



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: October 23, 2014

REPORT NO. PC-14-063

ATTENTION: Planning Commission, Agenda of October 30, 2014

SUBJECT: CAMINO DEL RIO MIXED USE - PROJECT NO. 341130.
PROCESS 4.

OWNER/

APPLICANT: Miramar Road Auto Center Properties, a California Limited Partnership,
Owner / Cal/Din 3, Inc., a California Corporation, Applicant
(Attachment 10)

SUMMARY

Issue(s): Should the Planning Commission grant approvals to demolish existing structures and construct a new mixed-use project consisting of 305 residential units, 5,000 square feet of office space and 4,000 square feet of retail space at 730 Camino Del Rio North within the Mission Valley Community Planning area?

Staff Recommendation:

1. **Certify** Environmental Impact Report No. 341130 and **Adopt** the Mitigation Monitoring and Reporting Program; and
2. **Approve** Planned Development Permit No. 1194682, Site Development Permit No. 1194683 and Neighborhood Development Permit No. 1300465.

Community Planning Group Recommendation - On August 6, 2014 the Mission Valley Planning Group voted 13:1:1 to recommend approval of the proposed project.

Environmental Review - An Environmental Impact Report No. 341130 has been prepared for the project in accordance with State of California Environmental Quality Act Guidelines. A Mitigation Monitoring and Reporting Program has been prepared and would be implemented which will reduce, to a level of insignificance, any potential impacts identified in the environmental review process.

Fiscal Impact Statement - No fiscal impact. All costs associated with the processing of the application are recovered through a deposit account funded by the applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement - The project proposes to provide 305 residential units on a 5.37 acre site where no residential units currently exist. The proposed units consist of 35 studio apartments, 135 one-bedroom apartments, 116 two-bedroom apartments, 5 townhome apartments, and 14 residential units with commercial shops below. The units are proposed at market rental rates and the applicant would pay an affordable housing fee pursuant to the City's Inclusionary Housing Ordinance. The applicant proposes the residential units as part of a comprehensive mixed-use project by utilizing the Mission Valley Community Plan's Multiple Use Development Option through a Planned Development Permit.

BACKGROUND

The 5.37 acre site project site is designated for Mixed Use land uses by the Mission Valley Community Plan Land Use map (Attachment 1). The site is located at 730 Camino Del Rio North in the Mission Valley Planned District MV-CR Zone (Attachment 2). The site is presently used for commercial boat sales, storage, surface parking and vehicle maintenance (Attachment 3). Located along Camino Del Rio North, the site is north of Interstate 8, east of State Route 163, west of Interstate 805 and south of Camino de la Reina.

Surrounding land uses include automobile dealerships to the west and east, multi-family residential development to the north, and Interstate 8 to the south. The site was previously used as an automobile dealership. The site is completely developed and urbanized. There are no sensitive resources present on the site. The entire site is located within the Special Flood Zone AE of the San Diego River. The Project site is disconnected from the main channel of the San Diego River by an existing levee, which extends from Texas Street/Qualcomm Way upstream to State Route 163 downstream. The Project site is east and upstream of State Route 163 and south of the levee. During a major flood event, water from the main channel of the San Diego River is not expected to leave the channel or breach the levee until downstream or west of State Route 163. Therefore, the Project site is located in a backwater area where the water surface elevation is controlled by the water surface downstream of the Project site rather than the water surface upstream of State Route 163.

DISCUSSION

Required Approvals

The Project requires a Planned Development Permit to utilize the Multiple Use Option as described in the Mission Valley Community Plan, and for deviations proposed by the applicant. A Site Development Permit is required to allow development within the Mission Valley Planned District and within a Special Flood Hazard Area. A Neighborhood Development Permit is

required for the proposed encroachment of the private storm drain facilities in the Camino del Rio North right-of-way adjacent to the site.

