the San Diego River corridor and providing linkages to adjacent trails and open spaces recreational uses.

The goals of the Public Schools and Other Community Facilities Elements of the Community Plan are satisfied by the payment of appropriate fees and the provision of park facilities on the site.

The objectives of the Circulation and Public Transportation Element of the Community Plan are satisfied by the traffic mitigation provided by the project, which includes the widening and improvement of Mission Gorge Road to enhance vehicular and pedestrian circulation as well as beautify with the placement of street trees, urban furniture, and installation of sidewalks that are not in existence along the western side of Mission Gorge Road.

The San Diego River Park Master Plan ("SDRPMP") includes five principles designed to protect the health of the San Diego River and its related habitat, while at the same time providing opportunities for the public to enjoy the unique attributes of the San Diego River and gain an appreciation for its history. The project will assist in the restoration of the San Diego River by restoring native plants to the waterfront. The project also will unify fragmented lands and habitat by providing linkages to adjacent properties and providing street parking for visitors to the San Diego River corridor. The project will add trail linkages and lighting consistent with the SDRPMP in order to create a connected continuum of unique places and experiences. The connected trail system will allow visitors to benefit from the posting of signage that is informational, interpretive, and directional. As discussed above, the project also will step down in building height from Mission Gorge Road to the San Diego River, thus opening up views and access to the River.

Therefore, the proposed development described in the PDP will comply with the applicable regulations of the Land Development Code

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

As a predominantly residential project, the Master Plan will not have any detrimental effect to the public health of the community. In fact, the removal of the existing open-air industrial uses and automobile storage will help to improve not only the air and water quality of the community, but also the health of the adjacent San Diego River. Presently, all of the site vehicular access ways are unpaved which reduces air quality due to the generation of dust. Storm water runoff quality into the San Diego River is adversely affected due to the lack of vegetated areas where biofiltration can take place and sedimentation of the River reduced. With the proposed project, erosion and sedimentation controls will be put into place. Not only will storm water be treated for this development on-site, but also storm water originating on the east side of Mission Gorge Road, which currently discharges onto the site, will be treated.

As envisioned in the Master Plan, the project will be a pedestrian-friendly community that will be oriented to the San Diego River and provide connections to the surrounding neighborhood. Direct access via the project's public streets to the San Diego River will improve entry to a regional resource that today has no public access through the site.

The concept of "eyes on the street" will be integrated into the Master Plan naturally by orienting buildings to the street. Traffic calming measures such as round-abouts, curb pop-outs, and gateway entrance treatments, are tools to be implemented in the street designs for this project. Designing narrower streets with curb-side parking slows traffic naturally while creating a safety barrier for pedestrians.

Located in an area of the city predominantly of single-family homes, the Master Plan will help to provide variety in housing for more household income levels.

Overall, the project has been designed to comply with the Land Development Code and other regional, State, and Federal regulations to prevent detrimental impacts to the health, safety, and welfare of residents, workers and visitors, as well as adjacent development and people. These requirements include the safe design of streets and sidewalks, as well as grading and drainage that provides for control and treatment of stormwater. Conditions of approval address construction activities and appropriate lighting and landscaping for the project. Construction of the project will be pursuant to the Uniform Building, Fire, Plumbing, Electrical, and Mechanical Codes. All Land Development Codes governing construction and continued operation of the project will apply to prevent the potential for future adverse impacts once the project is built.

Therefore, the proposed development described in the PDP 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 including any proposed deviations pursuant to

Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

The proposed land uses, zoning, planned development and related permits for the project comply with all provisions of the Land Development Code. The project includes an amendment to the General Plan and Community Plan, a Master Plan for development, Rezone, Vesting Tentative Map, Site Development Permit, and Planned Development Permit. To achieve the project objectives, the project proposes additional land uses and development regulation deviations as allowed by the Land Development Code. The zoning and development regulations included in the Master Plan will ensure quality site and architectural design and must be adhered to for project build-out.

All proposed zones for the project site (RM-3-9, RM-4-10, RT-2-1 and OP-2-1) are derived from the Land Development Code. These zones were chosen to support higher density residential development in tandem with some permissible commercial land uses. Any proposed commercial services, such as drinking and dining establishments that are not allowed in the RM zones will require a Community Plan Amendment to specify permitted uses. Deviations to the base zone regulations shall be approved through the Planned Development Permit process that is outlined in the Master Plan.

The site also is subject to the requirements of the Community Plan Implementation Overlay Zone ("CPIOZ"). Compliance with the CPIOZ is achieved by designing the project to meet the architectural and streetscape design criteria related to neighborhood compatibility, building height, landscaping, streetscape improvement, San Diego River floodway setback and stepback, and pedestrian connectivity. Through the CPIOZ, the site is required to conform to the Navajo Community Plan special regulations for the site. The Amended Navajo Community Plan, refers to the Shawnee/CG7600 Master Plan, which requires certain treatments and allows deviations in some instances, including Floor Area Ratio.

Therefore, the proposed development described in the PDP will comply with the applicable regulations of the Land Development Code and when considered as a whole, the project will achieve the following:

- (a) Removal of the existing open-air industrial land uses that are incompatible with and a barrier to the San Diego River.
- (b) Reduce air pollution by replacing unpaved roads with improved streets.

- (c) Improve the health of the San Diego River by providing storm water filtration for the site and for storm water originating on the east side of Mission Gorge Road.
- (d) Provide new multi-family housing that accommodates access to housing by more household income levels.
- (e) Create direct and convenient access to the San Diego River.
- (f) Participate in the expansion of the SDRPMP trail network by incorporating the 35 foot wide path corridor with trail into the site.
- (g) Form view corridors through the site to the river from Mission Gorge Road.
- (h) Make street improvements/widening to Mission Gorge Road to improve traffic circulation.
- (i) Build the River Road with convenient street parking for visitors.
- (j) Provide passive and active areas for public parks.
- (k) Preserve and enhance MSCP land.
- (l) Create a network of streets with many points of connection both within and outside the site boundaries.
- (m) Creation of tree-lined streets.
- (n) Provide for further redevelopment of Grantville.

Zoning regulation deviations sought for the project, a description of which is contained in Table 4.1-1 of the project's EIR, are meant to improve upon the base zone regulations to produce a more urban form sought for this project. Presently, the City has no mixed-use zones with the proposed densities to implement the City of Villages vision of the General Plan. In order to do so, deviations for the proposed RM zones are sought to allow commercial services such as drinking and dining establishments or live/work units.

Deviations for height are sought for flexibility in accommodating building mass for increased residential density and building articulation and roofline variation to achieve high quality design, such as the inclusion of architectural elements of towers, pitched roofs, or small domes.

Deviations for setbacks are sought to allow the residential development to address the street in an urban manner through the formation of continuous street walls. For Mission Gorge Road and Old Cliffs Road, zero-foot setback allows retail businesses to be viable with sidewalks adjacent to storefronts.

Site Development Permit - Section 126.0504

A. Findings for all Site Development Permits

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

The Shawnee/CG7600 Master Plan ("Master Plan"), Site Development Permit ("SDP"), and related land use approvals have been developed to implement the

policies, goals, and objectives of the City of San Diego General Plan ("General Plan"), City of Villages Strategy, Navajo Community Plan ("Community Plan"), the Grantville Redevelopment Project Area, the San Diego River Park Master Plan, and related land use polices identified for this site.

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The City of Villages strategy, which is implemented by policies described in the Land Use and Community Planning Element of the General Plan, has as its overall goal the development of a series of mixed-use villages located throughout the City that are connected by high-quality transit. Policy LU-A.6 of the General Plan states that "various villages or individual projects within village areas may serve specific functions in the community and City; some villages may have an employment orientation, while others may be major shopping destination, or primarily residential in nature." With a more concentrated population, the Master Plan presents an opportunity for commercial sales and services to be included in the predominantly residential project, allowing a mix of uses. A potential bus stop along Mission Gorge Road that connects to the existing trolley lines next to Interstate 8 is more viable with higher density development not only for this site but also for the adjacent approved Archstone Communities project ("Archstone") and the proposed River Park project.

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- A city where walking is a viable travel choice, particularly for trips of less than one-half mile.
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- Greater walkability achieved through pedestrian-friendly street, site and building design.

The Master Plan is envisioned to be a walkable community with pedestrian linkages throughout the site. The incorporation of the San Diego River Park Master Plan path corridor into the site is an important element of the Master Plan. View and path corridors will link Mission Gorge Road with the San Diego River, which is presently inaccessible to the public. As an open community with public streets, surrounding neighbors of the site will have easy access to the San Diego River and its planned pedestrian improvements. Tree-lined sidewalks and crosswalks and pedestrian and vehicular connections to future adjacent projects are planned throughout the site. The project streets are envisioned for pedestrians by incorporating ample sidewalks lined with landscaping and more importantly traffic calming measures. Traffic calming measures such as round-abouts, curb pop-outs, and gateway entrance treatments, are tools to be implemented in the street designs for the project. Minimum street widths with curb-side parking slow traffic naturally, while creating a safety barrier for pedestrians.

The Economic Prosperity Element of the General Plan recognizes the importance of industrial lands in providing a high standard of living and a diversified economy. The project proposed to convert industrially zoned land to a mixed-use project comprised of residential and commercial uses. Although the project currently is zoned industrial, it is not considered prime industrial land and does not currently include industrial uses that generate significant employment opportunities. The project is well suited for residential uses because of existing infrastructure, the proximity of residential support facilities, and sufficient density to support the location of a bus stop near the project entrance. Finally, the existence of adjacent non-industrial land uses makes the site better suited for residential uses rather than industrial uses.

The Community Plan encompasses approximately 8,000 acres and is generally bounded on the north by Mission Gorge (the river gorge), on the south by I-8, on the east by the cities of El Cajon and La Mesa, and on the west by the San Diego River channel. Originally approved in 1982, the Community Plan was most recently reprinted in February 2008 and includes the Centerpointe at Grantville Amendment approved in 2007, the August 2002 amendment to the circulation and public transportation element, and the Grantville Amendment approved in 1989.

With respect to residential densities, the Residential Element of the Community Plan states that a wide range of residential densities [should] be permitted to develop in the community. This range would include 30-43 (medium-high density) ... dwelling units per acre of land. These densities will allow single-family houses, duplexes, townhouses, and apartments which will appeal to a wide segment of the population and provide for a diverse balanced population in the community." The Master Plan proposes 1,023 dwelling units on a 22.87 acre site, which calculates to be 45 DU per gross acre. This density is very close to the high end (43 DU/AC) proposed by the Community Plan. Archstone, which is adjacent to the project, has been approved at a residential density of 44 DU/AC. The proposed higher density mixed-use of the project will appeal to a segment of the population that desires the aspects of community living different from single-family neighborhoods.

The Master Plan foresees a neighborhood that tiers down to the San Diego River. With building height progressively reduced from Mission Gorge Road to River Road, variety in bulk and scale will help prevent a solid massing across the site. As Archstone is proposing a building height of 55 feet, there will be minimal building height differential from one site to the other, allaying the concern of over scaled buildings contrasting with existing small scale development.

The Master Plan also recognizes that the San Diego River is a unique natural resource and achieves the objectives of the Open Space Retention and Utilization Element of the Community Plan by incorporating measures for protecting habitat and open space along the San Diego River corridor and providing linkages to adjacent trails and open spaces recreational uses.

