



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

**DATE ISSUED:** February 21, 2013. **REPORT NO. PC-13-021**

**ATTENTION:** Planning Commission, Agenda of February 28, 2013

**SUBJECT:** WORSCH WAY 1 CARMEL VALLEY - PROJECT NO. 240364.  
PROCESS 4

**OWNER/** Mr. Gary Levitt, Manager, Sea Breeze Investments II, LLC – Property  
Owner /

**APPLICANT:** Ms. Carol Chase, RBF Consulting, Consultant and Engineers

### SUMMARY

**Issue(s):** Should the Planning Commission approve the creation of an eleven lot subdivision and the construction of eleven single dwelling units on a 1.56 acre site located within the Carmel Valley Community Plan area?

### Staff Recommendation:

1. **CERTIFY** Mitigated Negative Declaration, Project No. 240364, and **Adopt** the Mitigation, Monitoring and Reporting Program; and
2. **APPROVE** Site Development Permit No. 863616; and
3. **APPROVE** Vesting Tentative Map No. 863614.

**Community Planning Group Recommendation:** On September 27, 2012, the Carmel Valley Community Planning Board voted 14-0-0 to recommend approval of the proposed project.

**Environmental Review:** Mitigated Negative Declaration No. 240364 has been prepared for the project in accordance with Section 15164 of the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce the potential impacts to Biological Resources (Nesting Birds Only), Historical Resources (Archaeology) and Paleontological Resources to a level below significance.



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

**Code Enforcement Impact:** None.

**Housing Impact Statement:** The proposed project would provide for eleven new market rate housing units that exceed the lot size minimums established by the zoning recommendations of the Carmel Valley Neighborhoods Four, Five and Six Precise Plan and is within the density parameters established by the plan. The General Plan recommends new housing developments accommodate the needs of low income households as further defined by the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance. The applicant has chosen the option of paying an Affordable Housing fee to the Housing Commission's to meet their affordable housing requirement rather than provide the dwelling units on-site.

## **BACKGROUND**

The Worsch Way 1 Carmel Valley project site is located east of Carmel Creek Road, on the north side of Worsch Way, directly south of Del Mar Trails Road and west of Worsch Drive within Neighborhood Five of the Carmel Valley Community Plan area. The 1.56-acre property is currently developed with a single dwelling unit, built in 1961, owned by the Worsch Family Estate, one of the original large land owners of this area prior to the development of Carmel Valley in the mid 1980's. The surrounding properties were all developed in the mid 1980's with a substantial amount of grading, which left the subject site at a higher elevation, approximately 6 to 15 feet higher than the surrounding properties.

The project site occupies an infill development site within Carmel Valley Neighborhood Five and is designated for detached residential development by the applicable land use plan (ATTACHMENT 2, Page 2, Carmel Valley Neighborhood Five Land Use Plan). Neighborhood Five is completely developed except for the subject property, and consists of approximately 242 acres situated in the central portion of the community north of SR-56 between Carmel Creek and Carmel Country Roads. Land uses within Neighborhood Five consist of detached and paired single-family homes, open space, and various public and private recreational and institutional facilities. The project site is zoned CVPD-SF2 for the southern portion and CVPD-SF3 for the northern portion. A Site Development Permit is required by the Land Development Code (Section 153.0201) for development within the Carmel Valley Planned District Ordinance. A Tentative Map is required, by the Land Development Code (Section 125.0410), for the proposed division of the property into eleven residential lots.

## **DISCUSSION**

### **Project Description:**

The project proposes to subdivide the 1.56-acre site into eleven residential lots, ranging in size from 4,789 square feet to 7,967 square feet in lot area, which is generally consistent with lot sizes

within the surrounding neighborhood. All eleven lots have a driveway with direct access off the public street at the front of each lot, similar to the existing surrounding development pattern. Each lot is required to have a minimum of two off-street parking spaces within a garage, plus two additional onsite parking spaces in the driveway area, for a total of 44 off street parking spaces, which meets the parking requirements. The project also proposes to construct eleven, two-story, single family residential dwelling units, however, in lieu of specific floor plans and building elevations, the applicant chose to provide design guidelines for the future development of each lot. These design guidelines have been reviewed by staff to assure consistency with the development regulations of the Carmel Valley Planned District, specifically those development regulations of Zones SF2 and SF3. The design guidelines provide development details and minimum development standards such as setbacks, floor area ratio, building height, home orientation, exterior building materials, fences/walls and other development criteria. As a condition of the Site Development Permit (ATTACHMENT 6, Condition No. 34) a Substantial Conformance Review and approval, Process 1, is required prior to submitting for construction plan check.

In the 1960's the site was graded and developed into a moderately level site. Then in the 1980's the surrounding properties were developed resulting in some degree of a cut slope on all four sides of the site. Due to this past disturbance the subject site is not subject to the Environmentally Sensitive Lands Regulations. Approximately 1.52 acres or 98 percent of the site would be graded for the proposed development. Earthwork would consist of approximately 30,000 cubic yards of cut to be exported off-site.

#### Site Development Permit

The Site Development Permit is required to assure that the proposed development is consistent with Carmel Valley Neighborhood's Four, Five and Six Precise Plan and with the development regulations of the Carmel Valley Planned District, specifically those of the CVPD-SF2 and CVPD-SF3 Zones. The proposed eleven lot subdivision was reviewed and determined to comply with all of the minimum lot criteria, such as lot area, lot width, lot depth and lot frontage of the applicable underlying zone. The development criteria for future development of the eleven dwelling units were reviewed through the proposed Design Guidelines, which are comprehensive. During the processing of this project, the applicant worked extensively with many of the neighbors through a number of Community Planning Board meetings. As many as eight different design layouts were considered and discussed at these various meetings. These series of meetings concluded that the current project design would best integrate visually and functionally with the surrounding existing residential neighborhood, based on proposed grading design, lot size, lot and home orientation, lot access, lot coverage, setbacks, height and overall fit within the existing development pattern. The Carmel Valley Community Planning Board unanimously recommended approval of the project.

#### Community Plan Analysis:

##### Land Use Plan Analysis

The project site is within the Carmel Valley Community Plan, the City's adopted land use plan

for this area. Carmel Valley Neighborhood Five is one of the 10 neighborhood development units identified in the 1975 Carmel Valley Community Plan. The community plan requires preparation of precise plans for each neighborhood development unit within the planning area.

Neighborhood Five is a component of the neighborhood development plan that also covers neighborhoods four and six, known as the Carmel Valley Neighborhoods Four, Five and Six Precise Plan (Precise Plan). This planning area comprises 820 acres along the SR-56 corridor and the precise plan was first adopted in 1982.

The project site may be characterized as an infill development site designated by the Carmel Valley Community Plan for Very-Low Density Residential Development at a density up to 5 dwelling units per acre. The 1.56-acre site could accommodate up to 7 dwelling units per the Community Plan, however, the Precise Plan further defines land use by specifying various development parameters, including zone recommendations, to establish neighborhood form. The Precise Plan, however, does not specifically allocate density for each of the two residential land use components, single-family and duplex. The project site is identified by the Precise Plan for detached single-family residential use (Attachment, Neighborhood 5 Land Use Plan). Density is defined for the neighborhood as a whole as a result of the allocation of land uses at an average of 5.81 dwelling units per acre. Single-family dwelling unit sizes within Neighborhood Five are also intended to be smaller than those within adjacent Neighborhood Four, with the implication that lot sizes should be smaller and density greater. Recommended zoning for this site is CV PDO SF-2 which allows single-family development with a minimum lot size of 4,500 square feet. The proposed lot sizes, which range between 4,789 and 7,967 square feet, exceed zone minimums and are similar to those within the surrounding neighborhood. The surrounding residential development was similarly approved at a density of approximately 7 dwelling units per acre. Therefore, the overall development pattern conforms to the development parameters (including the development standards of the SF-2 zone) intended by the Precise Plan for establishing neighborhood form.

A land use acreage analysis is also included in the Precise Plan for purposes of distributing land uses. For residential uses, dwelling units are allocated within the two basic types: single-family at 663 lots and duplex at 234 lots for a total of 897 residential lots. Currently, the 897 lot total has been developed by previous subdivisions and the proposed 11 lot subdivision would exceed the total allocation. However, the Precise Plan does specify that "all acreages are subject to minor modification during detailed engineering and design," and the total residential lot count is based upon acreage estimates for each land use at the time the Precise Plan was adopted. A review of previously approved subdivisions indicates more duplex units and fewer single-family units were built than identified by the Precise Plan. The proposal to exceed by 11 units the total residential lots identified for this neighborhood appears to be acceptable because the Precise Plan provides for numerical refinements, the project is slightly over (by 3 lots) the number of lots allocated for single-family, and the site was planned and zoned for residential development beyond the one single-family residence that existed when the Precise Plan was adopted.

The Precise Plan also includes an urban design element that focuses on implementation of contour grading principles and informal landscape design as well as achieving neighborhood design unity through use of consistent development standards. The element contains standards for grading, site planning, architecture and landscaping. The Precise Plan's grading standards

were applied with earlier developments that included mass grading of the neighborhood to create a series of cul-de-sac streets and stepped pads following the natural sloping landform toward Carmel Valley. The mass grading reduced the grade around the site creating a small knoll and included a high retaining wall along Del Mar Trails Drive that is out of character with surrounding development.

While General Plan and Precise Plan grading policies favor retention of existing landforms, due to neighborhood concerns, the applicant is proposing to take the grade down to the level of the existing streets, generally matching the grade and lot patterns of adjacent properties. This grading approach may be supported as it favors neighborhood context, which is a goal for an infill development, and has community support. It will also result in removal of the existing retaining wall along Del Mar Trails Road.

The Precise Plan's standards for site planning recommend that structures be designed and located to avoid repetitive patterns. Architecture is supposed to incorporate varied building forms and roof shapes to add variety, and to utilize earthtone building materials. The project includes design guidelines for the future homes that incorporate various the Precise Plan recommendations and will also incorporate a condition requiring compliance with the Precise Plan's design standards.

Long Range Planning and LDR-Landscape staff also worked closely with the applicant on the design details for sidewalks and landscaping, including alternative placements for the flow-through storm water catchments, in order to meet various plan and code requirements. The overall sidewalk design utilizes contiguous and non-contiguous components in order to minimize the use of driveway "flares" required to meet current ADA requirements that do not match existing contiguous sidewalks. Staff believes this approach provides an attractive pedestrian environment as well as providing a suitable design transition to existing sidewalks.

**Environmental Analysis:**

The Mitigated Negative Declaration and Environmental Initial Study (Project No. 240364) were prepared for this project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. Based upon a review of the project, it was determined that the project could have significant environmental effects in the following areas: Biological Resources (Nesting Birds Only), Historical Resources (Archaeology) and Paleontological Resources. However, mitigation measures were identified in the Mitigated Negative Declaration, under section V (Mitigation Monitoring Reporting Program) that mitigates the impacts to below a level of significance. The project as revised now avoids or mitigates the potentially significant environmental effects identified in the Environmental Initial Study, and the preparation of an Environmental Impact Report is not required.