Project Description

The Camino Del Rio Mixed Use project (Project) proposes to demolish existing structures, to remove existing surface parking lots, and to construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space, and a six level parking structure with a total building area of approximately 563,979 square feet. Other site amenities would be provided such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, several water features and other accessory uses and amenities (Attachment 4). The Project proposes to meet the USGBC LEED Silver certification for residential projects.

The Project includes several buildings with a variety of scale. Buildings would vary from single story to five stories and would include a six-story parking garage. The maximum height of the buildings would be approximately 73 feet 9 inches. The residential component would include 35 studio apartments, 135 one-bedroom apartments, 116 two-bedroom apartments, five townhome apartments, and fourteen apartments with commercial space below on the ground floor. A total of 584 parking spaces would be provided, 76 surface spaces and 508 spaces within the six-story parking structure. The six-story parking structure would be approximately 57 feet high. The residential buildings would wrap around the parking structure. The parking structure would not be visible from the adjacent or nearby public right-of-ways or from any distant public vantage point. All units would have private outdoor space in the form of balconies overlooking one of the three courtyards or surroundings. The largest courtyard would include a pool, hot tub, and outdoor fireplace amenities. The two smaller courtyards would provide amenities conducive to quieter, more intimate gatherings. Residential amenity spaces would also include a clubroom, a fitness center and a lounge.

The Project would include an approximately 12,395 square foot plaza and gathering space located between commercial buildings fronting along Camino de la Reina, and smaller private gathering spaces for residential occupants located throughout the project. Colored concrete and enhanced paving would guide pedestrian circulation throughout the project site. Landscaping and water features would be provided to enhance the pedestrian experience in these spaces.

The entire 5.37 acre site is proposed to be graded. The conceptual grading plan proposes approximately 50 cubic yards of excavation and 26,200 cubic yards of fill. The grading design would require approximately 26,150 cubic yards of import. Several retaining walls would be required. The approximate total length of the retaining walls would be 3,400 feet with a maximum wall height of approximately seven feet. The Project would be constructed in a single phase. Demolition, grading and construction would occur over an approximate 24-month period.

The Landscape Concept plan includes a variety of species, both native and ornamental in composition. Tree species would include Queen and Mexican Palms, Oak, Sycamore, Fern Pine, Crape Myrtle, Southern Magnolia, and others. Shrubs and ground covers would be ornamental species.

Proposed Deviations

The Project proposes two deviations from the regulations of the Mission Valley Planned District. The first deviation would allow a 53.3 percent lot coverage where 50 percent is the maximum allowed by the San Diego Municipal Code.

The second deviation would allow a sidewalk width of five feet and parkway width of five feet where a sidewalk with of eight feet with a six foot wide parkway is required by the San Diego Municipal Code (SDMC). The project would meet the requirements of the SDMC for all streets fronting the project site with the exception of Camino de la Reina.

Staff supports approving the narrower sidewalk and parkway because the proposed plaza which extends from the site into the public right-of-way will provide ample pedestrian circulation along Camino de la Reina and because the proposed design will accommodate grade differences from the public sidewalk up to the site gradually rather than abruptly and with lower retaining walls than if the deviation were not approved. Staff supports the lot coverage deviation in an effort to accommodate as many housing units at this site as possible during the housing state of emergency declared by the City Council (Attachment 5). Both deviations are considered to be minor in nature and scope.

Community Plan Analysis

The Project is located within the Mission Valley Community Plan area and complies with the Multiple Use Development Option of the community plan. The Multiple Use Development Option is intended to encourage comprehensive developments which would minimize the need for an over-reliance on the automobile and would emphasize pedestrian orientation and proximity to public transit. The site was previously developed with auto-oriented uses, including a former automobile dealership. The site is currently used as a boat storage facility with a large surface parking area and vehicle maintenance bays. The Project would transform the site into a mixed-use, transit-oriented development which would include a significant physical and functional integration of project components with connections to the surrounding pedestrian network leading to high frequency bus stops, the San Diego River Park trail system and the San Diego Trolley.