The goals of the Public Schools and Other Community Facilities Elements of the Community Plan are satisfied by the payment of appropriate fees and the provision of park facilities on the site.

The objectives of the Circulation and Public Transportation Element of the Community Plan are satisfied by the traffic mitigation provided by the project as required by the EIR, which includes the widening and improvement of Mission Gorge Road to enhance vehicular and pedestrian circulation as well as beautify with the placement of street trees, urban furniture, and installation of sidewalks that are not in existence along the western side of Mission Gorge Road.

The San Diego River Park Master Plan ("SDRPMP") includes five principles designed to protect the health of the San Diego River and its related habitat, while at the same time providing opportunities for the public to enjoy the unique attributes of the San Diego River and gain an appreciation for its history. The project will assist in the restoration of the San Diego River by restoring native plants to the waterfront. The project also will unify fragmented lands and habitat by providing linkages to adjacent properties and providing street parking for visitors to the San Diego River corridor. The project will add trail linkages and

lighting consistent with the SDRPMP in order to create a connected continuum of unique places and experiences. The connected trail system will allow visitors to benefit from the posting of signage that is informational, interpretive, and directional. As discussed above, the project also will step down in building height from Mission Gorge Road to the San Diego River, thus opening up views and access to the River.

Therefore, the proposed development described in the Site Development Permit will not adversely affect the applicable land use plans.

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

As a predominantly residential project, the Master Plan will not have any detrimental effect to the public health of the community. In fact, the removal of the existing open-air industrial uses and automobile storage will help to improve not only the air and water quality of the community, but also the health of the adjacent San Diego River. Presently, all of the site vehicular access ways are unpaved, which reduces air quality due to the generation of dust. Storm water runoff quality into the San Diego River is adversely affected due to the lack of vegetated areas where biofiltration can take place and sedimentation of the San Diego River reduced. With the proposed project, erosion and sedimentation controls will be put into place.

As envisioned in the Master Plan, the project will be a pedestrian-friendly community that will be oriented to the San Diego River and provide connections to the surrounding neighborhood. Direct access via the project's public streets to the San Diego River will improve entry to a regional resource that today has no public access through the site.

The concept of "eyes on the street" will be integrated into the Master Plan naturally by orienting buildings to the street. Traffic calming measures such as round-abouts, curb pop-outs, and gateway entrance treatments, are tools to be implemented in the street designs for this project. Designing narrower streets with curb-side parking slows traffic naturally while creating a safety barrier for pedestrians.

Located in an area of the city predominantly of single-family homes, the Master Plan will help to provide variety in housing for more household income levels.

Overall, the project has been designed to comply with the Land Development Code and other regional, State, and Federal regulations to prevent detrimental impacts to the health, safety, and welfare of residents, workers and visitors, as well as adjacent development and people. These requirements include the safe design of streets and sidewalks, as well as grading and drainage that provides for control and treatment of stormwater. Conditions of approval address

construction activities and appropriate lighting and landscaping for the project. Construction of the project will be pursuant to the Uniform Building, Fire, Plumbing, Electrical, and Mechanical Codes. All Land Development Codes governing construction and continued operation of the project will apply to prevent the potential for future adverse impacts once the project is built.

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

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

The proposed land uses, zoning, planned development and related permits for the project comply with all provisions of the Land Development Code. The project includes an amendment to the General Plan, Community Plan, Master Plan, Rezone, Vesting Tentative Map, SDP, and Planned Development Permit. To achieve the project objectives, the project proposes additional land uses and development regulation deviations as allowed by the Land Development Code. The zoning and development regulations included in the Master Plan will ensure quality site and architectural design and must be adhered to for project build-out.

All proposed zones for the project site (RM-3-9, RM-4-10, RT-2-1 and OP-2-1) are derived from the Land Development Code. These zones were chosen to support higher density residential development in tandem with some permissible commercial land uses. Any proposed commercial services, such as drinking and dining establishments that are not allowed in the RM zones will require a Community Plan Amendment to specify permitted uses. Deviations to the base zone regulations shall be approved through the Planned Development Permit process that is outlined in the Master Plan.

The site also is subject to the requirements of the Community Plan Implementation Overlay Zone ("CPIOZ"). Compliance with the CPIOZ is achieved by designing the project to meet the architectural and streetscape design criteria related to neighborhood compatibility, building height, landscaping, streetscape improvement, San Diego River floodway setback and stepback, and pedestrian connectivity. Through the CPIOZ, the site is required to conform to the Navajo Community Plan special regulations for the site. The Amended Navajo Community Plan, refers to the Shawnee/CG7600 Master Plan, which requires certain treatments and allows deviations in some instances, including Floor Area Ratio.

Therefore, the proposed development described in the SDP will comply with the applicable regulations of the Land Development Code.

B. Supplemental Findings – Environmentally Sensitive Lands

1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

Located between a prime arterial road that is an important transportation link and the San Diego River, adjacent to an approved multi-story apartment project (Archstone) to the south and linked to a proposed mixed-use project (River Park) to the north, the proposed multi-family residential project is the appropriate use for the site. A generous setback from the San Diego River prescribed in the Biology Report of the EIR and enhancing the existing Multi-Habitat Planning Area (MHPA) will result in minimum disturbance. Enhancements include the removal of the existing chain link fence at the property line, creation of storm water treatment areas, and expanding the adjacent landscaped area with native vegetation. Some limited grading will raise a portion of the site above the floodplain that will be occupied by the proposed River Road and a limited number of residential units. Proposed grades will meet natural grades outside of the floodway line and more than 100 feet from the San Diego River. The project will comply with the MHPA Land Use Adjacency Guidelines of the City's Multiple Species Conservation (MSCP) Subarea Plan which will ensure that the project does not impact the MHPA. Proposed lighting will be directed away from adjacent MHPA and open-space areas, and shielded as necessary.

2. The proposed development will minimize the alteration of the natural land forms and will not result in undue risk from geologic and erosion forces, flood hazards, and fire hazards.

With the existing use of the project site as an area for multiple light industrial uses, the natural state of the site has been altered substantially. With few paved surfaces and virtually no vegetation, erosion from storm water and vehicle traffic have altered the site. As stated above, the proposed minimum grading is designed to raise a small portion of the site above the floodplain. The floodway line will not be affected. Geologic factors are considered in the geology report which has determined that there is a negligible risk in developing the site as proposed. Potential fire hazards are considered low due to the project's proximity to the San Diego River and Admiral Baker Golf Course and adjacency to sparsely vegetated industrial land with mining uses. Erosion control measures will be put in place during grading and construction. Once complete, the site will be landscaped with drought tolerant species to control erosion.

3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

As stated in the findings above, development will not encroach or affect adjacent environmentally sensitive lands. The proposed River Road at the western end of the site is set back from the MHPA and floodway. All sensitive vegetation

identified in the biological report will not be removed. Invasive non-native plant species will not be used in areas within and adjacent to the MHPA. Proposed lighting will be directed away from adjacent MHPA and open-space areas, and shielded as necessary.

4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

The Master Plan complies with the MHPA Land Use Adjacency Guidelines of the City's MSCP Subarea Plan, which will ensure that the project does not impact the MHPA. Currently, a drain pipe that channels storm water from surrounding areas outside the boundaries of the project site outlets directly into the San Diego River untreated. After the project is developed, all stormwater runoff will be treated in a proposed vegetated swale prior to draining into the San Diego River.

5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline and supply.

Located more than 10 miles downstream from local beaches, the Master Plan will not contribute directly to beach erosion. Shoreline sand supply is partially derived from the San Diego River and will not be interrupted by the proposed development.

6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate negative impacts created by the proposed development.

Mitigation measures, outlined in the project's EIR would reduce most negative impacts to the environment created by the Master Plan, to below a level of significance.

The proposed project's significant cumulative impacts to six local roadway segments, four intersections and a freeway ramp meter could be mitigated to below a level of significance with implementation of the mitigation measure identified in Section 4.2.3.3 of the FEIR. Implementation of this mitigation measure would require the construction of the Santo Road and Tierrasanta Boulevard connections. The Permit contains the condition that the owners/permittees shall contribute a fair share of 1.98 percent of the estimated cost of the Tierrasanta Boulevard connection and 2.36 percent of the Santo Road connection at the time of issuance of the first construction permit. However, if the connections are never constructed, the proposed project's cumulative traffic impacts would remain significant and unmitigated.

The construction of the Santo Road and Tierrasanta Boulevard connections would relieve future traffic congestion within the vicinity of the project site. These

connections would reduce traffic on Mission Gorge Road and Friars Road by allowing an alternate route for traffic flow.

Although the connection of Santo Road and Tierrasanta Boulevard are shown on the City's Circulation Element of the Navajo Community Plan and General Plan, they remained unbuilt and there are presently no plans or funding for their construction. Both connections would have environmental consequences, particularly Tierrasanta Boulevard which would require crossing of the San Diego River. In addition, there is substantial community opposition to these connections.

In the event that these connections are not constructed, proposed project's cumulative traffic impacts would remain significant and unmitigable. The proposed project is being required to pay its fair share towards the construction of the Santo Road and Tierrasanta Boulevard connections, but there is no guarantee that adequate additional funding will become available to the City.

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

BE IT FURTHER RESOLVED, that Planned Development Permit No. 632544 and Site Development Permit No. 632545 is granted to Shawnee Properties, LLC, a Nevada limited liability company; and CG7600 LP, a Texas Limited Partnership; Owner/Permittees, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

BE IT FURTHER RESOLVED, that the MHPA boundary adjustment as shown on Vesting Tentative Map No. 632543 is approved.

RECORDING REQUESTED BY CITY OF SAN DIEGO DEVELOPMENT SERVICES

DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO CITY CLERK MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 23432145

PLANNED DEVELOPMENT PERMIT NO. 632544 SITE DEVELOPMENT PERMIT NO. 632545 SHAWNEE/CG7600 - PROJECT NO. 174988[MMRP] CITY COUNCIL

This Planned Development Permit No. 632544 and Site Development Permit No. 632545, is granted by the City Council of the City of San Diego to Shawnee Properties, LLC, a Nevada limited liability company, and CG7600 LP, a Texas Limited Partnership, Owners and Permittees, pursuant to San Diego Municipal Code [SDMC] sections 126.0604 and 126.0504. The 22.9-acre site is located at 6910-6980 Mission Gorge Road, excepting 6966 Mission Gorge Road, in the proposed OC-1-1, OP-2-1, RT-1-4, RM-3-8, RM-4-10 zones, and the proposed Community Implementation Overlay Zone, Area A, of the Navajo Community Plan area. The project site is legally described as: a Portion of Lot 63 of Rancho Mission of San Diego, According to Partition Map thereof on file in the County Clerk's office in an action entitled "Juan M. Luco et al VS Commercial Bank of San Diego et al" being Act No. 348, lying westerly of the County Road as said road existed on March 6, 1905; Together with Lot 1, Rosenberg Subdivision, according to Map No. 8254.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owners and Permittees to remove existing uses and structures and construct up to 27 single dwelling units and 996 multi-family dwellings with deviations to development regulations, limited commercial office and retail uses, and the creation of open space including a Multiple Habitat Planning Area (MHPA) Boundary Line Adjustment and a neighborhood park, as described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated XXXX, on file in the Development Services Department.