**Conclusion:**

A Site Development Permit and Vesting Tentative Map are a Process Four, Planning Commission approval pursuant to San Diego Municipal Code Section 143.0110(b). A Vesting Tentative Map for the eleven lot subdivision may be approved if the decision maker finds that the

proposed division of land complies with the requirements of the Subdivision Map Act, the Carmel Valley Planned District Ordinance and the San Diego Municipal Code. Staff has reviewed the proposed eleven lot subdivision and found it to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps, the Carmel Valley Planned District and land use policies. The project conforms to the Carmel Valley Plan and the Carmel Valley Neighborhoods Four, Five and Six Precise Plan with respect to maintaining the required residential character and design features established in the plan for Low Density residential development. Staff has determined that the required findings can be made as the project meets the applicable San Diego Municipal Code regulations and requirements. Staff recommends approval of the project as proposed.

### ALTERNATIVE

1. **Approve** Site Development Permit No. 863616 and Vesting Tentative Map No. 863614, **with modifications.**
2. **Deny** Site Development Permit No. 863616 and Vesting Tentative Map No. 863614, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



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Mike Westlake  
Assistant Deputy Director  
Development Services Department



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Glenn Gargas, Project Manager  
Development Services Department

### Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft SDP Permit Resolution with Findings
6. Draft SDP Permit with Conditions
7. Draft VTM Map Resolution with Findings
8. Draft VTM Map Conditions
9. Draft Environmental Resolution with MMRP
10. Site Plan / Utility Plan
11. Map Exhibit-Vesting Tentative Map
12. Grading Plan
13. Project Landscape Plans
14. Community Planning Group Recommendation
15. Ownership Disclosure Statement
16. Project Chronology

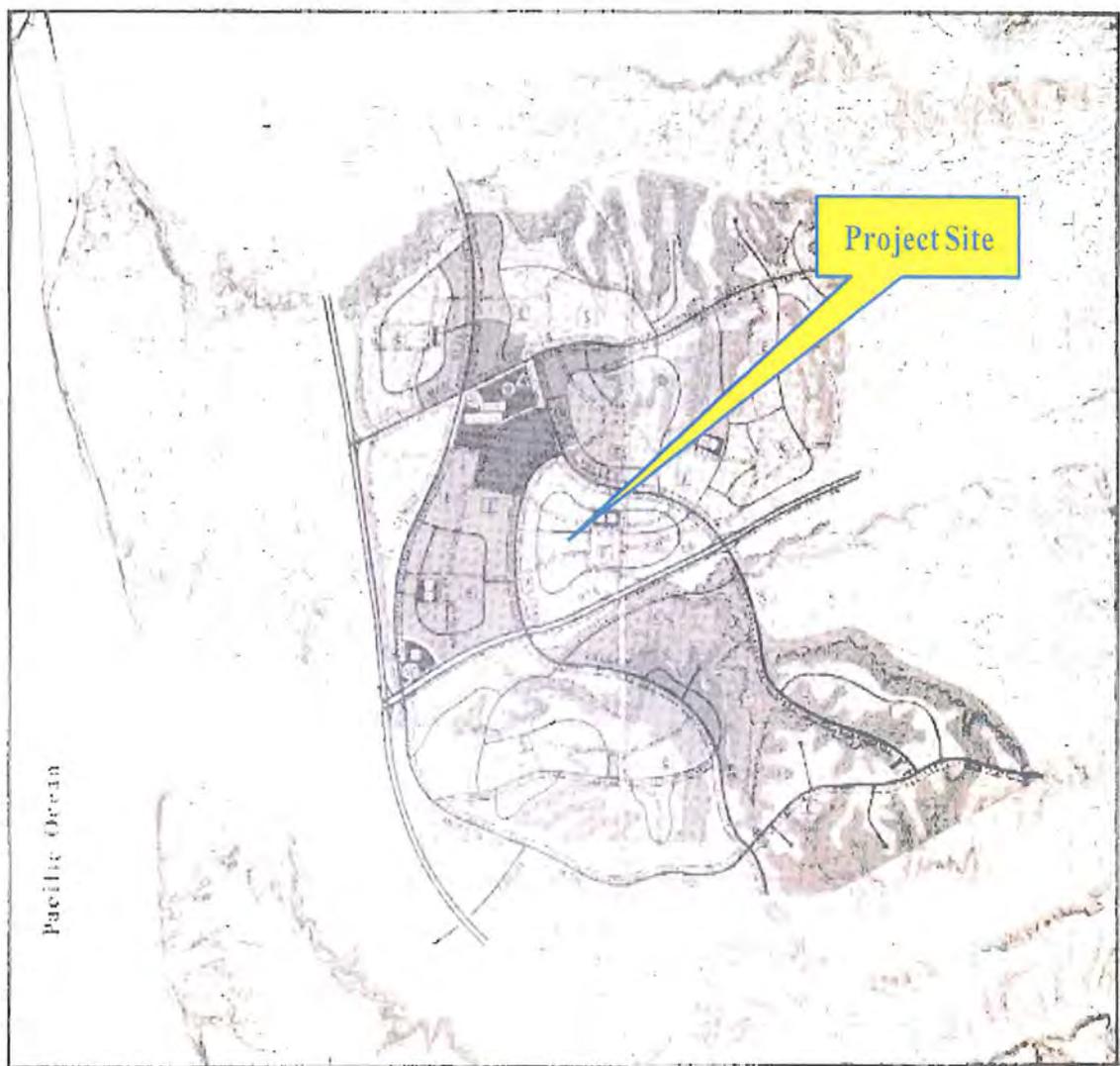


## Aerial Photo

**WORSCH WAY 1 CARMEL VALLEY - 4140 WORSCH WAY**  
**PROJECT NO. 240364**







## NORTH CITY WEST

### RESIDENTIAL

- VERY LOW DEN. 5 DU/AC.
- LOW DEN. 10 DU/AC
- LOW MED DEN. 20 DU/AC
- MEDIUM DEN. 40 DU/AC.