The Strategic Framework Element of the General Plan identifies Mission Valley as a Regional Subdistrict. A regional subdistrict is defined as a concentration of employment and housing and would be an appropriate location to provide higher intensity development. One of the primary goals of the General Plan's Land Use and Community Planning Element is to achieve balanced communities and equitable development. The Project would provide a diversity of housing units,

ranging from studio units, one-bedroom units, two-bedroom units, two-bedroom townhomes units and one-bedroom residential units with commercial below.

The General Plan's Mobility Element promotes walk-ability and multi-modal transportation in order to reduce dependency on the automobile. The Project addresses community goals by providing direct entrances to the surrounding sidewalk system throughout the perimeter of the project and a public pedestrian plaza across the street from the San Diego River Park trail. The public pedestrian plaza and pedestrian circulation would provide a clear path leading to the light rail trolley station at Fashion Valley.

The Urban Design Element of the General Plan calls for development which is compact and walk-able, with inviting streets and public spaces, as well as an integration of uses and activities, including a mix of housing types to meet the needs of a broad range of households. The Project includes both horizontal and vertical mixed use components with a mixture of dwelling sizes. The Project also includes a public plaza area, ground floor retail, as well as residential units with direct pedestrian access to the adjacent sidewalks in order to encourage pedestrian activity and interest at the street level.

The Conservation Element of the General Plan contains numerous policies aimed at promoting the City of San Diego as an international model of sustainable development and conservation. The Project proposes to conserve energy by utilizing alternative energy sources and energy-efficient building and site design principles and would be designed to comply with the USGBC LEED Silver standards for residential projects.

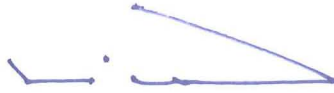
Conclusion

Staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings (Attachment 5 and 6) to support the approval of the proposed development and draft conditions of approval (Attachment 7). Staff is recommending the Planning Commission approve the project as presented.

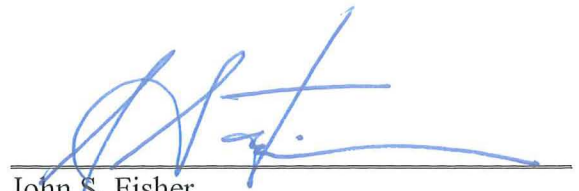
ALTERNATIVES

1. Approve Planned Development Permit No. 1194682, Site Development Permit No. 1194683 and Neighborhood Development Permit No. 1300465, **with modifications.**
2. Deny Planned Development Permit No. 1194682, Site Development Permit No. 1194683 and Neighborhood Development Permit No. 1300465, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Assistant Deputy Director
Development Services Department



John S. Fisher
Development Project Manager
Development Services Department

VACCHI/JSF

Attachments:

1. Community Plan Land Use Map
2. Project Location Map
3. Aerial Photograph
4. Project Site Plan
5. Draft Permit Resolution with Findings
6. Draft Environmental Resolution with MMRP
7. Draft Permit with Conditions
8. Remaining Project Plans (under separate cover)
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Project Data Sheet
12. Project Chronology