The project shall include:

a.	The approximately 22.9 acre site will consist of a phased maximum of 1,023 residential
	units; 37,500 square feet of commercial office/retail space; open space river park with a
	Multiple Habitat Planning Area (MHPA) Boundary Line Adjustment; approximately
	2.57 acres of neighborhood parks; and other improvements in accordance with the
	descriptions, guidelines, and requirements of the Shawnee/CG7600 Master Plan dated
	, which is incorporated herein by reference;

- b. Deviations to development regulations as outlined in the Shawnee/CG7600 Master Plan;
- c. Uses consistent with the Shawnee/CG7600 Master Plan;
- d. Landscaping (planting, irrigation and landscape related improvements);
- e. Off-street parking;
- f. 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. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by
- 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 Owners/Permittees sign and return the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
- 3. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owners/Permittees and any successor(s) in interest.

- 4. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
- 5. Issuance of this Permit by the City of San Diego does not authorize the Owners/Permittees 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.).
- 6. The Owners/Permittees shall secure all necessary building permits. The Owners/Permittees is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
- 7. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
- 8. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owners/Permittees 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 Owners/Permittees 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.

9. The Owners/Permittees 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 Owners/Permittees of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owners/Permittees 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, Owners/Permittees 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 Owners/Permittees 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 Owners/Permittees shall not be required to pay or perform any settlement unless such settlement is approved by Owners/Permittees.

10. This Permit may be developed in phases. Each phase shall be constructed prior to sale or lease to individual owners or tenants to ensure that all development is consistent with the conditions and exhibits approved for each respective phase per the approved Exhibit "A."

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

- 11. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.
- 12. The mitigation measures specified in the MMRP and outlined in Environmental Impact Report (EIR) No. 174988, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.
- 13. The Owners/Permittees shall comply with the MMRP as specified in Environmental Impact Report No. 174988 to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

Land Use (MSCP/MHPA)
Historical and Paleontological Resources
Biological Resources
Noise
Transportation/Circulation

AFFORDABLE HOUSING REQUIREMENTS:

14. Prior to the issuance of each building permit, the Owners/Permittees shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.), or, prior to the issuance of each building permit, the Owners/Permittees shall enter into an affordable housing agreement with the San Diego Housing Commission to provide affordable housing units in compliance with the City's Inclusionary Affordable Housing Regulations (SDMC § 143.0301 et seq.).

ENGINEERING REQUIREMENTS:

15. All driveways and curb openings shall comply with City Standard Drawings, satisfactory to the City Engineer.

- 16. Prior to the issuance of any construction permit, the Owners/Permittees shall obtain an Encroachment Maintenance and Removal Agreement for private storm drain, landscape and irrigation located within the City's right-of-way, satisfactory to the City Engineer.
- 17. Prior to the issuance of any construction permit, the Owners/Permittees shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
- 18. Prior to the issuance of any construction permit, the Owners/Permittees shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.
- 19. Prior to the issuance of any construction permit, the Owners/Permittees shall incorporate and show the type and location of all post construction Best Management Practices (BMP's) on the final construction drawings, consistent with the approved Water Quality Technical Report.
- 20. The drainage system for this project will be subject to approval by the City Engineer.
- 21. Prior to the issuance of any building permits, the Owners/Permittees 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.
- 22. Prior to the issuance of any construction permit, the Owners/Permittees shall grant to the City of San Diego a flood storage easement. The Owners/Permittees shall construct drainage detention basins, the design, location, and size of which are subject to approval by the City Engineer. The design shall be such that the discharge from the improved area will be no more than the discharge would have been from the land in the existing state. The Owners/Permittees shall provide for the maintenance of the drainage detention facilities within the flood storage easement, satisfactory to the City Engineer.
- 23. A portion of this project has been identified as being within the Floodway of a Special Flood Hazard Area. No increases to base flood elevations are allowed. A Registered Professional Engineer shall submit a "no-rise" certification along with a detailed engineering analysis to substantiate the certification. The analysis is subject to the approval of the City Engineer.
- 24. If the engineering analysis shows the development will alter the floodway or floodplain boundaries of the Special Flood Hazard Area, the Owners/Permittees must obtain a Conditional Letter of Map Revision from the Federal Emergency Management Agency prior to issuance of any grading, engineering, or building permits. The Owners/Permittees must provide all documentation, engineering calculations, and fees which are required by FEMA.
- 25. No certificates of occupancy will be granted or bonds released for development associated with this project until a Letter of Map Revision (LOMR) is obtained from FEMA, if one is

required. The LOMR is issued based upon as-built site conditions, therefore, the applicant must allow time to complete this process. The developer must provide all documentation, engineering calculations, and fees which are required by FEMA.

- 26. All structures built within the Special Flood Hazard Area must have the lowest floor elevated 2 feet above the base flood elevation, or if the structure is nonresidential it may be flood proofed to that same elevation.
- 27. All fill placed within the Special Flood Hazard Area must be compacted to 95% relative compaction.
- 28. The Owners/Permittees agree to waive the right to oppose a special assessment initiated for the construction of flood control facilities and their perpetual maintenance.
- 29. The Owners/Permittees shall grant a flowage easement, satisfactory to the City Engineer.
- 30. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009-DWQ and the Municipal Storm Water Permit, Order No. R9-2007-0001. In accordance with Order No. 2009-0009DWQ, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.
- 31. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

LANDSCAPE REQUIREMENTS:

- 32. Prior to issuance of construction permits for grading, the Owners/Permittees shall submit landscape construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the Land Development Manual Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' on file in the Office of the Development Services Department.
- 33. Prior to issuance of construction permits for public right-of-way improvements, the Owners/Permittees shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall take into account a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

- 34. In the event that a foundation only permit is requested by the Owners/Permittees, a site plan or staking layout plan shall be submitted identifying all landscape areas consistent with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'
- 35. Prior to issuance of any Certificate of Occupancy, Owners/Permittees shall install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.
- 36. The Owners/Permittees shall maintain all landscape in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.
- 37. The Owners/Permittees shall maintain all landscape improvements in the right-of-way consistent with the Land Development Manual, Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review and approval by a Landscape Planner, which shall be executed by Owners/Permittees.
- 38. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owners/Permittees shall repair and/or replace any landscape in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to a final landscape inspection.
- 39. The Owners/Permittees shall ensure that all proposed landscaping, especially landscaping adjacent to native habitat and/or MHPA, shall not include exotic plant species that may be invasive to native habitats. Plant species found within the California Invasive Plant Council's (Cal-IPC) Invasive Plant Inventory and the City of San Diego's Land Development Manual, Landscape Standards are prohibited.
- 40. Prior to issuance of any construction permit for parking structures, the Owners/Permittees shall submit on the planting and irrigation plans a signed statement by a Registered Structural Engineer indicating that supporting structures are designed to accommodate the necessary structural loads and associated planting and irrigation.
- 41. Soil tests shall be performed to ensure no conditions are present that would limit plant growth.
- 42. Trees in the public-right-of way, Mission Gorge Road, and along the San Diego river shall be chosen from the "Tree Species List" indicated in the Navajo Community Plan, p.33, and consistent with the predominant species in the area.

- 43. In the event that the Landscape Plan and the Site Plan conflict, the Site Plan shall be revised to be consistent with the Landscape Plan such that landscape areas are consistent with the Exhibit 'A' Landscape Development Plan.
- 44. The Owners/Permittees 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.
- 45. Owners/Permittees shall provide a wood mulch that is uniformly spread to a minimum depth of two inches.
- 46. A landscaped area shall be provided at the base of all ground signs. The size of the landscaped area shall be equal to or greater than the area of the sign face.
- 47. Mission Gorge Road landscape medians and parkway hardscape, irrigation and planting shall be maintained in perpetuity by the Shawnee/CG7600 HomeOwnerss Associations.
- 48. Screening trees shall be installed along Mission Gorge Road behind the sidewalk. Tree massings shall fully screen architectural volumes where appropriate.
- 49. The Mission Gorge Road maintenance strip shall match the existing median to the south. The maintenance strip shall be designed and constructed to prevent cracks and separation of concrete pours that could lead to weed growth.
- 50. Owners/Permitees shall have a landscape architect undertake shade studies for tree planting in courtyards. All trees planted in courtyards shall be properly planted and avoid adverse shading of patios and units.

PARKS AND RECREATION REQUIREMENTS:

- 51. The project will add 1,023 residential units, thus adding to the demand for population-based parks within the Navajo Community by 5.5 acres of park land based on the General Plan population-based park standards. Owners/Permitteeswill provide 2.57 acres of park land within the project area, resulting in a shortfall of 2.93 acres. Therefore, the Owners/Permittees shall pay an ad hoc fee to fund acquisition, design and construction of 2.93 useable acres of park land, as well as a pro rata share of costs to provide for the project's demand for a community recreation center and aquatic complex based on General Plan population-based standards and the costs to fund, design, and construct those improvements, within the Navajo Community.
- 52. The ad hoc fee for the 2.93 acres of park land and the project's demand for a community recreation center and aquatic complex shall be \$5,480,050 based on fair market value of land, current design and construction costs. Payment of the ad hoc fee shall be due at building permit issuance and credited against the park portion of the most recent per-unit Navajo Development

Impact Fee, adopted by City Council resolution. If the City has amended the Navajo Public Facilities Financing Plan prior to building permit issuance to include the project, then Owners/Permittees shall pay the applicable Navajo Development Impact Fee adopted by City Council resolution instead of the ad hoc fee. Alternately, rather than paying the ad hoc fee in one payment of \$5,480,050, the Owners/Permittees may pay an ad hoc fee of \$10,055per residential unit for the last 545 residential units beginning with the building permit for the 479th residential unit for the project. The ad hoc fee will be placed into an interest bearing account (Fund No. 200636, Developers Contributions Fund) to be used for public park improvements to serve the increased population generated by the project within the Navajo Community.

- 53. Owners/Permittees shall design and construct all 2.57 acres of on-site population-based park land including the "Riverpark" (2.22) acres in the first phase (Riverside) and the "Pocket Park" (0.35 acres) in the second phase (Village Center). No building permits shall be issued and no final map shall be recorded unless and until the Owners/Permittees enters into a fully executed park development agreement (PDA) with the City for the design, construction and maintenance of all on-site population-based park land. A fully executed PDA is anticipated to be a six to nine month process including City Council approval.
- 54. The Owners/Permittees shall ensure that the design of the 2.57 acres of population-based park shall be prepared in conformance with Council Policy 600-33, Community Notification and Input for City-wide Park Development Projects.
- 55. Prior to the approval of any Substantial Conformance Review (SCR), the Park Planning Section of DSD shall review the SCR submittal for consistency with the approved VTM. If 2.57 acres of park land are not provided in conformance with this Permit and the approved VTM, Owners/Permittees shall pay ad hoc fees as determined by the City based on fair market value of land, current design and construction costs in proportion to the park acreage not provided, and pro rata share of the costs for community recreation center and aquatic complex based on General Plan population-based standards and the costs to fund, design, and construct those improvements to fully satisfy park acreage requirements.
- 56. Prior to issuance of the first grading permit, the Owners/Permittees shall secure written permission to revegetate approximately 9,700 sq ft of adjacent parcel (APNs 45502102 and 45502103), to address historic non-permitted encroachments. Work includes, but is not limited to: removal of AC paving, gravel and chain link fencing, revegetation of all impacted areas consistent with the adjacent San Diego River native habitat, creation of a maintenance and monitoring program with success criteria, that includes removal of adjacent non-native invasive plant material to ensure project long term viability to the satisfaction of the US Navy.