### COMMERCIAL

- ALL CATEGORIES N-
- NEIGHBORHOOD V-VISITOR

### PUBLIC FACILITIES

- SCHOOLS E-ELEM J-JR S-SR
- P-PARK N-NEIGHBORHOOD C-COMM.
- LIBRARY ▲ FIRE STATION

### TRANSPORTATION

- FREEWAY
- MAJOR STREET
- COLLECTOR STREET

— BICYCLE PATH

..... PEDESTRIAN

✳ TRANSPORTATION TERMINAL

□ OPEN SPACE

--- FLOOD PLAIN



## Land Use Map

**WORSCH WAY 1 CARMEL VALLEY – 4140 WORSCH WAY**  
**PROJECT NO. 240364**





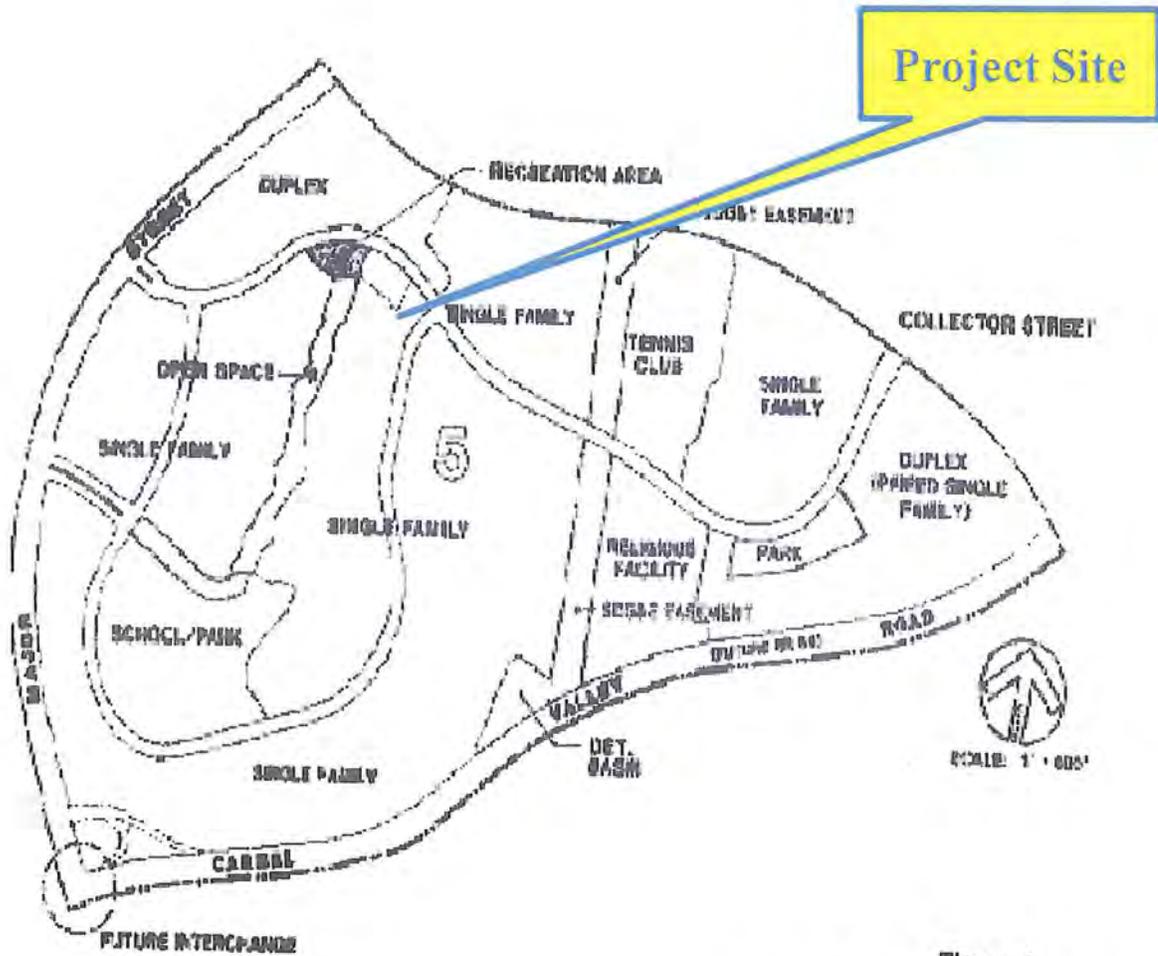


Figure 7  
Neighborhood 5  
Land Use Plan

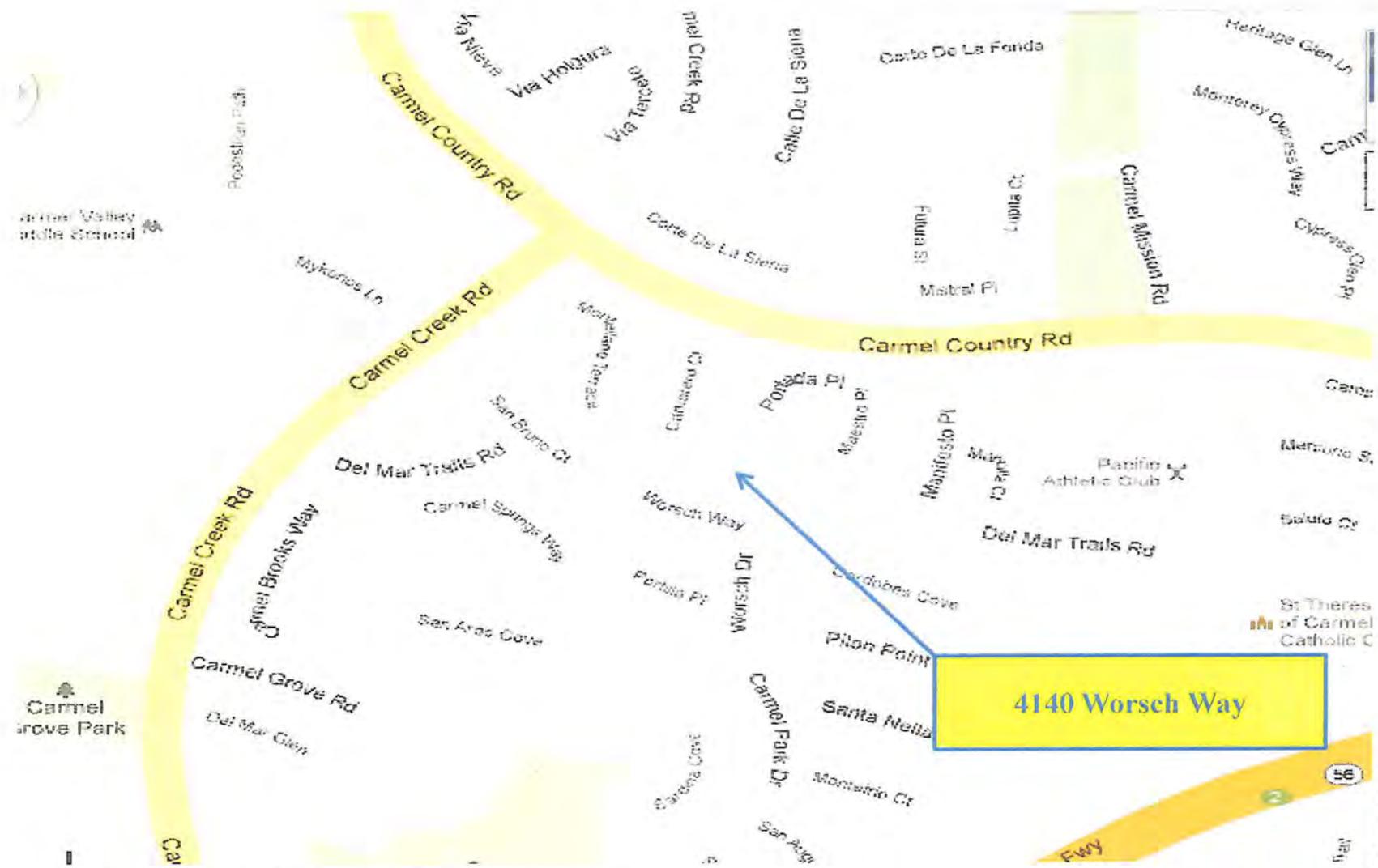


## Land Use Map

WORSCH WAY1 CARMEL VALLEY – 4140 WORSCH WAY  
PROJECT NO. 240364

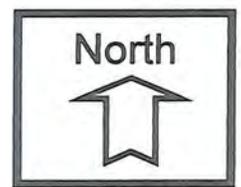






## Project Location Map

**WORSCH WAY 1 CARMEL VALLEY – 4140 WORSCH WAY**  
**PROJECT NO. 240364**



ATTACHMENT 3



## PROJECT DATA SHEET

<b>PROJECT NAME:</b>	Worsch Way 1 Carmel Valley	
<b>PROJECT DESCRIPTION:</b>	A proposed eleven lot residential subdivision of a 1.56-acre property, each lot approx. one acre in size for eleven new residential dwelling units, with design guidelines.	
<b>COMMUNITY PLAN AREA:</b>	Carmel Valley	
<b>DISCRETIONARY ACTIONS:</b>	Site Development Permit and Vesting Tentative Map	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Very Low Density Residential up to 5 DU/Acre	
<p><b><u>ZONING INFORMATION:</u></b></p> <p><b>ZONE:</b> CVPD- SF2 and CVPD-SF3 Zones</p> <p><b>HEIGHT LIMIT:</b> 35-Foot maximum height limit.</p> <p><b>LOT SIZE:</b> 3,000 sq. ft. min. SF3 / 4,500 sq. ft. min. SF2</p> <p><b>FLOOR AREA RATIO:</b> 0.60 maximum</p> <p><b>FRONT SETBACK:</b> 10 / 15 feet.</p> <p><b>SIDE SETBACK:</b> 4 feet min.</p> <p><b>STREETSIDE SETBACK:</b> 10 feet min.</p> <p><b>REAR SETBACK:</b> 4 feet min.</p> <p><b>PARKING:</b> 2 min. parking spaces required per dwelling unit, plus two guest parking spaces per dwelling unit for a total of 44.</p>		
<b><u>ADJACENT PROPERTIES:</u></b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Very Low Density Residential; SF3.	Single Family Residential
<b>SOUTH:</b>	Very Low Density Residential; SF2.	Single Family Residential
<b>EAST:</b>	Very Low Density Residential; SF2.	Single Family Residential
<b>WEST:</b>	Very Low Density Residential; SF3.	Single Family Residential & City Park / Walk Way
<b>DEVIATIONS OR</b>	None.	

**ATTACHMENT 4**

<b>VARIANCES REQUESTED:</b>	
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	On September 27, 2012, the Carmel Valley Community Planning Board voted unanimously, 14-0-0, to recommend approval of this project.

**PLANNING COMMISSION - RESOLUTION NO. \_\_\_\_\_**  
**SITE DEVELOPMENT PERMIT NO. 863616**  
**WORSCH WAY 1 CARMEL VALLEY - PROJECT NO. 240364 (MMRP)**

WHEREAS, Gary Levitt, Manager, Sea Breeze Investments II, LLC, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing dwelling unit and create an eleven lot residence subdivision of a 1.56-acre property (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 863616), on portions of a 1.56 acre property;

WHEREAS, the project site is located at 4140 Worsch Way in the CVPD-SF-2 and CVPD-SF-3 Zones of the Carmel Valley Planned District of the Carmel Valley Community Plan area;

WHEREAS, the project site is legally described as Lot 31, Carmel Valley Neighbor 5, Unit No. 6, Map No. 11246;

WHEREAS, on February 28, 2013, the Planning Commission of the City of San Diego considered Site Development Permit No. 863616 pursuant to the Land Development Code of the City of San Diego;

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

That the Planning Commission adopts the following written Findings, dated February 28, 2013.

FINDINGS:

**SITE DEVELOPMENT PERMIT – SDMC SECTION 126.0504**

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

This project proposes an eleven lot single residential dwelling unit project on a 1.56-acre property, which was found to be consistent with the General Plan Land Use Map designation of Residential, and the Single-family Residential designation of the Carmel Valley Neighborhood Four, Five, and Six Precise Plan (Precise Plan). The project site is an infill property within the residentially developed Neighborhood Five of Carmel Valley. The Urban Design Element of the Precise Plan sets forth guidelines intended to “produce a visual effect of this community that is residential in character.” (pg. 39, Precise Plan). As stated in the Precise Plan, the basic objective is to create a visually and functionally integrated urban environment (page 40, Precise Plan). The applicant presented a total of eight different subdivision designs to community members to obtain their input. The community members determined that the current project design would integrate both visually and functionally with the existing residential neighborhood development, based on proposed grading design, lot size, lot orientation, lot access, lot coverage, setbacks, and height. Thus the proposed eleven lot subdivision will not adversely affect the Carmel Valley Community Land Use Plan.

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

This proposed project for an eleven lot, single-dwelling unit residential project is located on property that previously supported single-family development. The property is located within an existing well established residential neighborhood known as Neighborhood Five of Carmel Valley. The project is

consistent with the existing General Plan designation of Residential and Precise Plan designation of Single-family Residential. Each lot has direct access to a public street and meets emergency access requirements. All necessary utilities are existing and available in the adjacent public streets. Existing fire hydrants are located in Del Mar Trails Road and Worsch Way to serve the proposed development. As part of the project, the existing accessibility ramps at Del Mar Trails Road and at Worsch Way will be upgraded to current City standards. In addition, the associated permits controlling development and operation of the project will contain conditions addressing project compliance with applicable City, regional, state, and federal regulations to prevent detrimental impacts to health, safety, and welfare of persons working in and around the project site, including all applicable Building, Fire, Plumbing, and Mechanical Code requirements. The environmental review determined that the project may have a significant environmental effect on the Biological (Nesting Birds Only), Historical Resources (Archaeological) and Paleontological Resources and the City prepared a Mitigated Negative Declaration [MND], Project No. 240364, in accordance with the California Environmental Quality Act [CEQA]. The project includes mitigation measures for potential impacts to Biological (Nesting Birds Only), Historical Resources (Archaeological) and Paleontological Resources, to reduce the potential impacts to a level below significance. The Mitigation Monitoring and Reporting Program [MMRP] incorporates measures necessary to meet the performance standards in the City's Biology Guidelines, the City's CEQA Threshold of Significance for biological resources. This environmental review included an analysis of potential impacts to public health, safety, and welfare with no significant impacts being identified. Based on the design measures and mitigation measures incorporated into the project, and the permit conditions controlling the construction and operation of the project, the proposed development will not be detrimental to the public health, safety, and welfare.

**c. The proposed development will comply with the regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.**

This proposed eleven lot subdivision project proposes single-family residential development that is consistent with the existing CVPD-SF-2 and CVPD-SF-3 residential zones. No deviations are required or requested. Consistent with the Land Development Code (LDC) requirements, the project includes a Site Development Permit to address the provisions of the Carmel Valley Planned District Ordinance (CVPDO) and a Vesting Tentative Map to subdivide the property into eleven lots. The proposed development also complies with other applicable Land Development Code regulations, including grading, landscape, fire protection, storm water management and drainage, and parking, as evidenced by Exhibit "A" and associated technical studies. The proposed development also is subject to, and must comply with, Land Development Code regulations for building, electrical, plumbing, and mechanical systems. Thus the proposed eleven lot subdivision will comply with the regulations of the Land Development Code.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Site Development Permit No. 863616 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 863616, a copy of which is attached hereto and made a part hereof.

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Glenn R. Gargas  
Development Project Manager  
Development Services

Adopted on: February 28, 2013

Job Order No. 24001806



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

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24001806

**SITE DEVELOPMENT PERMIT NO. 863616**  
**WORSCH WAY 1 CARMEL VALLEY - PROJECT NO. 240364**  
**PLANNING COMMISSION**

This Site Development Permit No. 863616 is granted by the Planning Commission of the City of San Diego to Gary Levitt, Manager, Sea Breeze Investments II LLC, a California Limited Liability Company, Owner / Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0502. The 1.56-acre site is located at 4140 Worsch Way, in the CVPD-SF-2 and CVPD-SF-3 Zones of the Carmel Valley Planned District, within the Carmel Valley Community Plan area. The project site is legally described as: Lot 31, Carmel Valley Neighborhood Five, Unit No. 6, Map No. 11246.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish an existing single dwelling unit and create eleven (11) lots for eleven (11) residential single dwelling units consistent with proposed design guidelines described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated February 28, 2013, on file in the Development Services Department.