Mission Valley Community Plan Land Use

City Planning & Community Investment

Legend

Plan Land Use

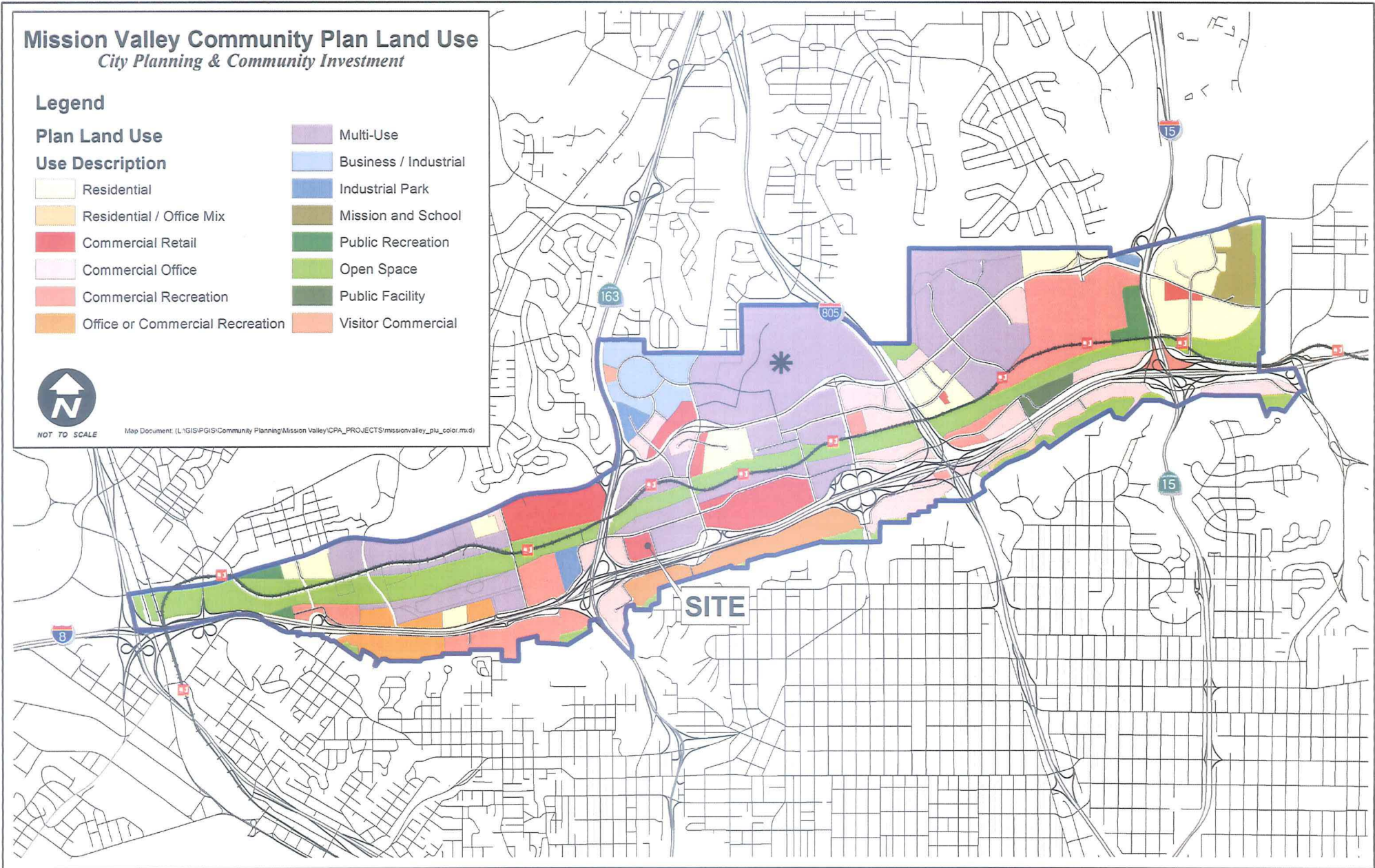
Use Description

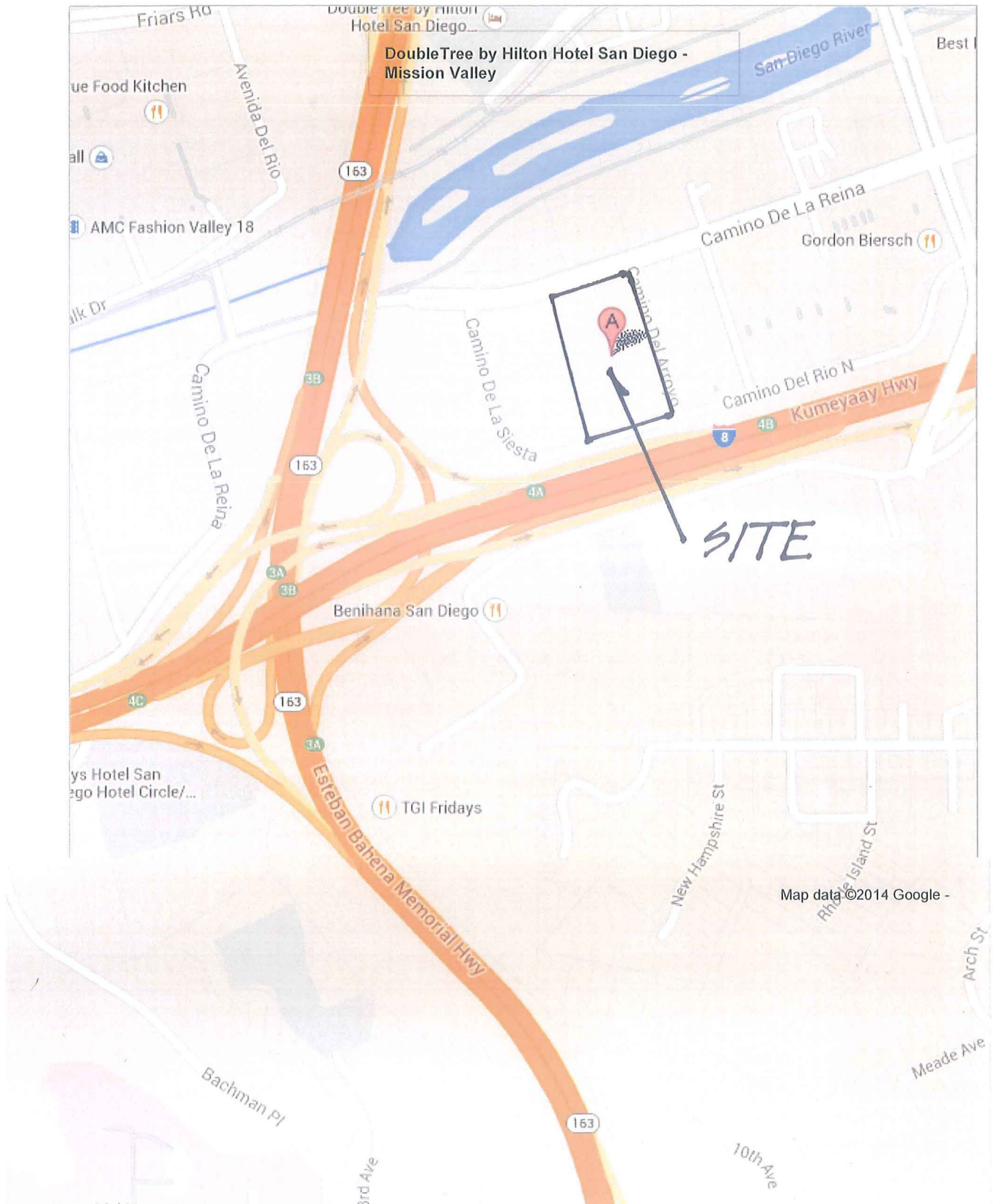
	Residential		Multi-Use
	Residential / Office Mix		Business / Industrial
	Commercial Retail		Industrial Park
	Commercial Office		Mission and School
	Commercial Recreation		Public Recreation
	Office or Commercial Recreation		Open Space
			Public Facility
			Visitor Commercial