MULTIPLE SPECIES CONSERVATION PROGRAM:

57. Prior to recordation of the first final map and/or issuance of any grading permits, Owners/Permittees shall convey the on-site MHPA to the City's MSCP preserve through either fee title to the City, covenant of easement granted in favor of the City and wildlife agencies, or dedication of land in fee title to the City.

- 58. Prior to the issuance of grading permits, a Management and Monitoring Plan (MMP) that includes a Property Analysis Record (PAR) or similar calculation tool to determine the amount of a non-wasting endowment necessary to fund the in-perpetuity implementation of the MMP would be developed and submitted to the Development Services Department, MSCP and, Park and Recreation Department for approval of the monitoring and management of the land within the Covenant of Easement.
- 59. Prior to the issuance of any building permits, a comprehensive maintenance manual shall be prepared in compliance with MHPA land use adjacency guidelines. This manual shall identify the use of only hand tools and other restrictions that shall be used by the maintenance crew hired and overseen by the Home Owners Association.
- 60. Conveyance of any land in fee to the City shall require approval from the Park and Recreation Department Open Space Division Deputy Director and shall exclude detention basins or other stormwater control facilities, brush management areas, landscape/revegetation areas, and graded slopes. To facilitate MHPA conveyance, Owners/Permittees shall grant a covenant of easement for any non-fee area located in the MHPA, and Owners/Permittees shall maintain the MHPA areas subject to a covenant of easement in perpetuity. City may accept dedication of MHPA land in fee title, in which case, Owners/Permittees need not grant covenant of easements for those MHPA lands or maintain those MHPA lands.
- 61. The issuance of this permit by the City of San Diego does not authorize the Permittees 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 (EAS) and any amendments thereto (16 U.S.C. Section 1531 et seq.). In accordance with authorization granted to the City of San Diego from the USFWS pursuant to Sec. 10(a) of the ESA and by the CDFG pursuant to Fish & Game Code sec. 2835 as part of the Multiple Species Conservation Program (MSCP), the City of San Diego through the issuance of this Permit hereby confers upon Permittees the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement (IA), executed on July 17, 1997 and on File in the Office of the City Clerk as Document No. 00-18394. Third Party Beneficiary status is conferred upon Permittees by the City: (1) to grant Permittees the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this permit and the IA, and (2) to assure Permittees that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS or CDFG, except in the limited circumstances described in Section 9.6 and 9.7 of the IA. For lands identified as mitigation but not yet dedicated, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Permittees maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Permittees of mitigation obligations required by this Permit, as described in accordance with Section 17.1D of the IA.

PLANNING/DESIGN REQUIREMENTS:

62. Prior to the issuance of a building permit, the Owners/Permittees shall apply for the appropriate review, as described in Table 6.3 of the Shawnee/CG7600 Master Plan. The

submittal shall be reviewed by the Development Services Department for conformance with the Shawnee/CG7600 Master Plan, the Navajo Community Plan, and the requirements of the Vesting Tentative Map, Planned Development Permit and Site Development Permit (Project No. 174988).

- 63. Owners/Permittees and its successors and assigns agree to vote in the affirmative for a statutory authorized (i.e., Municipal Improvement Act of 1913) formation of a property based assessment district established to fund and operate an intra-community shuttle.
- 64. Owners/Permittees and its successors and assigns agree to vote in the affirmative for a statutory authorized (i.e., Improvement Act of 1911) formation of a property based assessment district established to fund and operate a district for landscaping, lighting and other public improvements within the right-of-ways of the Grantville Community.
- 65. Should approval of the Grantville Master Plan establish a larger sidewalk width up to a maximum of 10-feet along Mission Gorge Road prior to issuance of final map, the subdivider shall improve up to a maximum 10-foot non-contiguous sidewalk within a 15-foot curb to property line distance on the north side of Mission Gorge Road, satisfactory to the City Engineer.
- 66. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.
- 67. The Owners/Permittees shall post a copy of each approved discretionary Permit or Tentative Map in its sales office for consideration by each prospective buyer.
- 68. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

TRANSPORTATION REQUIREMENTS

- 69. Prior to issuance of the first construction permit, the Owners/Permittees shall assure by permit and bond widening of the west side of Mission Gorge Road between the Private Drive south of Street "E" and Street "E" by 8 feet to provide a third thru lane, satisfactory to the City Engineer.
- 70. Prior to issuance of the first construction permit, the Owners/Permittees shall assure by permit and bond the construction of Mission Gorge Road north of Old Cliffs Road as a 6-lane primary arterial: This street should be constructed as a six lane primary arterial with pavement width of 96 feet (6-foot bike lane, 13-foot thru lane, 11-foot thru lane, 11-foot thru lane, and 14-foot median on each side of the street within 121 feet of right-of-way (15-foot urban parkway on the west side), satisfactory to the City Engineer.
- 71. Prior to issuance of the first construction permit, the Owners/Permittees shall assure by permit and bond the construction of Mission Gorge Road south of Old Cliffs Road as a 6-lane primary arterial: This street should be constructed as a six lane primary arterial with pavement width of 96 feet (6-foot bike lane, 13-foot thru lane, 11-foot thru lane, 11-foot thru lane, 10-foot

single left-turn-lane plus 4-foot median within 126 feet of right-of-way (15-foot urban parkway on the west side), satisfactory to the City Engineer.

- 72. Prior to issuance of the first construction permit, the Owners/Permittees shall assure by permit and bond the construction of Old Cliffs Road between Mission Gorge Road and Street "C" as a two lane collector street with pavement width of 46 feet (18-foot inbound travel lane, 6-foot median, 10-foot thru/left lane, 12-foot right turn lane) within 70 feet of right-of-way (14-foot parkway on the south side and 10-foot parkway on the north side), satisfactory to the City Engineer.
- 73. Prior to issuance of the first construction permit, the Owners/Permittees shall assure by permit and bond the construction of Old Cliffs Road west of Street "C" as a two lane collector street with pavement width of 50 feet (8-foot parking, 14-foot travel lane, 6-foot median, 14-foot travel lane, 8-foot parking lane) within 74 feet of right-of-way (12-foot parkway on both sides), satisfactory to the City Engineer.
- 74. Prior to issuance of the first construction permit, the Owners/Permittees shall assure by permit and bond the construction of River Road as a two lane collector street with pavement width of 40 feet (8-foot parking lane, 12-foot thru, 12-foot thru lane, 8-foot parking lane) within 65 feet of right-of-way (15-foot parkway on the east side and 10-foot parkway on the west side), satisfactory to the City Engineer.
- 75. Prior to issuance of the first construction permit, the Owners/Permittees shall assure by permit and bond the construction of Street "E" as a two lane collector street with 40 feet of pavement width (18-foot thru lane, 10-foot left turn lane, 12-foot right-turn lane) within 64 feet of right-of-way (12-foot parkway on each side), satisfactory to the City Engineer.
- 76. Prior to issuance of the first construction permit, the Owners/Permittees shall assure by permit and bond the construction of Street "A" between Street "B" and Old Cliffs Road as a two lane local street with 32 feet of pavement within 56 feet of right-of-way (12-foot parkway on each side), satisfactory to the City Engineer.
- 77. Prior to issuance of the first construction permit, the Owners/Permittees shall assure by permit and bond the construction of Street "C" between Street "B" and Old Cliffs Road as a two lane local street with 32 feet of pavement within 56 feet of right-of-way (12-foot parkway on each side), satisfactory to the City Engineer.
- 78. Prior to issuance of the first construction permit, the Owners/Permittees shall assure by permit and bond the construction of Street "D" between Private Drive and River Road as a two lane subcollector street with 40 feet (8-foot parking lane, 12-foot thru lane, 12-foot thru lane, 8-foot parking lane) of pavement within 64 feet of right-of-way (12-foot parkway on each side), satisfactory to the City Engineer.
- 79. Prior to issuance of first construction permit, the Owners/Permittees shall assure by permit and bond the construction of Street "B" loop connection between the approved Archstone

Project and Shawnee as a local residential street with curb to curb width of 32 feet within 54 feet of right of way, satisfactory to the City Engineer.

- 80. Prior to issuance of the first construction permit, the Owners/Permittees shall assure by permit and bond construction of the traffic signal at the intersection of Mission Gorge Road and Street "E", satisfactory to the City Engineer.
- 81. Prior to issuance of the first construction permit, the Owners/Permittees shall assure by permit and bond the modification of the traffic signal at the intersection of Mission Gorge Road and Old Cliffs Road/Project Entrance, satisfactory to the City Engineer.
- 82. Prior to issuance of the first construction permit, the Owners/Permittees shall assure by permit and bond the extension of the northbound left turn lane on Mission Gorge Road into Old Cliffs Road/Project Entrance to provide 350 feet of storage length with 120 foot transition, satisfactory to the City Engineer.
- 83. Prior to issuance of the first construction permit, the Owners/Permittees shall assure by permit and bond the construction of a 245-foot northbound left turn lane on Mission Gorge Road onto Street "E" with 120 foot transition, satisfactory to the City Engineer.
- 84. The applicant shall coordinate with the Archstone Mission Gorge project to align Street "A" and Street "C" across the shared property line, satisfactory to the City Engineer.
- 85. Prior to issuance of the first construction permit, the Owners/Permittees shall assure by permit and bond construction of a cul-de-sac with a minimum turning radius of 35 feet at the northern end of C Street, satisfactory to the City Engineer.
- 86. Prior to issuance of the first construction permit, the Owners/Permittees shall assure by permit and bond construction of a cul-de-sac with a minimum turning radius of 35 feet at the northern end of River Road, satisfactory to the City Engineer.
- 87. Prior to issuance of the 250th building permit, and again prior to the 500th building permit, the Owners/Permittees shall prepare a cost estimate for the Tierra Santa Boulevard connection and the Santo Road connection for City review and approval. These approved estimates shall be used as the basis for fee calculation.

Permittee shall contribute a fair share of 1.98 percent of the most recent estimated cost of the Tierrasanta Boulevard connection ("TB Connection") to Mission Gorge Road and 2.36 percent of the most recent estimated cost of the Santo Road connection ("SR Connection") to Mission Gorge Road. The contribution shall be paid as follows:

Payment No. 1 - Payment No. 1 is due prior to the issuance of the 250th Building Permit for the Project. Payment No.1 formula is (1.98% times TB Connection Cost) + (2.36% times SR Connection Cost) = FAIR SHARE TOTAL COST; then FAIR SHARE TOTAL COST x 50% = Payment No.1.

- Payment No. 2 Payment No. 2 is due prior to the issuance of the 500th Building Permit for the Project. Payment No.2 formula is (1.98% times TB Connection Cost) + (2.36% times SR Connection Cost) = FAIR SHARE TOTAL COST; then FAIR SHARE TOTAL COST x 50% = Payment No.2.
- 88. Parking shall comply with minimum requirements of the Land Development Code. All onsite parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Director.

GEOLOGY REQUIREMENTS:

- 89. The Owners/Permittees shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of Development Services prior to the issuance of any construction permit.
- 90. The Owners/Permittees shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of Development Services prior to exoneration of the bond and grading permit close-out.