The project shall include:

- a. Demolish an existing single dwelling unit and create 11 lots, ranging in size from 7,967 square feet to 4,789 square feet, for 11 future, two-story, single family residential dwelling units consistent with design guidelines (part of Exhibit "A") on a 1.56-acre property;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking, 22 garage spaces, plus 22 guest parking spaces for a total of 44 spaces;

- d. Retaining walls; and
- e. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by March 15, 2016.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may

be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

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

11. This 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:**

12. 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.
13. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration, No. 240364, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.
14. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration, No. 240364, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, or as specified in Mitigated Negative Declaration, No. 240364, 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: Biological Resources (Nesting Birds Only), Historical Resources (Archaeology) and Paleontological Resources.

**AFFORDABLE HOUSING REQUIREMENT:**

15. Prior to the issuance of any building permits, the Owner/Permittee shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.).

**ENGINEERING REQUIREMENTS:**

16. Prior to the issuance of a building permit, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
17. Prior to the issuance of any construction permits, the Owner/Permittee 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 permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications, satisfactory to the City Engineer.
19. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report, satisfactory to the City Engineer.
20. The SDP Permit shall comply with the conditions of the final map for Worsch Way 1 Carmel Valley Vesting Tentative Map No. 863614.

21. The drainage system proposed for this development and outside of the public right-of-way is private, shall be privately maintained and subject to approval by the City Engineer.
22. All driveways and curb openings shall comply with City Standard Drawings SDG-159 SDG-160 and SDG-164 satisfactory to the City Engineer.
23. This project proposes to export 30,000 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per LDC Section 141.0620(i).
24. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 2009-009 DWQ and the Municipal Storm Water Permit, Order No. 2009-009(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 2009-009 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 2009-009 DWQ.

#### **LANDSCAPE REQUIREMENTS:**

25. Prior to issuance of any engineering permits for grading, construction documents for the revegetation and hydroseeding of all disturbed land shall be submitted in accordance with the 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.
26. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the Development Services Department for approval. Improvement plans shall provide a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities. Smaller root zones may be considered as per LDC 142.0403(b) 5, subject to a Soils Report and professional opinion rendered by a Certified Consulting Arborist. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.
27. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall

be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department.

28. Prior to any Final Inspection, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

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

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

31. If any required landscape indicated on Exhibit "A" and/or indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Final Inspection.

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

32. Owner/Permittee shall maintain a minimum of twenty two (22) off-street parking spaces and twenty two (22) guest parking spaces, for a total of 44 parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

33. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

34. Prior to building permit issuance, the Owner/Permittee shall submit construction documents for Substantial Conformance Review (Process One) to assure compliance with the approved Design Guidelines – Exhibit A and applicable standards of the Carmel Valley Neighborhoods 4, 5 & 6 Urban Design Element.

35. Owner/Permittee shall post a copy of each approved discretionary Permit or Tentative Map in its sales office for consideration by each prospective buyer.

36. 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.

37. Buildings and landscaping shall be designed and constructed to incorporate measures to implement the Water and Energy Conservation Element of the Carmel Valley Neighborhoods 4, 5 & 6 Precise Plan.

**TRANSPORTATION REQUIREMENT:**

38. Single dwelling units that do not provide a driveway at least 20 feet long (18 feet with roll up garage doors), measured from the back of the sidewalk to that portion of the driveway most distant from the sidewalk, as illustrated in Diagram 142-05A, shall provide two additional parking spaces. These parking spaces may be on-street, abutting the subject property, but shall conform to section 142.0525(c) (4).

**GEOLOGY REQUIREMENTS:**

36. The Owner/Permittee 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.

37. The Owner/Permittee 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.

**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 Planning Commission of the City of San Diego on February 28, 2013, by Resolution No. PC-\_\_\_\_\_.

PLANNING COMMISSION - RESOLUTION NUMBER R-\_\_\_\_\_

VESTING TENTATIVE MAP NO. 863614, WORSCH WAY 1  
CARMEL VALLEY - PROJECT NO. 240364 - MMRP.

WHEREAS, Gary Levitt, Manager of Sea Breeze Investments II, LLC, Subdivider, and Trudi Lim, Engineer, RBF Consulting, submitted an application to the City of San Diego for a vesting tentative map, Vesting Tentative Map No. 863614, for an eleven lot, single residential dwelling unit subdivision of a 1.56 acre property with an existing dwelling unit to be removed. The project site is located east of Carmel Creek Road, north of Worsch Way, south of Del Mar Trails Road and west of Worsch Drive, addressed as 4140 Worsch Way. The property is legally described as Lot 31, Carmel Valley Neighborhood 5, Unit No. 6, Map No. 11246; and

WHEREAS, the Map proposes the Subdivision of a 1.56 acre-site into eleven residential lots; 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, on February 28, 2013, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 863614, and pursuant to San Diego Municipal Code section(s) 125.0440, 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 Planning Commission having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 863614:

- 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 eleven lot subdivision of a 1.56-acre property would provide for a balanced community and equitable development within the community through the provision of housing that provides varying levels of architectural styles, size and affordability through residential development. The proposed subdivision is consistent with the recommended residential land use and density prescribed in the Carmel Valley Neighborhood Four, Five and Six Precise Plan and the Carmel Valley Community Plan. Therefore, the proposed subdivision and its design or improvement would be consistent with the policies, goals, and objectives of the applicable land use plan.

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

The proposed eleven lot subdivision would comply with the development regulations of the underlying CVPD-SF2 and CVPD-SF3 Zones and all of the applicable development regulations of the Land Development Code. This application includes design guidelines which were reviewed and consistent with the development regulations. No deviations are proposed with this project. The proposed project with the design guidelines was determined to be consistent with the purpose and intent of the CVPD-SF2 and CVPD-SF3 zones together with the purpose and intent of the Carmel Valley Community Plan.

- 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 proposed eleven lot residential subdivision would be consistent with the recommended residential land use and density range of the Carmel Valley Community Plan and would comply with the applicable development of the underlying CVPD-SF2 and CVPD-SF3 zones and the design goals and recommendations of the Carmel Valley Neighborhood Four, Five and Six Precise Plan and the Carmel Valley Community Plan. Therefore, the bulk, scale and sitting of the proposed development would be compatible with the existing and future surrounding land uses and the site is physically suitable for the type and density of the proposed development.

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

This proposed eleven lot subdivision was reviewed by the Environmental Analysis Section which determined that the project would not have a significant environmental

effect. Mitigated Negative Declaration No. 240364 was prepared for the project in accordance with Section 15164 of the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program (MMRP) have been prepared for the project with measures that would reduce the potential adverse impacts to below a level of significance. Therefore, the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat.

**5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (San Diego Municipal Code § 125.0440(e) and Subdivision Map Act § 66474(f)).**

The proposed subdivision and improvements have been designed to comply with all applicable Federal, State and local land use policies including the California State Map Act and the City of San Diego Land Development Code. Further, the proposed subdivision and improvements would be permitted, constructed and inspected in accordance with the California Building Code. Therefore, the design of the subdivision or the proposed improvements would not be detrimental to the public health, safety, and welfare.

**6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (San Diego Municipal Code § 125.0440(f) and Subdivision Map Act § 66474(g)).**

The proposed subdivision would maintain and, as required, improve the existing public rights-of-ways and general utility easements therefore, the design of the subdivision and the associated improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

The proposed subdivision of a 1.56-acre parcel into eleven lots for residential 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 to the extent feasible, preserving the existing neighbor character and existing development pattern. Design guidelines have been adopted for the future construction of the single family homes; however they do not impede or inhibit any future passive or natural heating and cooling opportunities. With the independent 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.

**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 proposed project is the subdivision of a 1.56-acre parcel into eleven lots for residential development. The Carmel Valley Community Plan requires new development to provide housing to accommodate the needs of low income households, as certified by the San Diego Housing Commission. The applicant has chosen the option of paying an in-lieu fee to the City's Affordable Housing Trust Account to meet their affordable housing requirement rather than provide the dwelling units. The Carmel Valley Community Plan allows an in-lieu fee option in the amount equivalent to the cost of achieving the level of affordability required by the Carmel Valley affordable housing program, as determined by the San Diego Housing Commission. Balanced needs for public facilities were taken into consideration with the development of the Carmel Valley Community Plan and the projected build-out with the applied zone designations. The subdivision of this parcel into eleven residential lots is consistent with what was anticipated in the community plan. The decision maker has reviewed the administrative record including the project 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; that those needs are balanced against the needs for public services and the available fiscal and environmental resources and found that the addition of eleven residential lots for private development is consistent with the housing needs anticipated for the Carmel Valley Community Planning area.

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

BE IT FURTHER RESOLVED that based on the Findings hereinbefore adopted by the Planning Commission Vesting Tentative Map No. 863614, hereby granted to Gary Levitt, Sea Breeze Investments, LLC, subject to the attached conditions which are made a part of this resolution by this reference.

By

\_\_\_\_\_  
Glenn R. Gargas  
Development Project Manager

Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24001806

PLANNING COMMISSION  
CONDITIONS FOR VESTING TENTATIVE MAP NO. 863614, WORSCH WAY 1  
CARMEL VALLEY - PROJECT NO. 240364 - MMRP

ADOPTED BY RESOLUTION NO. R-\_\_\_\_\_ ON FEBRUARY 28, 2013

**GENERAL**

1. This Vesting Tentative Map will expire March 15, 2016.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the Vesting Tentative Map expiration date, a Final Map to subdivide the existing lot into eleven lots shall be recorded in the Office of the San Diego County Recorder.
4. Prior to the recordation of the Final Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
5. The Vesting Tentative Map shall conform to the provisions of Site Development Permit No. 863616.
6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

Project No. 240364  
TM No. 863614

**ENGINEERING**

7. Prior to the issuance of grading permits, a geotechnical investigation report shall be required that specifically addresses the proposed grading plans. The geotechnical investigation shall provide specific geotechnical grading recommendations and include geotechnical maps, using the grading plan as a base, that depict recommended location of subdrains, location of outlet headwalls, anticipated removal depth, anticipated over-excavation depth, and limits of remedial grading.
8. A Final Map shall be recorded in the Office of the County Recorder, prior to the Tentative Map expiration date.
9. Compliance with all conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map), unless otherwise noted.
10. The subdivider shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
11. The subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
12. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
13. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
14. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Vesting Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

**MAPPING**

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

**WATER/WASTEWATER**

18. The Subdivider shall assure, by permit and bond the design and construction of any new water and sewer service(s) outside of any driveway, and the disconnection at the water main of the existing unused water and sewer service adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.
19. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and within five feet of any water facilities.
20. Prior to the issuance of any certificates of occupancy, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.