NOT TO SCALE

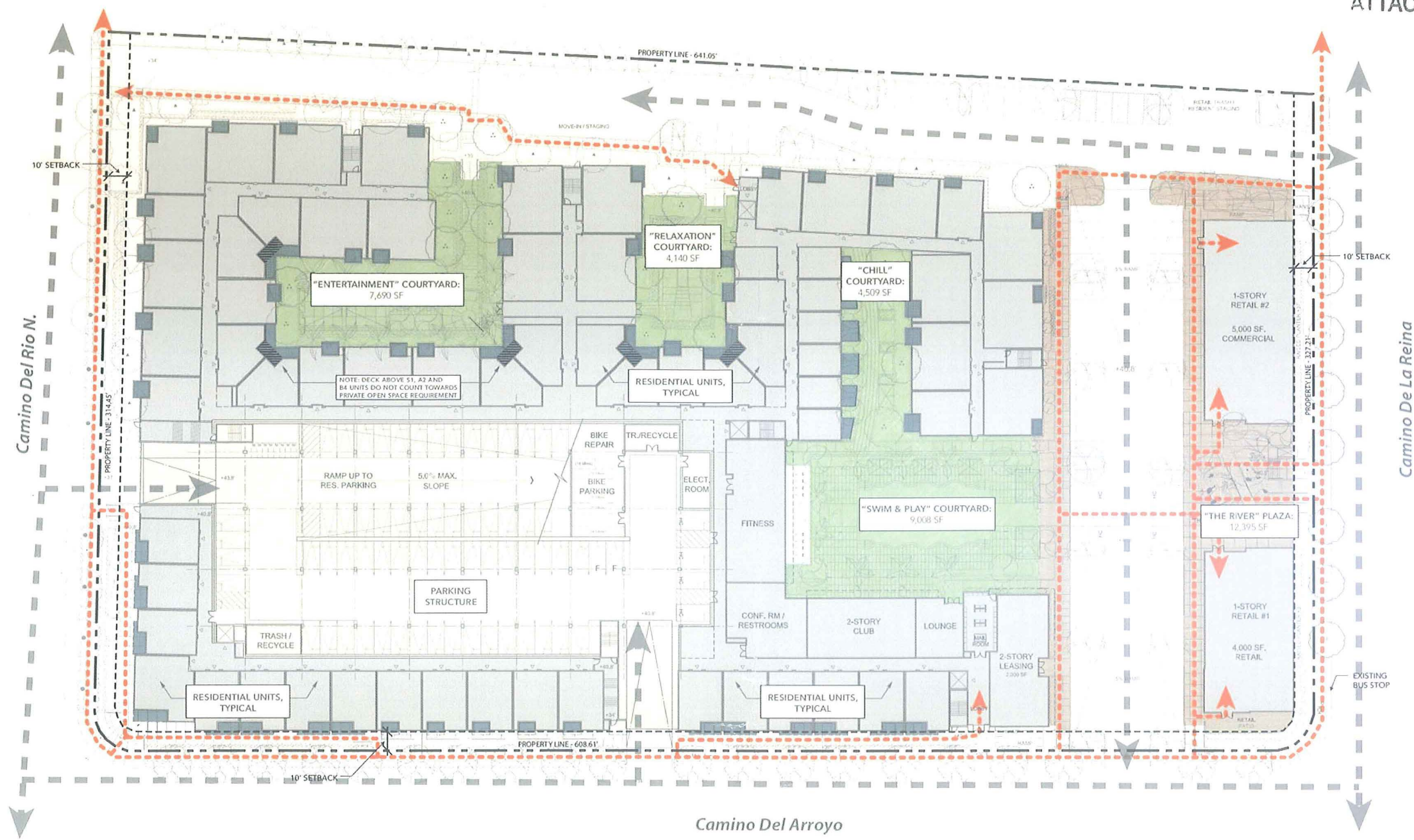
Map Document: (L:\GIS\PGIS\Community Planning\Mission Valley\CPA_PROJECTS\missionvalley_plu_color.mxd)







SITE



PRIVATE OPEN SPACE REQUIRED:

PER SAN DIEGO MUNICIPAL CODE §131.0455 (c) FOR RM-3-8 ZONING
RELATIVE TO THE 10' SETBACKS, THE PRIVATE OPEN SPACE REQUIRED FOR THE PROJECT IS 60 SF PER UNIT. THE PRIVATE OPEN SPACE MAY BE PROVIDED ON THE ROOF DECKS, BUT SHALL BE NON-COVERED BY THE BUILDING TRUSS OR STRUCTURE.