POLICE DEPARTMENT REQUIREMENTS

91. Prior to the issuance of the first Building Permit, the Owners/Permittees shall pay a Developer Contribution in the amount of \$196,000 to be transferred to the Police Department as a one time start up fee for four additional police officers and related equipment. This fee is based on the determination that four additional police officers would be needed to attain the citywide ratio of 1.45 officers to 1,000 residents in Beat 322. This one-time start-up fee includes funding \$14,000 per sworn officer. The related equipment costs may include police vehicles, portable radios, firearms, and other related safety equipment.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

- 92. The Planned Development Permit and Site Development Permit shall comply with all Conditions of the Vesting Tentative Map No 632543.
- 93. Prior to the issuance of any building permits, the Owners/Permittees 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 Director of Public Utilities and the City Engineer.
- 94. Prior to the issuance of any building permits, the Owners/Permittees shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Director of Public Utilities and the City Engineer.

- 95. Prior to the issuance of any certificates of occupancy, all public water facilities shall be complete and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.
- 96. 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.
- 97. All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.
- 98. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities.
- 99. Prior to the approval of any construction permits, the Owners/Permittees shall obtain a City approved Encroachment and Maintenance Removal Agreement (EMRA) for proposed improvements of any kind, including utilities, medians, landscaping, enriched paving, curb, gutter and sidewalk, and electrical conduits to be installed within the public right-of-way.

INFORMATION ONLY:

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

APPROVED by the Cit	ty Council of the City of San Diego on	and Resolution No.
XXXX	· · · · · · · · · · · · · · · · · · ·	

ATTACHMENT 11

Permit Type/PTS Approval No.: PDP 632544 and SDP 632545 Date of Approval: XXXXXXXXX

AUTHENTICATED BY THE CITY OF SAN DIEDEPARTMENT	GO DEVELOPMENT SERVICES
Jeannette Temple	
Development Project Manager	
NOTE. Natarra administration	
NOTE: Notary acknowledgment must be attached per Civil Code	
section 1189 et seq.	
•	
The undersigned Owners/Permittees, by execution of this Permit and promise to perform each and even hereunder.	
	Shawnee Properties, LLC
	Owner/Permittee
	Ву
	NAME
	TITLE

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

CG7600 LP

NAME TITLE

Ву

Owner/Permittee

LEGEND

ZONING

VESTING TENTATIVE MAP FOR SHAWNEE/CG 7600 SITE CITY OF SAN DIEGO

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EASEMENT DATA

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AUGUST 21, 1975	FILE NO. 75-223527	PUBLIC ROADHAY	TO ADVAN
MARCH 12, 1965	FRE NO. 44153	PRIVATE ROADWAY ACCESS	TO ADMAN
AUGUST 10, 1926	BOOK 1238, PAGE 383	SOCIAL INDIESS/ECRESS	TO BE GUTCLAMED
WAY 23, 1957	BOOK 6590, PAGE 181	SOOM NORES/EDRESS	TO BE CHITCLANED
WAY 50, 1918	BOOK 705, PAGE 444	SOOME PUBLIC UTILITIES	TO SE CUITELANDO
FEBRUARY A 1948	BOOK 2854, PAGE 311	PAPE LINE OF PIPELINES	70 BE GUITOLANED
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APPEL 18, 1949	BOOK 3173, PAGE 447	PRINTE ROAD & PPELNE	TO BE CURTILANTED
APPER, 18, 1949	BOOK 3173, PAGE 450	WORESS/RORESS	TO SE CHECLOVED
APRE 18, 1949	BOOK 3173, PAGE 452	WOREST/TORESS	TO SE OUTCLANCE
AUGUST 20, 1958	BOOK 7221, PACE 290	MORESS/EGRESS	TO SE CUTCLAMED
OCTOBER 2, 1940	PLE NO. 90-538953	MORESS/EGRESS	TO BE CUTCLAND
JUNE 23, 1990	FLE NO. 90-355157	SOCAE BLANKET ESAT	TO AEDVAN
AUGUST 20, 1858	BOOK 7221, PAGE 290	WATER PPELNE	TO BE CUITCLANED
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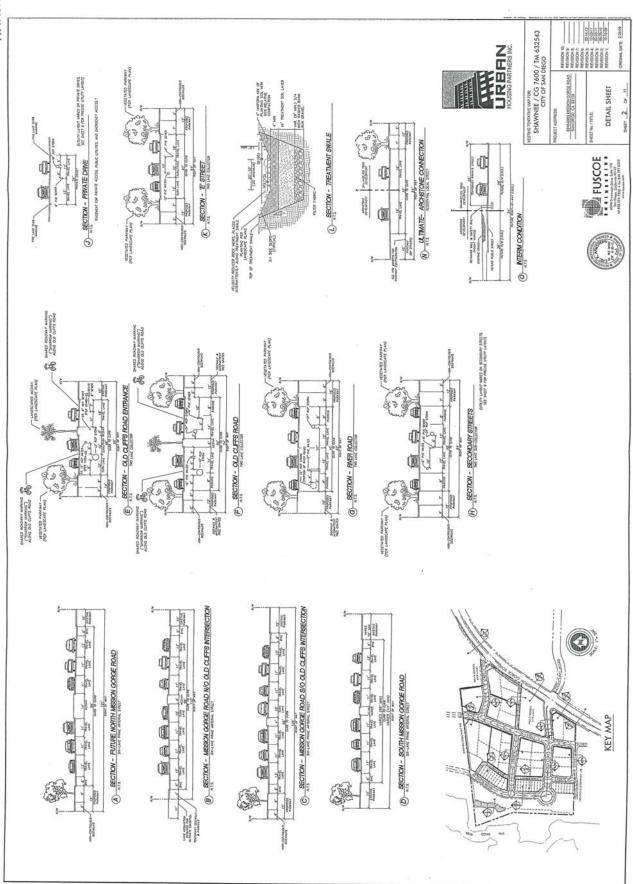


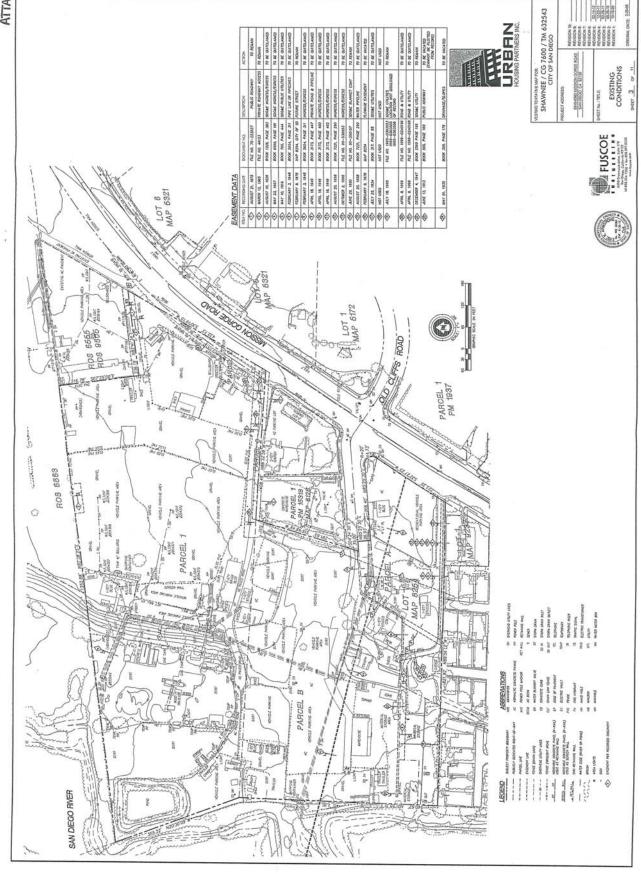
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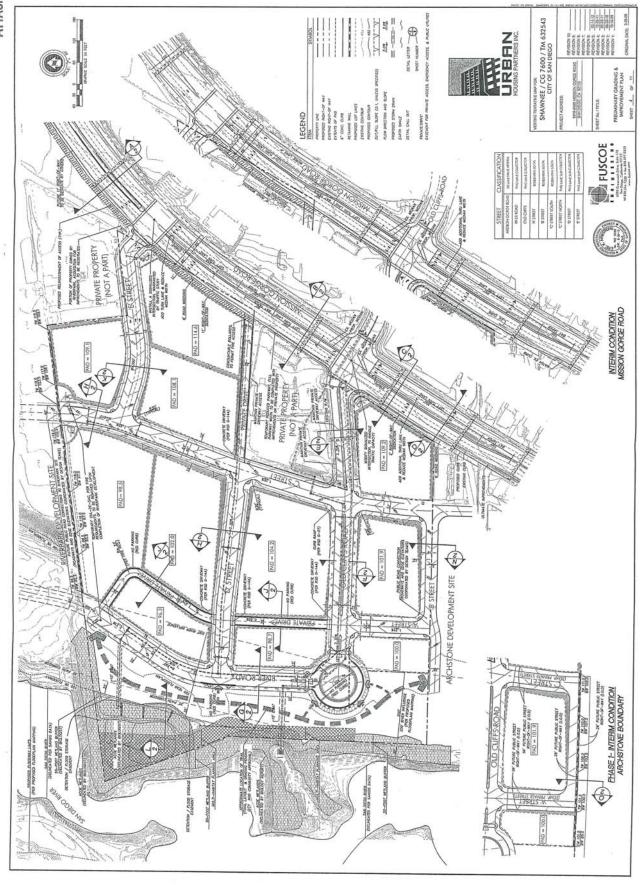
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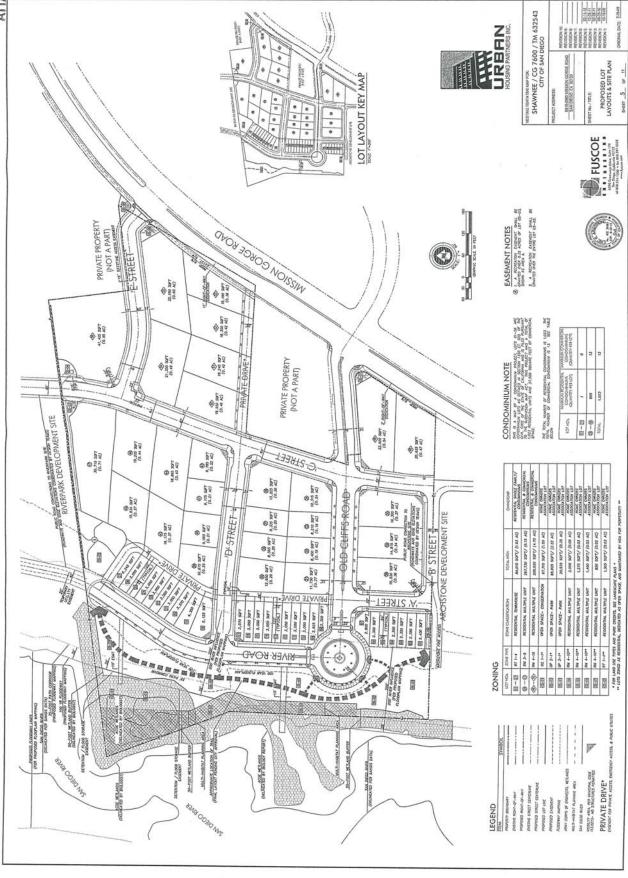
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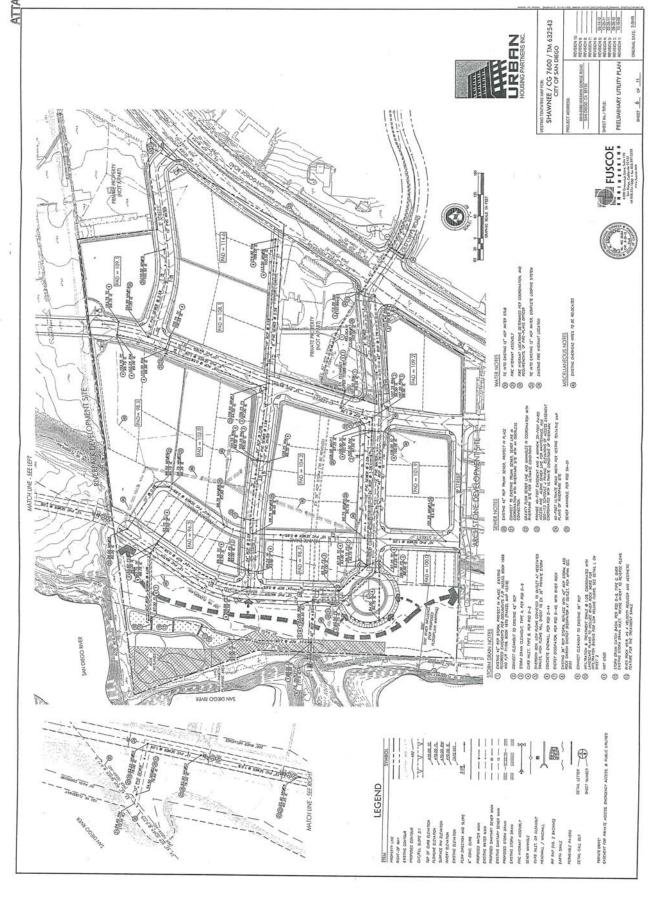
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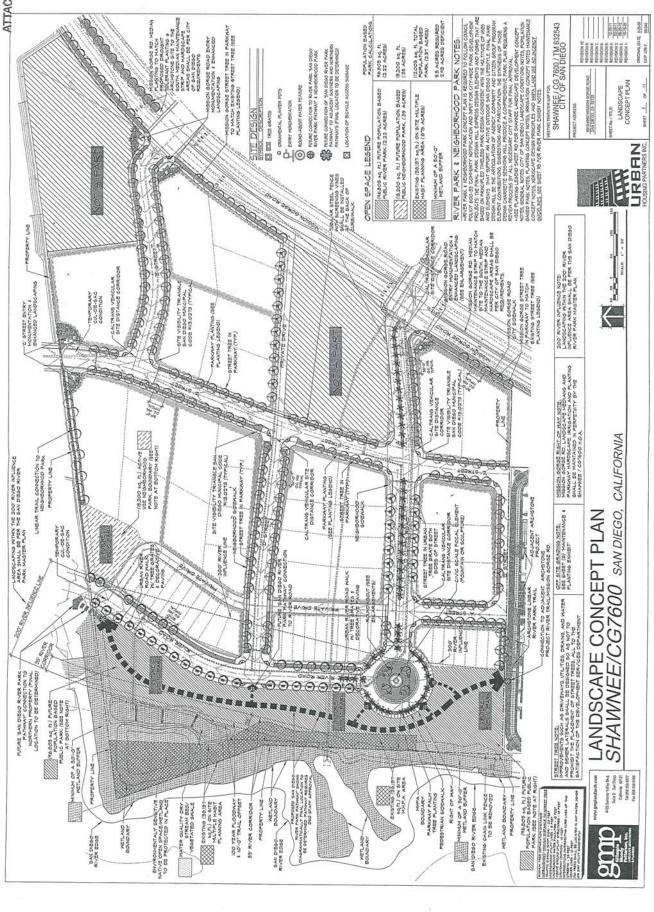