Project No. 240364  
TM No. 863614

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

**GEOLOGY**

22. Prior to the issuance of a grading permit, the Subdivider shall submit a geotechnical report prepared in accordance with the City of San Diego's "Guidelines for Geotechnical Reports," satisfactory to the City Engineer.

**INFORMATION:**

- The approval of this Vesting Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Vesting Tentative Map, may protest the imposition within ninety days of the approval of this Vesting Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

RESOLUTION NUMBER R-  
ADOPTED ON FEBRUARY 28, 2013  
WORSCH WAY 1 CARMEL VALLEY – PROJECT NO. 240364

WHEREAS, on June 11, 2011, Gary Levitt, Manager, Sea Breeze Investments II, LLC submitted an application to Development Services Department for a Site Development Permit and Vesting Tentative Map for the Worsch Way 1 Carmel Valley project; and

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

WHEREAS, the issue was heard by the Planning Commission on February 28, 2013; and

WHEREAS, the Planning Commission considered the issues discussed in Mitigation Negative Declaration No. 240364 prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission that it is certified that the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Planning Commission finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

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

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the DEVELOPMENT SERVICES DEPARTMENT, 1222 FIRST AVENUE, SAN DIEGO, CA 92101

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

APPROVED: Glenn Gargas

By: \_\_\_\_\_  
Glenn Gargas, Project Manager

ATTACHMENT(S): Exhibit A, Mitigation Monitoring and Reporting Program

DRAFT

**EXHIBIT A**  
Worsch Way 1 Carmel Valley  
MITIGATION MONITORING AND REPORTING PROGRAM  
Site Development Permit and Vesting Tentative Map

PROJECT NO. 240364

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration No. 240364 shall be made conditions of Site Development Permit and Tentative Map as may be further described below.

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

1. Prior to issuance of a Notice to Proceed (NTC) or any construction permits, including but not limited to the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, or any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD) (plans, specification, details, etc.) to ensure the MMRP requirements have been incorporated.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "ENVIRONMENTAL/MITIGATION REQUIREMENTS."
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:  
  
<http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

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

1. **PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION

(MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

**Archaeologist, Native American Monitor, Paleontologist and Qualified Biologist**

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

**CONTACT INFORMATION:**

- a) The PRIMARY POINT OF CONTACT is the RE at the **Field Engineering Division – 858-627-3200**
  - b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**
2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) 240364, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's ED, MMC and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc

**Note:**

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

3. **OTHER AGENCY REQUIREMENTS:** Evidence that any other agency requirements or permits have been obtained or are in process shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.  
*Not Applicable for this project.*

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

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

**Document Submittal/Inspection Checklist**

<i>Issue Area</i>	<i>Document submittal</i>	<i>Associated Inspection/Approvals/Note</i>
General	Consultant Qualification Letters meeting	Prior to Pre-construction
General	Consultant Const. Monitoring	Prior to or at the Pre-Construction meeting
Archaeology	Archaeological Reports	Archaeological observation
Paleontology	Paleontology Reports	Paleontology observation
Biology	Biological Letter reports	
Bond Release	Request for Bond Release	Final MMRP Inspections Prior to Bond Release Letter

**C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS:**

**Biological Resources (General and Nesting Bird Requirements)**

**I. Entitlements Plan Check (IMPLEMENTATION OF NESTING BIRD MITIGATION TO BE ASSURED PRIOR TO PERMIT ISSUANCE)**

- a. If project grading is proposed during the typical bird breeding season (i.e. Feb. 1-Sept. 15), or an active nest is noted, the project biologist shall conduct a pregrading survey for active nests in the development area and within 300 feet of it, and submit a letter report to MMC prior to the preconstruction meeting.
- b. If active nests are detected, or considered likely, the report shall include mitigation in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) to the satisfaction of the Assistant Deputy Director (ADD) of the Entitlements Division. Mitigation requirements determined by the project biologist and the ADD shall be incorporated into the project's Biological Construction Monitoring Exhibit (BCME) and monitoring results incorporated in to the final biological construction monitoring report.
- c. If no nesting birds are detected per III. a., above, mitigation under III a. is not required.

**II- Prior to Preconstruction meeting:**

- a. Prior to issuance of any construction permit and/or the first preconstruction meeting the Owner/Permitee shall provide verification to the ADD Environmental Designee of the Advanced Planning & Engineering Division and/or the Mitigation Monitoring Coordination (MMC) Section stating that a qualified Biologist, as defined in the City of San Diego Biology Guidelines, has been retained to implement the Biological General Nesting Bird Mitigation Program. The letter shall include the names and contact information of all persons involved in the Biological Monitoring of the project.
- b. At least thirty days prior to the pre-construction meeting, the qualified Biologist shall submit all required documentation to MMC, verifying that any special reports, maps, plans and time lines, such as, but not limited to, revegetation plans, plant relocation requirements and timing, MSCP requirements avian or other wildlife protocol surveys, impact avoidance areas or other such information has been completed and updated.

**III. Prior to the Notice to Proceed:**

- a. The qualified biologist (project biologist) shall attend the first preconstruction meeting and discuss the projects biological monitoring program.
- b. The limits of work shall be clearly delineated by a survey crew prior to brushing, clearing or grading. The limits of work, as shown on the approved Exhibit A, shall be defined with flagging and checked by the biological monitor before initiation of construction grading.
- c. **MONITORING EXHIBITS** All consultants are required to submit, to MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc, marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

**IV. During Construction:**

- a. The Biological Monitor shall be present full-time during clearing activities, which could result in impacts to biological resources as identified on the Biological Monitoring Exhibit.
- b. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed to MMC the first day of monitoring, the last day of monitoring, monthly.

- c. The Biological Monitor shall immediately notify MMC by phone of any unanticipated impacts outside the approved limits of work, and shall also submit written documentation to MMC within 24 hours by email with photos of the impacts to biological resources in context, if possible.

#### **V. Post Construction**

- a. Submittal of Draft Monitoring Reports to MMC
  1. The Applicant or Project Biologist, as appropriate, shall submit two copies of the Draft Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
  2. MMC shall return the Draft Monitoring Report to the Applicant or Project Biologist for revision, for preparation of the Final Report.
  3. The Applicant or Project Biologist shall submit revised Draft Monitoring Report to MMC for approval.
  4. MMC shall provide written verification to the Applicant or Project Biologist of the approved report.
  5. MMC shall notify the applicant, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- b. Submittal of Final Monitoring Reports to MMC
  1. The Applicant or Project Biologist shall submit one copy of the approved Final Monitoring Report to MMC, within 90 days after notification from MMC that the draft report has been approved.

### **HISTORICAL RESOURCES (ARCHAEOLOGICAL MONITORING PROGRAM)**

#### **I. Prior to Permit Issuance**

##### **A. Entitlements Plan Check**

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

- B. Letters of Qualification have been submitted to ADD
1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
  2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
  3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

## II. Prior to Start of Construction

### A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.

### B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
  - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

### 2. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The AME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur
  - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
  - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

### III. During Construction

#### A. Monitor(s) Shall be Present During Grading/Excavation/Trenching

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

#### B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

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

IV. Discovery of Human Remains

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

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.
2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.
2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.

3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.
- C. If Human Remains **ARE** determined to be Native American
1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
  2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
  3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
  4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
  5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
    - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;
    - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN,
    - c. In order to protect these sites, the Landowner shall do one or more of the following:
      - (1) Record the site with the NAHC;
      - (2) Record an open space or conservation easement on the site;
      - (3) Record a document with the County.
    - d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.
- D. If Human Remains are **NOT** Native American
1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
  2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
  3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS,

the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

#### V. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
  2. The following procedures shall be followed.
    - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVN and submit to MMC via fax by 8AM of the next business day.
    - b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.
    - c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed.
    - d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

#### VI. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. **It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.**
    - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with State of California Department of Parks and Recreation

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
  3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
  4. MMC shall provide written verification to the PI of the approved report.
  5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts
1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
  2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
  3. The cost for curation is the responsibility of the property owner.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
  2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
  3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.
- D. Final Monitoring Report(s)
1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
  2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

## PALEONTOLOGICAL RESOURCES

### **I. Prior to Permit Issuance**

#### **A. Entitlements Plan Check**

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

## **II. Prior to Start of Construction**

### **A. Verification of Records Search**

1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

### **B. PI Shall Attend Precon Meetings**

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
  - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
3. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

### III. During Construction

#### A. Monitor Shall be Present During Grading/Excavation/Trenching

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

#### B. Discovery Notification Process

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

#### C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
  - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to

significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.

- c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
- d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

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

- A. If night and/or weekend work is included in the contract
  - 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
  - 2. The following procedures shall be followed.
    - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVr and submit to MMC via fax by 8AM on the next business day.
    - b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
    - c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
    - d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
  - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

#### **V. Post Construction**

- A. Preparation and Submittal of Draft Monitoring Report
  - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
    - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with the San Diego Natural History Museum

- The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
  3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
  4. MMC shall provide written verification to the PI of the approved report.
  5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
  2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
  2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
  2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