NO. OF UNITS:	RATIO:	UNITS REQ'D 60 SF OPEN SPACE:
291 DU RESIDENTIAL	75%	219 DU RESIDENTIAL
14 DU SHOPKEEPER	75%	11 DU SHOPKEEPER

PRIVATE OPEN SPACE PROVIDED:

RESIDENTIAL PRIVATE DECKS > 60 SF & 6' MIN. DIMENSION: 227 DU
SHOPKEEPER PRIVATE DECKS > 60 SF & 6' MIN. DIMENSION: 14 DU

TOTAL PRIVATE DECKS: 19,382 SF

COMMON OPEN SPACE REQUIRED:

PER SAN DIEGO MUNICIPAL CODE §131.0456 FOR RM-3-8 ZONING
THE 10' AND 20' SETBACKS ARE REQUIRED BY THE CITY OF SAN DIEGO. THE COMMON OPEN SPACE SHALL BE PROVIDED ON THE ROOF DECKS, BUT SHALL BE NON-COVERED BY THE BUILDING TRUSS OR STRUCTURE. THE COMMON OPEN SPACE SHALL BE PROVIDED ON THE ROOF DECKS, BUT SHALL BE NON-COVERED BY THE BUILDING TRUSS OR STRUCTURE.

NO. OF UNITS:	RATIO:	OPEN SPACE REQUIRED:
291 DU RESIDENTIAL	25 SF/DU	7,275 SF
14 DU SHOPKEEPER	25 SF/DU	350 SF

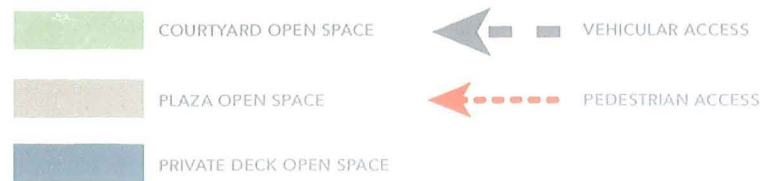
COMMON OPEN SPACE PROVIDED:

PLAZA (ON GRADE): 12,395 SF
ROOF DECKS (LEVEL 5): 1,500 SF
COURTYARDS (LEVEL 1): 25,347 SF

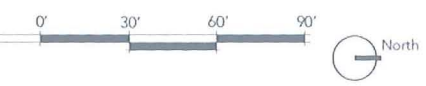
TOTAL PROVIDED COMMON OPEN SPACE: 39,242 SF

BUILDING ADDRESS:

PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET ROAD FRONTING THE PROPERTY PER FHP'S POLICY P-00-6 (UFC 901.4.4)



SITE PLAN & OPEN SPACE DIAGRAM



TCA JOB NUMBER 2013-038

PLANNED DEVELOPMENT PERMIT - SHEET 5 OF 33

PREPARED BY:	REVISION 14:
NAME:	REVISION 13:
TCA ARCHITECTS, INC.	REVISION 12:
ADDRESS:	REVISION 11:
19782 MACARTHUR BLVD, STE. 300	REVISION 10:
IRVINE, CA 92612	REVISION 9:
PHONE #:	REVISION 8:
949.862.0270	REVISION 7:
PROJECT ADDRESS:	REVISION 6: 09-23-14
730 CAMINO DEL RIO NORTH	REVISION 5: 07-03-14
SAN DIEGO, CA 92108	REVISION 4: 05-07-14
PROJECT NAME:	REVISION 3: 01-09-14
CAMINO DEL RIO APARTMENTS	REVISION 2: 11-14-13
SHEET TITLE:	REVISION 1: 10-08-13
SITE PLAN & OPEN SPACE DIAGRAM	ORIGINAL DATE: 09-25-13
DEP#	