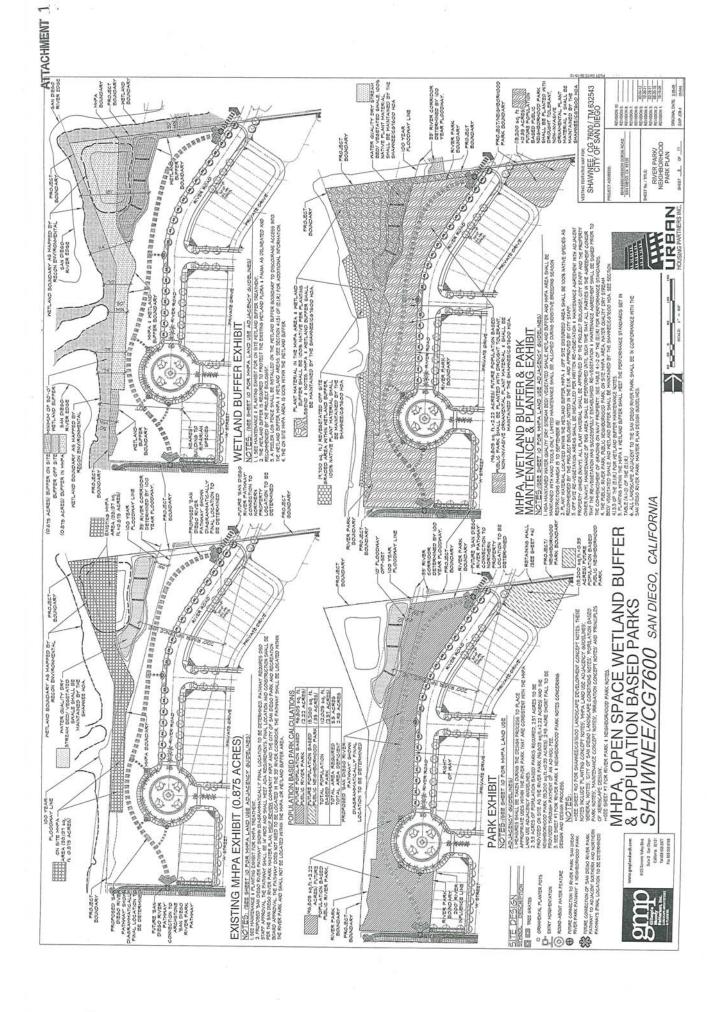




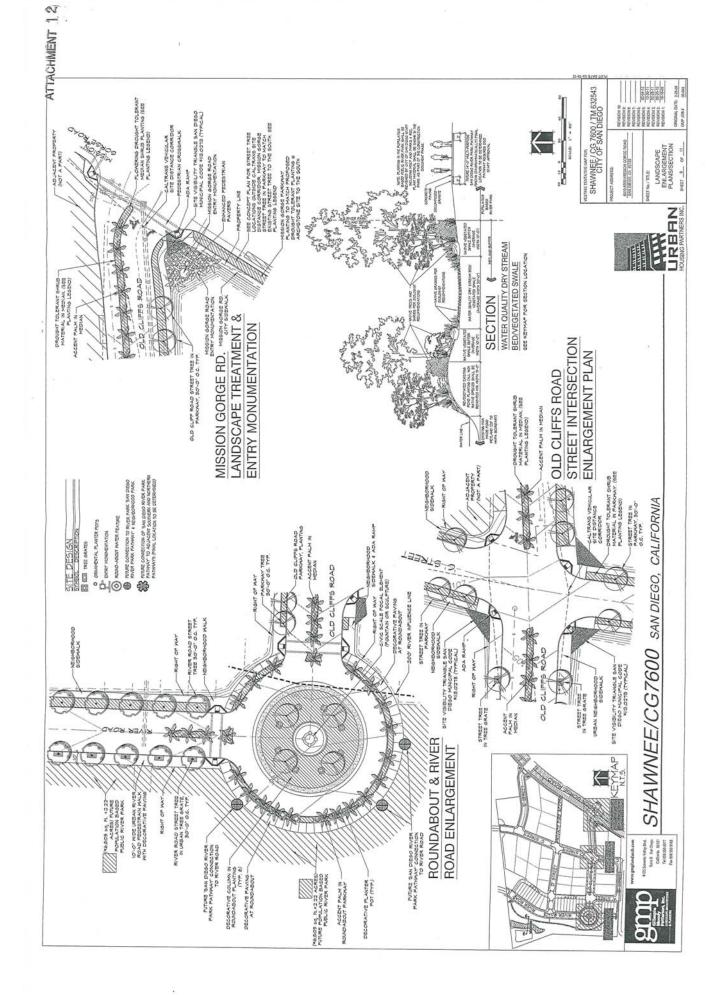








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PLANT LEGEND LANDSCAPE DEVELOPMENT PLANT PALETTE

LOCATION	BOTANCAL NAMECOMMON NAME	FORM	FUNCTION	. 5iZE
PROJECT ENTRY	PHOENIX CANARENSIS/CANARY ISLAND DATE PALM	UPRIGHT (IS1-25' SPREAD)	FORMAL EVERGREEN ENTRY ACCENT PALM	100%/30° 57H
MEDIANGIPARKNATS	PHOENIX D. YEDJOOL / HEDJOOL DATE PALM	UPRIGHT (15'-20'	FORMAL EVERGREEN ACCENT PALM	IO0%/18' BTH
ACCENT AREAS	CASSIA BICAPILARIS / WINTER CASSIA LAGERSTROEMIA INDICA / CRAPE MYRTLE FRINS CERASIFERA / FLOVERING PLIM	BROADLEAF (12-18' SFREAD)	PLOVERING ACCENT TREES	1009/24" BOX
MISSION GORGE RD, STREET 4 MEDIAN TREE	PLATANS ACERPOLA / LONDON PLANE TREE (TO MATCH EXISTING MISSION 60R6E STREET TREE & PER NAVALO COMMUNTY PLAN)	BROADLEAF (20-30' SPREAD)	STREET TREE CANOPY TREE	1009/24, 80%
MISSION GORGE RD. SCREENING TREE	SPATHODEA CANPANLATA / AFRICAN TILIP TREE ARBITIS II. NARINA / NARINA STRANBERRY TREE GINNAHOMIN CAMPHORA / CAMPHOR TREE	BROADLEAF (201301 SFREAD)	EVERGREEN CANOPY TREES	100%/24° B0X
RIVER ROAD STREET TREE	PLATANIS ACERIFOLIA / LONDON PLANE TREE	EROADLEAF (201-301 SFREAD)	CANCIPY TREES	100%/24° BOX
STREET TREE	JACARANDA MINOSIFOLIA / JACARANDA WASKOLIA GRANDIETORA / SOTINETER MASKOLIA CINNAKONA CAMPROSI / CAMPROSI IREE PYRUS CALLERYANA / CALLERY FRAR	BROADLEAN (20'-40' SPREAD)	FORMAL CANOFY SHADE TREES	x0g .96/800l
COLIMBUR ACCENT TREE	CUPREGGS SEWERN/RENS / ITALIAN CYPRESS PODOCARANS, N. MACH. SERRENT FOR PRE- STRELIZIN NICCA. J. GANT BIRD OF PARADIE DODOCIRA N. PIRPIL SELECT F PIRPILE LEAF HOF SI	COLUMNAR UPRISHT/ EVERSKEEN VERTICAL BUSH	ARCHITECTURAL ACCENT SPECIMEN	IOO%/24" BOX
SPECIMEN HERITAGE TREES	GJERUIS AGRIFOLIA / COAST LIVE OAK FLATANIS RACEYOSA / CALIFORNIA SYCAYORE OLEA EIROPALA / FRITLESS OLIVE	VARIED	ENHANCE SPECIALTY AREAS	ICO3/46° BOX
SPECIALTY USE TREES	ALCE BANNESH / TREE ALCE BRANEA ARSAATA / MEXICAN ELLE PALM MOGELLA CHAMPORA / CHAMPARA TAREBUA TAREBUA PRETIGENISA / PINK TAREBUA	VARIES	ENANCE SPECIALTY AREAS	VARIES

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SHAWNEE / CG 7600 / TM 632543 CITY OF SAN DIEGO SHEET NO. TITLE:
PLANT LEGEND &
DEVELOPMENT NOTES SAN DECO. CA 92120

ORIGINAL DATE, 2:35-09 GUP JOR # 09-045

SHEET 19 CM 11

SHAWNEE/CG7600 SAN DIEGO, CALIFORNIA

L'RBHN HOUSING PARTNERS INC.