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







# WORSCH WAY I CARMEL VALLEY

## VESTING TENTATIVE MAP No. 863614

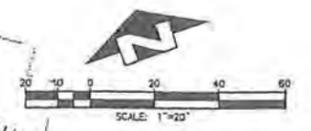
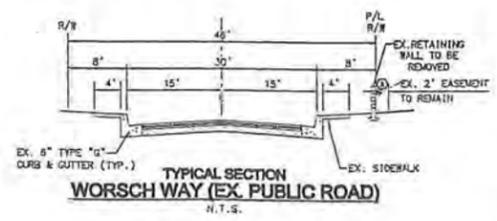
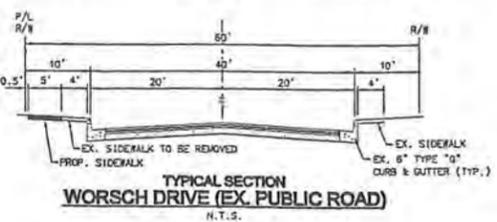
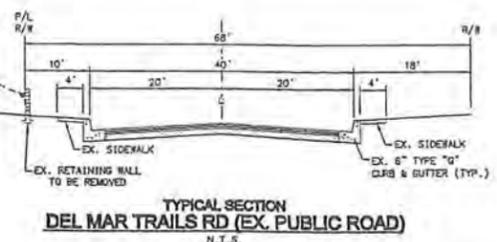
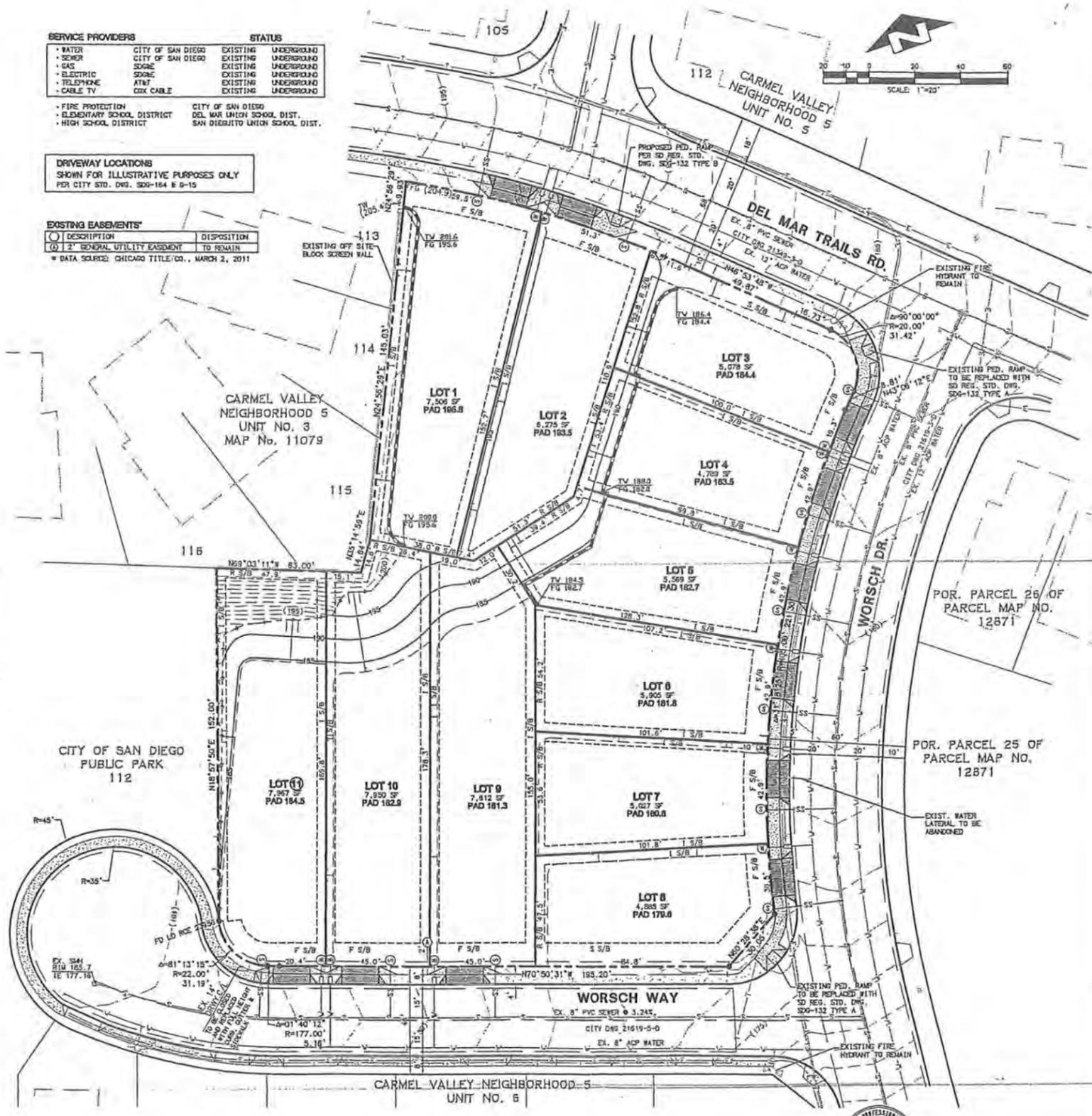
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---	EASEMENT	---	---
---	5' CONTOUR	---	---
---	1' CONTOUR	---	---
---	SPOT ELEVATION	---	---
---	STEEL FENCE	---	---
---	BLACK SCREEN WALL	---	---
---	RETAINING WALL	---	---
---	SEWER LINE	---	---
---	WATER LINE	---	---
---	ELECTRICAL LINE	---	---
---	TELEPHONE LINE	---	---
---	WATER METER/IRRIGATION VALVE	---	---
---	FIRE HYDRANT	---	---
---	STREET LIGHT	---	---
---	SIGN	---	---
---	MANHOLE	---	---
---	GARAGE DRIVEWAY	---	---
---	SIDEWALK	---	---
---	TOP OF WALL	---	---
---	FINISH GROUND	---	---
---	SETBACK	---	---
---	SETBACK LINE	---	---
---	CONCRETE SWALE	---	---
---	LOT NUMBER DESIGNATION	---	---
---	WATER LATERAL	---	---
---	SEWER LATERAL	---	---
---	FOUND MONUMENT	---	---
---	FD 1" P RICE 23956	---	---
---	UNLESS OTHERWISE NOTED	---	---

SERVICE PROVIDERS			
		STATUS	
• WATER	CITY OF SAN DIEGO	EXISTING	UNDERGROUND
• SEWER	CITY OF SAN DIEGO	EXISTING	UNDERGROUND
• GAS	SDG&E	EXISTING	UNDERGROUND
• ELECTRIC	SDG&E	EXISTING	UNDERGROUND
• TELEPHONE	AT&T	EXISTING	UNDERGROUND
• CABLE TV	COX CABLE	EXISTING	UNDERGROUND
• FIRE PROTECTION	CITY OF SAN DIEGO	EXISTING	UNDERGROUND
• ELEMENTARY SCHOOL DISTRICT	DEL MAR UNION SCHOOL DIST.	EXISTING	UNDERGROUND
• HIGH SCHOOL DISTRICT	SAN DIEGUITO UNION SCHOOL DIST.	EXISTING	UNDERGROUND

**DRIVEWAY LOCATIONS**  
SHOWN FOR ILLUSTRATIVE PURPOSES ONLY  
PER CITY STD. DWS. 500-164 & 8-15

EXISTING EASEMENTS	
DESCRIPTION	DISPOSITION
10' 2" GENERAL UTILITY EASEMENT	TO REMAIN

\* DATA SOURCE: CHICAGO TITLE/CO., MARCH 2, 2011



**\* DEVELOPMENT SUMMARY \***

**PROJECT DESCRIPTION**  
PROJECT PROPOSES AN 11-Lot SUBDIVISION ON 1.56 GROSS ACRES CONSISTING OF ELEVEN SINGLE-FAMILY RESIDENTIAL LOTS.

SITE IS DEVELOPED BY A SINGLE-FAMILY RESIDENCE, GARAGE, VARIOUS OUTBUILDINGS, ASPHALT ACCESS DRIVE, AND LANDSCAPING. SITE IS ENCLOSED BY AN 10'-10" HIGH RETAINING WALL ON THE NORTH BOUNDARY WITHIN THE DEL MAR TRAILS ROAD ROW, A 6" HIGH STEEL RAIL FENCE NEAR THE EASTERN BOUNDARY, A 3.5' HIGH RETAINING WALL ON THE SOUTHERN BOUNDARY, A 3' HIGH RAIL FENCE ALONG THE SOUTHWEST PORTION OF THE WESTERN BOUNDARY WITHIN THE WORSCH WAY ROW, AND A MASONRY BLOCK SCREEN WALL ALONG THE NORTHERLY PORTION OF THE WESTERN BOUNDARY. A CONCRETE SWALE EXTENDS ALONG THE SOUTHERN BOUNDARY. RESIDENCE AND ASSOCIATED STRUCTURES TO BE DEVELOPED.

**THE PROJECT REQUIRES THE FOLLOWING PERMITS AND APPROVALS:**

- SITE DEVELOPMENT PERMIT/CARMEL VALLEY PLANNED DISTRICT
- VESTING TENTATIVE MAP

NO VARIANCES REQUESTED

**\* PROJECT DATA \***

**LEGAL DESCRIPTION**  
LOT 31 OF CARMEL VALLEY NEIGHBORHOOD 5, UNIT NO. 6, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 11246, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MAY 30, 1985

**ASSESSOR PARCEL NUMBER**  
207-180-000

**COMMUNITY PLAN**  
CARMEL VALLEY NEIGHBORHOOD 5 - RESIDENTIAL

**ZONING DESIGNATION**  
EXISTING: CVD-SF2 (1.01 ACRES) AND CVD-SF3 (0.55 ACRES)  
(CARMEL VALLEY PLANNED DISTRICT)  
PROPOSED: NO CHANGE

**SITE AREA**  
1.56 AC (GROSS & NET)

**SETBACKS REQUIREMENTS PER SF2/SF3 ZONES**

F 5/8 - FRONT YARD SETBACK 10'  
S 5/8 - STREET SIDE YARD SETBACK 10'  
I 5/8 - INTERIOR SIDE YARD SETBACK 4'  
(SEE NOTE 1 BELOW)  
R 5/8 - REAR YARD SETBACK 4'  
(SEE NOTE 2 BELOW)

**NOTES:**

1. BUILDING WALLS WITH NO OPENINGS MAY BE CONSTRUCTED ON THE SIDE PROPERTY LINE.
2. ATTACHED AND DETACHED ONE-STORY BUILDINGS NOT TO EXCEED 500 SQUARE FEET MAY DISREGARD SIDE AND REAR YARDS IF NOT USED FOR LIVING OR SLEEPING PURPOSES.

**PROPOSED NUMBER OF LOTS**  
11 (11 RESIDENTIAL LOTS)

**NOTES**

1. SDP FILED CONCURRENTLY WITH THIS PROJECT.
2. EACH DETACHED SINGLE DWELLING UNIT SHALL HAVE A 16' WIDE X 20' LONG DRIVEWAY AS MEASURED FROM THE PROPERTY LINE TO ACCOMMODATE TWO OFF-STREET PARKING SPACES. OTHER CONFIGURATIONS MAY BE ACCEPTABLE PROVIDED TWO PARKING SPACES ARE ACCOMMODATED IN THE DRIVEWAY.
3. ALL EXISTING SEWER, DOMESTIC WATER AND IRRIGATION SERVICES ARE TO BE ABANDONED. SEE SHEET SP-3, EXISTING FIRE HYDRANT TO BE RELOCATED.

**\* PROJECT CONSULTANTS \***

<b>PLANNER/CIVIL ENGINEER</b> RBF CONSULTING CONTACT: CAROL CHASE 9755 CLAIREMONT MESA BLVD., #100 SAN DIEGO, CA 92124 TEL: (658) 614-5028 FAX: (658) 810-1450	<b>LANDSCAPE ARCHITECT</b> RBF CONSULTING CONTACT: JEREMY FRANZINI 14725 ALTON PARKWAY IRVINE, CA 92618 TEL: (949) 472-3505 FAX: (949) 837-4122
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**APPLICANT**  
SEA BREEZE INVESTMENTS II, LLC  
CONTACT: GARY LEVITT, MANAGER  
3525 DEL MAR HEIGHTS RD #246  
SAN DIEGO, CA 92130  
TEL: 658-361-8555

**\* PROJECT LOCATION \***

CCS 83 COORDINATE = 1924-6262  
LAMBERT COORDINATE = 284-0702

Prepared By:  
RBF CONSULTING  
CONTACT PERSON: CAROL CHASE  
9755 CLAIREMONT MESA BLVD., #100  
SAN DIEGO, CA 92124  
TEL: (658) 614-5028  
FAX: (658) 810-1450

Project Address:  
4140 WORSCH WAY  
SAN DIEGO, CA 92130

Project Name:  
WORSCH WAY I CARMEL VALLEY

Sheet Title:  
VESTING TENTATIVE MAP

Scale:  
SHEET VTM-1 SCALE: 1"=20'

Revisions:  
Revision 10: \_\_\_\_\_  
Revision 9: \_\_\_\_\_  
Revision 8: \_\_\_\_\_  
Revision 7: JAN. 14, 2013  
Revision 6: DEC. 19, 2012  
Revision 5: NOV. 5, 2012  
Revision 4: SEPT. 24, 2012  
Revision 3: JULY 16, 2012  
Revision 2: APRIL 26, 2012  
Revision 1: MARCH 5, 2012

Original Date: JUNE 15, 2011  
Sheet 8 of 7  
Project No. 240364

**ENGINEER OF WORK**  
TREDI LUI  
1/11/2013  
EXP. 6-30-2013  
N.C.E. 61213 DATE

**RBF CONSULTING**  
9755 CLAIREMONT MESA BLVD., #100  
SAN DIEGO, CA 92124  
TEL: (658) 614-5028  
FAX: (658) 810-1450







# WORSCH WAY | CARMEL VALLEY

## SITE DEVELOPMENT PERMIT (SDP) LANDSCAPE / EROSION CONTROL PLAN

**LANDSCAPE DESIGN STATEMENT**

THE INTENT OF THE LANDSCAPE DESIGN IS TO PROVIDE SLOPE EROSION CONTROL AND PARKWAY LANDSCAPE IMPROVEMENTS THAT ARE CONSISTENT WITH THE SURROUNDING STREETS AND NEIGHBORHOOD.

**PLANTING NOTES**

- ALL LANDSCAPED AREAS AND IRRIGATION WILL CONFORM TO THE STANDARDS OF THE CITY-WIDE LANDSCAPE REGULATIONS, THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL, LANDSCAPE STANDARDS, THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (GREENBOOK), THE CITY OF SAN DIEGO SUPPLEMENTAL AMENDMENTS, AND OTHER LANDSCAPE RELATED CITY AND REGIONAL STANDARDS.
- CONTAINER STOCK PLANT MATERIAL MAY BE INSTALLED AT ANY TIME DURING THE YEAR UNDER THE CONDITIONS OUTLINED IN THE GREENBOOK.
- ALL PLANT MATERIAL SHALL BE ESTABLISHED FOR A MINIMUM OF 90 CALENDAR DAYS.

**IRRIGATION NOTE**

THE IRRIGATION SHALL BE A FULLY AUTOMATIC, ELECTRICALLY CONTROLLED SYSTEM THAT USES A COMBINATION OF OVERHEAD SPRAY OR ROTARY NOZZLES, LOW PRECIPITATION RATE HEADS, ACCURATELY PROGRAMMABLE CONTROLLERS, AND A RAIN SENSING DEVICE WILL BE UTILIZED TO PROMOTE CONSERVATIVE WATER USE.

**MAINTENANCE NOTE**

ALL REQUIRED LANDSCAPE AREAS AS SHOWN ON THESE PLANS SHALL BE MAINTAINED IN A DISEASE, WEED, AND LITTER FREE CONDITION AT ALL TIMES CONSISTENT WITH THE CARMEL VALLEY NEIGHBORHOODS 4, 5, & 6 PRECISE PLAN AND THE CITY OF SAN DIEGO LANDSCAPE REGULATIONS AND STANDARDS. MAINTENANCE RESPONSIBILITIES SHALL BE AS FOLLOWS: PUBLIC RIGHTS-OF-WAY - DEL MAR TRAILS ROAD, MID AND/OR INDIVIDUAL LOT OWNER, WORSCH DRIVE AND WORSCH WAY, INDIVIDUAL LOT OWNER, AND INTERIOR SLOPES - INDIVIDUAL LOT OWNER.

**LANDSCAPE CALCULATIONS**

STREET YARD, REMAINING YARD - NOT APPLICABLE (CARMEL VALLEY PLANNED DISTRICT - SINGLE FAMILY ZONE)

**BRUSH MANAGEMENT**

NOT APPLICABLE. ALL STRUCTURES TO BE LOCATED 100-FT OR FURTHER FROM NATIVE/NATURALIZED VEGETATION.

**MINIMUM TREE SEPARATION DISTANCE**

IMPROVEMENT	MINIMUM DISTANCE TO STREET/SEE
TRAFFIC SIGNAL, STOP SIGN	20 FEET
UNDERGROUND UTILITY LINES (EXCEPT SEWER)	5 FEET
SEWER LINES	10 FEET
ABOVE GROUND UTILITY STRUCTURES (TRANSFORMERS, HYDRANTS, UTILITY POLES, ETC.)	10 FEET
DRIVEWAYS	10 FEET
INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS)	25 FEET

**WATER BUDGET CALCULATION**

**WATER BUDGET**

$$\text{WATER BUDGET} = 47(0.82)(0.7)(10,036) = 294,753 \text{ GAL/YR}$$

**ESTIMATED TOTAL WATER USE**

HYDROZONE #1 AREA = 2,085 S.F.  
 MEDIUM WATER USE SHRUBS/GROUNDCOVER (PF = .50)  
 IRRIGATION BUZZERS (IE = .85)  
 $= 47(0.82)(2,085)(.50)/.85 = 35,413 \text{ GAL/YR}$

HYDROZONE #2 AREA = 8,048 S.F.  
 LOW WATER USE SHRUBS/GROUNDCOVER (PF = .30)  
 IRRIGATION SPRAY HEADS (IE = .60)  
 $= 47(0.82)(8,048)(.30)/.60 = 117,259 \text{ GAL/YR}$

ESTIMATED TOTAL WATER USE = 152,672 GAL/YR

**\* PROJECT CONSULTANTS \***

**PLANNER/CIVIL ENGINEER**

RFB CONSULTING  
 CONTACT: CAROL CHASE  
 9755 CLAIREMONT MESA BLVD., #100  
 SAN DIEGO, CA 92124  
 TEL: (619) 514-5028  
 FAX: (619) 810-1450

**LANDSCAPE ARCHITECT**

RFB CONSULTING  
 CONTACT: JEREMY FRANZINI  
 14725 ALTON PARKWAY  
 IRVINE, CA 92618  
 TEL: (949) 472-3505  
 FAX: (949) 837-4122

**APPLICANT**

SEA BREEZE INVESTMENTS II, L.L.C.  
 CONTACT: GARY LEVITT, MANAGER  
 3525 DEL MAR HEIGHTS RD #246  
 SAN DIEGO, CA 92130  
 TEL: 658-3611-8355

**\* PROJECT LOCATION \***



COS 83 COORDINATE = 1924-8282  
 LAMBERT COORDINATE = 294-1702

**Prepared By:**

RFB CONSULTING  
 CONTACT PERSON: CAROL CHASE  
 9755 CLAIREMONT MESA BLVD., #100  
 SAN DIEGO, CA 92124  
 TEL: (619) 514-5028  
 FAX: (619) 810-1450

**Project Address:**

1141 WORSCH WAY  
 SAN DIEGO, CA 92130

**Project Name:**

WORSCH WAY | CARMEL VALLEY

**Sheet Title:**

LANDSCAPE / EROSION CONTROL PLAN

**Revision 10:**

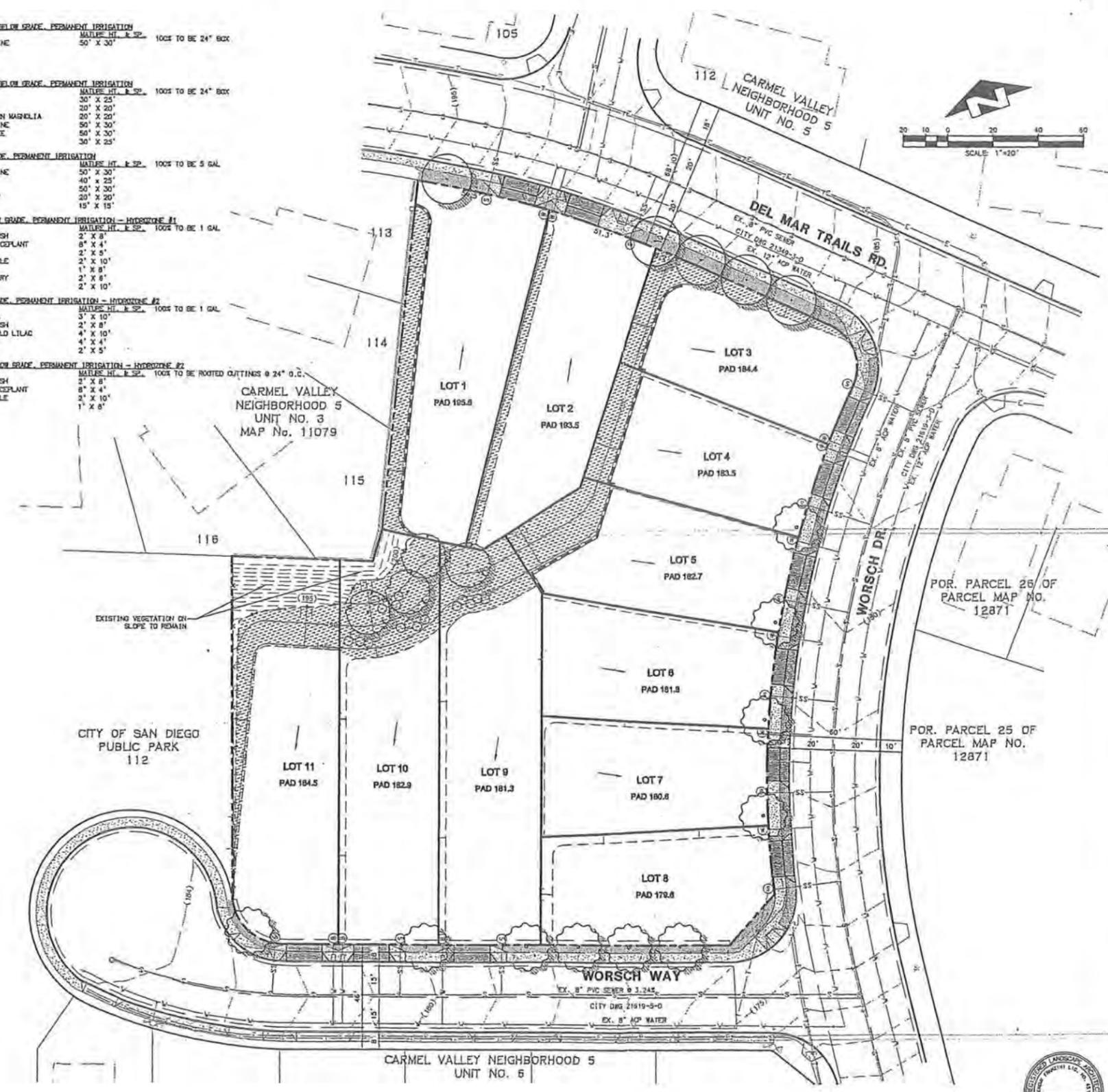
Revision 9:	
Revision 8:	
Revision 7:	JAN. 14, 2013
Revision 6:	DEC. 19, 2012
Revision 5:	NOV. 8, 2012
Revision 4:	SEPT. 24, 2012
Revision 3:	JULY 16, 2012
Revision 2:	APRIL 25, 2012
Revision 1:	MARCH 5, 2012
Original Date:	JUNE 15, 2011
Sheet	5 of 7
Project No.	240304