(46,805 sq. ft.)— FUTURE POPULATION BASED PUBLIC PARK

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PLANNING AREA

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CONNECTION TO ADJACENT—
ANCHSTONE PROJECT
RIVERTRAIL/MISSION
GORGE RD.

FUTURE POPILATION BASED PUBLIC PARK

CITY COUNCIL RESOLUTION NUMBER R-_

VESTING TENTATIVE MAP NO.632543 PUBLIC RIGHT-OF-WAY VACATIONS NO. 974758 EASEMENT VACATIONS NO. 974757 SHAWNEE/CG7600 - PROJECT NO. 174988 [MMRP]

WHEREAS, Urban Housing Partners, Inc, Subdivider, and Fuscoe Engineering,
Engineer, submitted an application to the City of San Diego for a vesting tentative map, Vesting
Tentative Map No. 632543 and Public Right-of-Way Vacation No. 974758 and Easement
Vacation No. 974757 for the Shawnee/CG7600 project, a request to remove existing
improvements and uses and subdivide a 22.9 acre site for the creation of 27 single family
residential lots, 29 multi-family lots and eight (8) open space lots for the future 996 multi-family
and 27 single family dwellings. The project site is located at 6910-6980 Mission Gorge Road,
excepting 6966 Mission Gorge Road, North of Mission Gorge Rd at Old Cliffs Road within the
Navajo Community Plan. The property is legally described as a Portion of Lot 63 of Rancho
Mission of San Diego, According to Partition Map thereof on file in the County Clerk's office in
an action entitled "Juan M. Luco et al VS Commercial Bank of San Diego et al" being Act No.
348, lying westerly of the County Road as said road existed on March 6, 1905; Together with
Lot 1, Rosenberg Subdivision, according to Map No. 8254; and

WHEREAS, the Map proposes the Subdivision of a 22.9- acre site into 64 lots for a 1023 residential units and 13 commercial condominium unit development. (56 residential and commercial lots and 8 open space lots); and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineer pursuant to Subdivision Map Act section 66491(a) and San Diego Municipal Code sections 144.0220(a) and 144.0220(b); and

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

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 1351 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is up to 1,023 Residential, and thirteen (13) Commercial; and

WHEREAS, on July 26, 2012, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 632543, with Public Right-of-Way Vacation No. 974758 and Easement Vacation No. 974757, and pursuant to Resolution No. XXXX-PC, the Planning Commission voted to recommend City Council approval of the map; and

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

WHEREAS, on _______, the City Council of the City of San Diego considered Vesting Tentative Map No. 632543, with Public Right-of-Way Vacation No. 974758 and Easement Vacation No. 974757, and pursuant to San Diego Municipal Code section(s) 125.0440, 125.0430, 125.0941, and 125.1040 and Subdivision Map Act section 66428, received

for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the City Council having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 632543, with Public Right-of-Way Vacation No. 974758 and Easement Vacation No. 974757:

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

The proposed subdivision has been designed to implement the policies, goals, and objectives of the City of San Diego General Plan ("General Plan"), City of Villages Strategy, Navajo Community Plan ("Community Plan"), San Diego River Park Master Plan ("SDRPMP"), and related land use polices identified for this site.

The Strategic Framework Element of the General Plan directs new development and infill development away from undeveloped lands into already urbanized areas and/or areas with conditions allowing the integration of housing, employment, civic, and transit opportunities. This strategy, referred to as the City of Villages strategy, builds upon regional planning and smart growth principles and aims to preserve remaining open space and natural habitat and focus development within areas with available public infrastructure.

The proposed subdivision is located in an existing residential neighborhood infill site that is located next to a predominantly single-family neighborhood. The proposed subdivision is located on a site that is well suited for residential uses because of existing infrastructure and the proximity of residential support facilities.

The proposed subdivision's multi-family residential units offer the Grantville neighborhood more variety in housing types to multiple household income levels. Included in the proposed subdivision are commercial development lots that will accommodate commercial sales and services uses that would make possible a mixed-use project. A potential bus stop along Mission Gorge Road that connects to the existing trolley lines next to Interstate 8 is more viable with the proposed subdivision's higher residential density development than if the site were to remain an open air industrial development.

The proposed subdivision will create a walkable community with pedestrian linkages throughout the site. The incorporation of the SDRPMP path corridor into the subdivision will link Mission Gorge Road with the San Diego River, which is presently inaccessible to the public. As an open community with public streets, surrounding neighbors of the site will have easy access to the San Diego River and its planned pedestrian improvements.

With respect to residential densities, the Residential Element of the Community Plan states that a wide range of residential densities [should] be permitted to develop in the community. This range would include 30-43 (medium-high density) ... dwelling units per acre of land. These densities will allow single-family houses, duplexes, townhouses, and apartments which will appeal to a wide segment of the population and provide for a diverse balanced population in the community." The proposed subdivision will accommodate 1,023 dwelling units on a 22.87 acre site, which calculates to be 45 DU per gross acre. This density is very close to the high end (43 DU/AC) proposed by the Community Plan.

The proposes subdivision recognizes that the San Diego River is a unique natural resource and achieves the objectives of the Open Space Retention and Utilization Element of the Community Plan by incorporating design features for protecting habitat and open space along the San Diego River corridor and providing linkages to adjacent trails and open spaces recreational uses. The proposed subdivision also will allow for a neighborhood that tiers down to the San Diego River. With building height progressively reduced from Mission Gorge Road to River Road, variety in bulk and scale will help prevent a solid massing across the site.

The objectives of the Circulation and Public Transportation Element of the Community Plan are satisfied by the traffic mitigation provided by the proposed subdivision as required by the traffic report prepared as part of the EIR, which includes the widening and improvement of Mission Gorge Road to enhance vehicular and pedestrian circulation as well as beautify with the placement of street trees, urban furniture, and installation of sidewalks that are not in existence along the western side of Mission Gorge Road.

The SDRPMP includes five principles designed to protect the health of the San Diego River and its related habitat, while at the same time providing opportunities for the public to enjoy the unique attributes of the San Diego River and gain an appreciation for its history. The proposed subdivision will assist in the restoration of the San Diego River by restoring native plants to the waterfront and unifying fragmented lands and habitat by providing linkages to adjacent properties and providing street parking for visitors to the San Diego River corridor. The proposed subdivision will add trail linkages and lighting consistent with the SDRPMP in order to create a connected continuum of unique places and experiences.

Therefore, the proposed subdivision is consistent with the policies, goals, and objectives of the applicable land use plans.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

The subdivision will be developed consistent with the land uses permitted by the proposed zones, as modified by the development regulation deviations allowed by the Land Development Code. All proposed zones for the subdivision (RM-3-9, RM-4-10, RT-2-1 and OP-2-1) are derived from the Land Development Code. These zones were chosen to support higher density residential development in tandem with some permissible commercial land uses. The subdivision will comply with the amended zoning for the involved site, including the two proposed deviations. Lots 43, 45, 51, 52, and 53 will comply with the first deviation by gaining access to a public right of way through an ingress/egress easement. Lot 53 will comply with the second deviation by achieving the approved minimum lot width rather than the minimum lot

width of the RM 4-10 zone. None of the other Lots within the subdivision require any deviations from the zoning requirements or the Land Development Code.

The site also is subject to the requirements of the Community Plan Implementation Overlay Zone ("CPIOZ"). Compliance with the CPIOZ is achieved by designing the project to meet the architectural and streetscape design criteria related to neighborhood compatibility, building height, landscaping, and streetscape improvement, San Diego River floodway setback and stepback, and pedestrian connectivity. As discussed above, the subdivision achieves all of these criteria.

Therefore, the proposed subdivision will comply with the applicable zoning and development regulations of the Land Development Code.

3. The site is physically suitable for the type and density of development (San Diego Municipal Code § 125.0440(c) and Subdivision Map Act §§ 66474(c) and 66474(d)).

The site is 22.88 acres in size and is located in the central portion of the City, adjacent to Mission Gorge Road and in close proximity to Mission Valley, Mission Trails Regional Park, and San Diego State. The site has a substantial grade differential from east to west, but that feature is being embraced by the project in order to create visual differentiation from building to building. A portion of the site designated for residential development will be raised from between one (1) feet to seven (7) feet in order to address the 100 year floodplain issue, but that modification to site topography can be done without creating significant drainage or habitat impacts to the San Diego River. There are no known geologic or hazardous materials conditions on the site that would preclude development of the proposed residential uses. In addition, there are no known prehistoric or historic cultural resources located on the site.

The site has access to all required infrastructure for the proposed residential development, including streets, water, and sewer. Moreover, the site is located near existing communities, public transportation, and public services.

The majority of the site currently is developed as an open air industrial facility, which is inconsistent with the adjacent residential uses. The site, therefore, is ideally located for residential development because it qualifies as an existing residential neighborhood infill site that is located next to a predominantly single-family neighborhood. A potential bus stop along Mission Gorge Road that connects to the existing trolley lines next to Interstate 8 becomes more viable with the subdivision's proposed higher residential density, particularly when coupled with the adjacent approved Archstone Communities project and the proposed River Park project.

Development of the site with a residential and mixed use, rather than an open air industrial site, also will allow for the incorporation of the San Diego River Park Master Plan path corridor, which will link Mission Gorge Road with the San Diego River. As an open residential community with public streets, surrounding neighbors of the site will have easy access to the San Diego River and its planned pedestrian improvements.

Therefore, the site is physically suitable for the type and density of development allowed by the proposed subdivision.

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

The proposed subdivision and related improvements will not encroach or affect adjacent environmentally sensitive lands. The proposed River Road at the western end of the site is set back from the Multi-Habitat Planning Area (MHPA) and floodway. None of the sensitive vegetation identified in the biological report will be removed. Invasive non-native plant species will not be used in areas within and adjacent to the MHPA. Proposed lighting will be directed away from adjacent MHPA and open-space areas, and shielded as necessary. The proposed subdivision complies with the MHPA Land Use Adjacency Guidelines of the City's Multiple Species Conservation Subarea Plan, which will ensure that the project does not impact the MHPA. Currently, the runoff from the project site drains directly into the San Diego River untreated. After the subdivision improvements are completed, all storm water runoff from the project site will be treated in a proposed vegetated swale prior to draining into the San Diego River. The open space area adjacent to the MHPA will be planted with riparian vegetation that will not require the use of chemicals.

Therefore, the proposed subdivision and related improvements will not cause substantial environmental damage or substantially and avoidably 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 (San Diego Municipal Code § 125.0440(e) and Subdivision Map Act § 66474(f)).

As a predominantly residential project, the proposed subdivision will not have any detrimental effect to the public health of the community. In fact, the removal of the existing open-air industrial uses and automobile storage will help to improve not only the air and water quality of the community, but also the health of the adjacent San Diego River. Presently, all of the site vehicular access ways are unpaved, which reduces air quality due to the generation of dust. Storm water runoff quality into the San Diego River is adversely affected due to the lack of vegetated areas where biofiltration can take place and sedimentation of the San Diego River reduced. With the proposed subdivision, erosion and sedimentation controls will be put into place.

The proposed subdivision will be a pedestrian-friendly community that will be oriented to the San Diego River and provide connections to the surrounding neighborhood. Direct access via the project's public streets to the San Diego River will improve entry to a regional resource that today has no public access through the site.

Traffic calming measures such as round-abouts, curb pop-outs, and gateway entrance treatments, are tools to be implemented in the street designs for this subdivision. Designing narrower streets with curb-side parking slows traffic naturally while creating a safety barrier for pedestrians. Located in an area of the city predominantly of single-family homes, the multi-family subdivision will help to provide variety in housing for more household income levels. Police services will be provided by the City of San Diego Police Department. The project site is within police Beat 322. Fire protection services will be provided from the City of San Diego Fire Department. Fire Station 45 and Station 31 are the two nearest stations.

To address the issue of fugitive dust generated from construction of the development, conditions for construction operations have been identified which include the application of water during grading operations, the use of sweepers and/or water trucks to control "track-out" of soil at all public street access points, the termination of grading should winds exceed 25 mph. Overall, the project has been designed to comply with the Land Development Code and other regional, State, and Federal regulations to prevent detrimental impacts to the health, safety, and welfare of residents, workers and visitors, as well as adjacent development and people. These requirements include the safe design of streets and sidewalks, as well as grading and drainage that provides for control and treatment of storm water. Conditions of approval address construction activities and appropriate lighting and landscaping for the project. Construction of the project will be pursuant to the Uniform Building, Fire, Plumbing, Electrical, and Mechanical Codes. All Land Development Codes governing construction and continued operation of the project will apply to prevent the potential for future adverse impacts once the project is built. Therefore, the proposed subdivision and related improvements 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 (San Diego Municipal Code § 125.0440(f) and Subdivision Map Act § 66474(g)).

There are no public access easements on the site other than right of way associated with Mission Gorge Road and an irrevocable offer for a small portion of Old Cliffs Road.. The proposed subdivision requires a vacation of a portion of the Mission Gorge Road right of way in exchange for the dedication of additional right of way that will allow for a better alignment and improved streetscape. The Old Cliffs road extension by the proposed subdivision will include the irrevocable offer area.

The proposed subdivision will create a walkable community with public roads and pedestrian linkages throughout the site. The incorporation of the San Diego River Park Master Plan path corridor into the subdivision will link Mission Gorge Road with the San Diego River, which is presently inaccessible to the public. As an open community with public streets, surrounding neighbors of the site will have easy access to the San Diego River and its planned pedestrian improvements. In addition, the proposed subdivision will include 2.22 acres of parkland adjacent to the San Diego River and a .35 acre pocket park, both of which will be accessible to the public.

Therefore, the design of the proposed and related improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (San Diego Municipal Code § 125.0440(g) and Subdivision Map Act § 66473.1).

The proposed subdivision, which allows for a mixed-use development, will not impede or inhibit any future passive or natural heating and cooling opportunities. The design of the subdivision

has taken into account the best use of the land to minimize grading and preserving environmentally sensitive lands. All buildings will be designed to provide at least 75 percent of occupied interior spaces with minimum daylight for reduced artificial lighting and energy use in accordance with LEED Green Building Rating System. In the design of the proposed subdivision, each structure will have the opportunity through building materials, site orientation, architectural treatments, placement, and selection of plant materials to provide to the extent feasible, for future passive or natural heating and cooling opportunities. In addition, trees will be positioned within the subdivision to provide shade and reduce adjacent building energy use in accordance with LEED Performance Areas.

Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

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

The General Plan proposes new growth to be directed to existing urbanized land in order to preserve open land and minimize the extension of current infrastructure. This strategy, referred to as the City of Villages strategy, builds upon regional planning and smart growth principles and aims to preserve remaining open space and natural habitat and focus development within areas with available public infrastructure. The proposed subdivision is located in an existing residential neighborhood infill site presently occupied by industrial uses along the San Diego River. With the ever present housing demand in San Diego, the proposed subdivision will provide up to 1,023 new housing units in a compact development that will make use of an underutilized site in an efficient manner. The subdivision's multi-family residential units also offer the community more variety in housing types to multiple household income levels. As an infill site, the subdivision will make use of existing infrastructure and actually provide upgrades to such infrastructure. The subdivision also will pay the appropriate development impact fees to provide for additional improvements to community infrastructure.

The involved site contains sensitive biological resources associated with the San Diego River and a portion of the site is partially within the MHPA. The proposed subdivision has taken into account the best use of the land to minimize grading and preserve sensitive lands. The subdivision proposes to preserve land containing sensitive resources within a covenant of easement in favor of the City of San Diego and wildlife agencies. In addition, the subdivision will replant portions of this area with native vegetation and would provide a buffer from human activities. Finally, the subdivision will improve and provide public access to a trails system and parkland adjacent to the San Diego River. All of these actions would enhance the biological quality of wildlife habitat.

The decision maker has reviewed the administrative record including the subdivision's plans, technical studies, environmental documentation, and heard public testimony to determine the effects of the proposed subdivision on the housing needs of the region and determined that those needs are balanced against the needs for public services and the available fiscal and

environmental resources and found that the addition of 1,023 residential dwelling units is consistent with the housing needs in San Diego

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

BE IT FURTHER RESOLVED, that portions of Service Easements and Public Right-of-Way Easements, located within the project boundaries as shown in Vesting Tentative Map No. 632543, shall be vacated, contingent upon the recordation of the approved Final Map for the project, and that the following findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference:

1. There is no present or prospective use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated. (San Diego Municipal Code § 125.1040(a))

There are numerous service easements for water and utilities that with the subject mapping of the site will be vacated and moved to the new rights of way. The public service easements were obtained as industrial uses utilized the site. Vacation of these easements allow for orderly development consistent with the goals and policies of the General Plan

2. The public will benefit from the abandonment through improved utilization of the land made available by the abandonment. (San Diego Municipal Code § 125.1040(b))

The proposed subdivision requires the vacation of various public service easements granted over time as the open air site was used for industrial purposes. The proposed project would have public roads and pedestrian linkages throughout the site, where new easements will be granted as necessary to service the community. The incorporation of the San Diego River Park Master Plan path corridor into the subdivision will link Mission Gorge Road with the San Diego River, which is presently inaccessible to the public. As an open community with public streets, surrounding neighbors of the site will have easy access to the San Diego River and its planned pedestrian improvements. In addition, the proposed subdivision will include 2.22 acres of parkland adjacent to the San Diego River and a .35 acre pocket park, both of which will be accessible to the public.

Therefore, the public will benefit from the vacation required for the proposed subdivision through improved use of the land made available by the vacation.

3. The abandonment is consistent with any applicable land use plan. (San Diego Municipal Code § 125.1040(c))

The proposed subdivision requires a vacation of various service easements in exchange for orderly development of this 22.9 acre site. The proposed vacation and resulting improvements will help the subdivision to create a walkable community with pedestrian linkages throughout the site as encouraged by the applicable land use plans.

Therefore, the vacation required for the proposed subdivision does not adversely affect any applicable land use plan.

4. The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by this abandonment or the purpose for which the easement was acquired no longer exists. (San Diego Municipal Code § 125.1040(d))

The vacation of various service easements together with the proposed development will provide appropriate parallel and concentric property lines that will provide the required public road cross section and permit the best use of the private land beyond the existing right-of-way. The involved easement vacations will not prevent the subdivision from completing the improvements identified in the Environmental Impact Report No. 174988 to mitigate the subdivision's impacts.

Therefore, the public facility for which the easements were originally acquired, will not be detrimentally affected by the vacation required for the subdivision.

5. There is no present or prospective use for the public right-of-way, either for the purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated. (San Diego Municipal Code § 125.0941(a))

The proposed subdivision requires a vacation of a portion of the Mission Gorge Road right of way in exchange for the dedication of additional right of way that will allow for an appropriate alignment and improved streetscape. The portion of Mission Gorge Road to be vacated was dedicated in 1913, and is not plottable. The vacation of a portion of the existing Mission Gorge Road Right of Way together with the proposed dedication of new right of way will provide an appropriate parallel and concentric property line that will provide the required public road cross section and permit the best use of the private land beyond that right of way.

6. The public will benefit from the vacation through improved use of the land made available by the vacation. (San Diego Municipal Code § 125.0941(b))

The proposed subdivision requires a vacation of a portion of the Mission Gorge Road right of way in exchange for the dedication of additional right of way that will allow for an appropriate alignment and improved streetscape. The public streetscape improvements will include sidewalks, street trees, street lighting, and furniture.

The proposed subdivision also creates a walkable community with public roads and pedestrian linkages throughout the site. The incorporation of the San Diego River Park Master Plan path corridor into the subdivision will link Mission Gorge Road with the San Diego River, which is presently inaccessible to the public. As an open community with public streets, surrounding neighbors of the site will have easy access to the San Diego River and its planned pedestrian improvements. In addition, the proposed subdivision will include 2.22 acres of parkland adjacent to the San Diego River and a .35 acre pocket park, both of which will be accessible to the public.

Therefore, the public will benefit from the vacation required for the proposed subdivision through improved use of the land made available by the vacation.

7. The vacation does not adversely affect any applicable land use plan. (San Diego Municipal Code § 125.0941(c))

The proposed subdivision requires a vacation of a portion of the Mission Gorge Road right of way in exchange for the dedication of additional right of way that will allow for an adequate alignment and improved streetscape. The proposed vacation and resulting streetscape improvements will help the subdivision to create a walkable community with pedestrian linkages throughout the site as encouraged by the applicable land use plans.

Therefore, the vacation required for the proposed subdivision does not adversely affect any applicable land use plan.

8. The public facility for which the right-of-way was originally acquired will not be detrimentally affected by this vacation. (San Diego Municipal Code § 125.0941(d))

The vacation of a portion of the existing Mission Gorge Road Right of Way together with the proposed dedication of new right of way will provide an appropriate parallel and concentric property line that will provide the required public road cross section and permit the best use of the private land beyond that right of way. The involved street vacation will not prevent the subdivision from completing the improvements identified in the traffic report to mitigate the subdivision's traffic impacts to Mission Gorge road.

Therefore, Mission Gorge Road, the public facility for which the right-of-way was originally acquired, will not be detrimentally affected by the vacation required for the subdivision.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the City Council, Vesting Tentative Map No. 632543, and Public Right-of-Way Vacation No. 974758 and Easement Vacation No. 974757, are hereby granted to Shawnee Properties, LLC, a Nevada limited liability company; CG7600 LP, a Texas Limited Partnership; and Diana Vallese,

ATTACHMENT 13

(R-[Reso Code])

Trustee of the Diana Vallese Revocable Trust of May 15, 1999, Carmela Vallese, Trustee of the Carmela Vallese Revocable Trust of May 15, 1999, and Robyn Vallese Mize, Trustee of the

Robyn Vallese Mize Revocable Trust of May 15, 1999, subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: JAN I. GOLDSMITH, City Attorney

Nina Fain
Deputy City Attorney

[Initials]:[Initials]
[Month]/[Day]/[Year]
Or.Dept:DSD
R-R-[Reso Code]

ATTACHMENT: Tentative Map Conditions

Internal Order No. 23432145