**SHEET L-1** SCALE: 1"=20'



**PLANT LEGEND**

SYMBOL	CATEGORY/DESCRIPTION	COMMON NAME	MATURE HT. & SP.	100% TO BE 24" BOX
(Symbol)	MAJOR STREETSCAPE TREES - STREET TREES WITH AUTOMATIC, BELOW GRADE, PERMANENT IRRIGATION			
(Symbol)	MINOR STREETSCAPE TREES - STREET TREES WITH AUTOMATIC, BELOW GRADE, PERMANENT IRRIGATION			
(Symbol)	SHRUBS AND GROUNDCOVERS - PARKWAYS WITH AUTOMATIC, BELOW GRADE, PERMANENT IRRIGATION - HYDROZONE #1			
(Symbol)	SHRUBS - SLOPE EROSION CONTROL WITH AUTOMATIC, BELOW GRADE, PERMANENT IRRIGATION - HYDROZONE #2			





**CARMEL VALLEY COMMUNITY PLANNING BOARD  
MEETING MINUTES**

7 p.m., 27 September 2012

Carmel Valley Library, Community Room  
3919 Townsgate Drive, San Diego, CA 92130

**CALL TO ORDER AND ATTENDANCE**

Board Member	Representing	Present	Excused	Absent
1. Rick Newman	Neighborhood 1	X		
2. Nancy Novak	Neighborhood 3	X		
3. Steven Ross	Neighborhood 4/4A	X		
4. Debbie Lokanc	Neighborhood 5	X		
5. Christopher Moore	Neighborhood 6	X		
6. VACANT	Neighborhood 7			
7. Frisco White, Chair	Neighborhood 8		X	
8. Anne Harvey	Neighborhood 8A & 8B	X		
9. Steve Davison	Neighborhood 9	X		
10. Laura Copic	Neighborhood 10	X		
11. Manjeet Ranu, Vice-Chair	Pacific Highlands Ranch, District 11	X		
12. VACANT	Pacific Highlands Ranch, District 12			
13. Jill McCarty	Business Representative		X	
14. Victor Manoushakian	Business Representative	X		
15. Allen Kashani, Secretary	Developer Representative	X		
16. Christian Clews	Investor Representative	X		
17. Rodney Hunt	Investor Representative		X	

**APPROVAL OF MINUTES—23 August 2012**

Action to be taken on minutes from August at next month's meeting.

**CONSENT AGENDA**

Vice-Chair Manjeet Ranu led the meeting, as Chair Frisco White was absent. Vice-Chair Ranu announced that action items 4, T-Mobile Del Mar Polo and T-Mobile Del Mar Mesa, will be moved to next month's action agenda.

**PUBLIC COMMUNICATION**

Vice-Chair Ranu reminded the public to refrain from making political endorsements during the public comment portion of the meeting.

A citizen reported that the walls in her neighborhood needed painted and a neighbor volunteered time and resources to purchase supplies and paint the walls.

property. A member of the public gave some examples. Rodney Hunt stated that the property does not fit the description of a Spanish style home.

Christian Clews stated that there are traffic laws in place to protect drivers and that he is not worried about traffic being a concern for Opp.

Christian Clews motioned to approve, seconded by Steven Ross. Approved 10-1-3.

**2. High Bluff Drive:** Consider reduction of travel lanes to accommodate on-street parking on a portion of High Bluff between El Camino Real and Del Mar Heights Road.

- Applicant - Gary Pence, City of San Diego

No presentation was provided. Christian Clews made a motion to continue, seconded by Debbie Lokanc. Unanimous approval. 14-0-0

**3. Worsch Way:** Consideration of a Site Development Permit and Vesting Tentative Map for ~~an 11-lot, single-family, standard subdivision at 4140 Worsch Way in Neighborhood 5, under the existing CVPD-SF2 and CVPD-SF3 zones.~~ No deviations are proposed. Decision will be reconsidered if upon the release of the MND the document presents new information that will impact the previous decision.

- Applicant - Gary Levitt, Seabreeze Properties  
Carol Chase, RBF Consulting

Gary Levitt presented the subdivision site map to the board. The project was introduced over a year ago but there have been substantial changes to the plan. They have worked with the neighbors to alter the plan so that the project is more acceptable to the neighborhood. The homes will be standard sub-division homes ranging from 5,000-11,000 sq. feet spread out over 11 lots and green building technology will be incorporated into the build.

Laura Copic inquired whether there would be traffic concerns of direct access on Worsch Way. Levitt replied that there are to be 6 homes on Worsch Way the same as before.

Christopher Moore asked if the change in grade would affect the distance of the houses off of the street. Levitt: it would not. The homes would be set back 20 feet from the street.

Christian Clews thought the updated plan was an improvement over the first.

Steven Ross asked if they had consulted with local HOA's. Levitt advised that there were no HOA's in the area but they had spoken with the residents.

Members of the public expressed disappointment that the original project had not been approved but appreciated the amount of public outreach Levitt and his team had done. A resident asked about the construction schedule. Levitt was not able to provide an accurate timeline but hoped to be completed by the end of summer.

Another resident asked if the job would be sold to a builder to which Levitt replied that yes it would be sold to a builder with the hopes of raising the property values in the neighborhood.

Debbie Lokanc stated that the city planners had given input that was incorporated in the process.

A question was raised about the outdoor architecture; Levitt said that it would comply with all of the neighborhood's guidelines.

Allen Kashani asked Levitt to provide the export volume. Levitt replied that the export volume is 30,000 cubic yards.

Debbie Lokanc motioned to approve based on contingency of MND, Seconded by Victor Manoushakian. Unanimous approval, 14-0-0.

**SUBCOMMITTEE:  
SUBCOMMITTEE MEEING REPORTS AND ANNOUNCMENTS**

Subcommittee	Representative	Report	Next Meeting
Regional Issues & Design Review	Harvey, Jan	14 <sup>th</sup> site visit to Pacific Highlands Ranch	11/7/12 4:30pm
FBA	White	None	None noted
MAD	Rick Newman	None	10/2/12 at 4:30 at Rec Center
MAD N 10	Copic	None	None noted
MAD PHR	Ranu	None	None noted
Bylaws/Elections/Policies/Procedures	Clews	None	None noted
Community Concourse	White	None	None noted
Trails	Harvey (Copic, alternate to LPCP CAC)	None	None noted
CVREP	Clews	A. Survey crew has been working on Fish Head Trail. Mike Kelly has been doing Bio work and driving his truck on CVREP. B. Maintenance workers have been driving on the trail. No tires should be on the dirt. An official request should be made to keep trucks on the pavement.	None noted
San Dieguito River Park	Harvey	River Valley Fest is coming in October. 1880's dress attire.	None noted
Prop 'C' phasing/SR-56 Steering Committee	Ranu	None	None noted
CPC	Moore	Moore officially stepping down, Holly to take his position starting	Next week.





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

## Ownership Disclosure Statement

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

**Project Title** \_\_\_\_\_ **Project No. For City Use Only** \_\_\_\_\_

Worsch Way -Carmel Valley Project No. 240364

**Project Address:**

4140 Worsch Way, San Diego, CA 92130

### Part I - To be completed when property is held by individual(s)

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

Additional pages attached  Yes  No

Name of Individual (type or print):  
Martin P. Klitzner Defined Benefit Pension Trust  
 Owner  Tenant/Lessee  Redevelopment Agency

Street Address:  
13671 Nob Avenue  
City/State/Zip:  
Del Mar CA 92014  
Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

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

Name of Individual (type or print):  
Lipkovicus Family Trust.  
 Owner  Tenant/Lessee  Redevelopment Agency

Street Address:  
1357 Caminito Halago  
City/State/Zip:  
La Jolla CA 92037  
Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

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

Name of Individual (type or print):  
Geffen Family Trust  
 Owner  Tenant/Lessee  Redevelopment Agency

Street Address:  
8695 Robinhood Lane  
City/State/Zip:  
La Jolla CA 92037  
Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

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

Name of Individual (type or print):  
Daniel R and Michelle Shinoff Family Trust  
 Owner  Tenant/Lessee  Redevelopment Agency

Street Address:  
66-157 Duck Pond Trail  
City/State/Zip:  
San Diego CA 92130  
Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

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



City of San Diego  
 Development Services  
 1222 First Ave., MS-302  
 San Diego, CA 92101  
 (619) 448-5000

# Ownership Disclosure Statement

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

Project Title Project No. For City Use Only

Worsch Way - Carmel Valley Project No. 240364

Project Address:

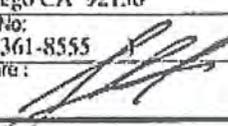
4140 Worsch Way, San Diego, CA 92130

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Additional pages attached  Yes  No

Name of Individual (type or print):  
 Stuart N. and Rennie Rosenwasser Family Trust  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address:  
 2206 Cathedral Avenue NW  
 City/State/Zip:  
 Washington DC 2008  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Individual (type or print):  
 Gary & Cheryl Levitt  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address:  
 6659 Duck Pond Trail  
 City/State/Zip:  
 San Diego CA 92130  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 ( 858 361-8555 )  
 Signature:  Date: 2/7/2013

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

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





**WORSCH WAY 1 CARMEL VALLEY**  
**Project No. 240364**  
**Project Chronology**

<b>Date</b>	<b>Action</b>	<b>Description</b>	<b>City Review Time</b>	<b>Applicant Response</b>
6/20/11	Applicant submits initial plans/Deemed Complete	Project plans distributed for City staff review.	1 day	
8/23/11	First Assessment Letter	First Assessment Letter identifying required approvals and outstanding issues provided to applicant.	2 Months 3 Days	
4/30/12	Resubmitted revised plans	Distributed plans for staff review.		8 Month 7 Days
6/07/12	Second Assessment Letter	Letter identifying remaining issues.	1 Month 7 Days	
7/17/12	Resubmitted revised plans	Distributed plans for staff review.		1 Month 10 Days
9/06/12	Third Assessment letter	Letter identifying remaining issues.	1 Month 18 Days	
9/25/12	Resubmitted revised plans	Distributed plans for staff review.		19 Days
11/16/12	Four Assessment Letter	Letter identifying remaining issues.	1 Month 21 Days	
11/19/12	Resubmitted revised plans	Distributed plans for staff review.		3 Days
12/10/12	All Issues resolved.	Prepare Draft CEQA Document	21 Days	
2/28/13	Planning Commission Hearing	Public Hearing	2 Months 7 Days	
<b>TOTAL STAFF TIME</b>		Averaged at 30 days per month	<b>9 Months 17 Days</b>	
<b>TOTAL APPLICANT TIME</b>		Averaged at 30 days per month		<b>10Months 9 Days</b>
<b>TOTAL PROJECT RUNNING TIME</b>			<b>19 Months, 26 Days</b>	