PLANNING COMMISSION RESOLUTION NO.
PLANNED DEVELOPMENT PERMIT NO. 1194682,
SITE DEVELOPMENT PERMIT NO. 1194683 and
NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1300465
CAMINO DEL RIO MIXED USE PROJECT NO. 341130 [MMRP]

WHEREAS, MIRAMAR ROAD AUTO CENTER PROPERTIES, a California Limited Partnership, Owner, and CAL/DIN 3, INC., a Texas Corporation, Permittee, filed an application with the City of San Diego for a permit to demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1194682, 1194683 and 1300465), on portions of a 5.37 acre site;

WHEREAS, the Project site is located at 730 Camino Del Rio North in the Mission Valley Planned District MV-CR Zone within the Mission Valley community planning area;

WHEREAS, the Project site is legally described as Lot 3 of Miller-Bond Subdivision, according to Map thereof No. 5732, filed May 16, 1966;

WHEREAS, on V13 - DATE, the Planning Commission of the City of San Diego considered Planned Development Permit No. 1194682, Site Development Permit No. 1194683 and Neighborhood Development Permit No. 1300465 pursuant to the Land Development Code of the City of San Diego;

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

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

FINDINGS:

Site Development Permit - Section 126.0504

- 1. The proposed development will not adversely affect the applicable land use plan.**
The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level

parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities.

The Project site, located in the Mission Valley Community Plan area, is designated for Commercial Retail uses between adjacent sites designated for Multiple Use and Commercial Office use. The Mission Valley Planned District regulations identifies the zone for the Project site as MV-CR (Commercial Retail). The site is located at 730 Camino Del Rio North. The site is urban and was previously developed for commercial use. The site is presently used for commercial boat sales, storage, surface parking and vehicle maintenance bays. Located along Camino Del Rio North, the site is north of Interstate 8, east of State Route 163, west of Interstate 805 and south of the San Diego River and Camino de la Reina.

The Project is proposing a Multiple Use Development in accordance with the Mission Valley Planned District regulations, which allows multiple use development in commercial zones, provided the predominant land use is consistent with the Community Plan land use designation. According to the Community Plan, the objective for the Multiple Use Development option is to provide for new development and redevelopment which integrates various land uses into coordinated multi-use projects. A “multi-use development” means a relatively large-scale real estate project characterized by the specific attributes, which are implemented as part of a comprehensive development plan and would include the following:

- Two or more significant revenue-producing uses such as retail, office, residential either as rentals or condominiums, hotel/motel, and/or recreation which are financially supportive of the other uses.
- Significant functional and physical integration of Project components including uninterrupted pedestrian connections, if available, to adjacent developments.
- Development in conformance with a coherent plan, and
- Public transit opportunities and commitments.

Another defining characteristic of multi-use development is a significant physical and functional integration of project components. All project components should be interconnected by pedestrian ways, although physically this integration can take many forms:

- Vertical mixing of project components into a single structure, often occupying only one parcel.
- Careful positioning of key project components around centrally located focal points.
- Interconnection of project components through an elaborate pedestrian circulation network or,
- Extensive use of escalators, elevators, moving sidewalks, bridges and other mechanical or structural means of facilitating horizontal and vertical movement by pedestrians.
- Permanent pedestrian linkages to public transit systems.

The Project is consistent with all of these characteristics. The Project provides for three significant revenue-producing uses: residential, retail and commercial office. The Project provides for a functional and physical integration of land uses designed to occur with a well-developed pedestrian plan. The Project’s pedestrian plan links the mix of land uses within the

Project and also provides connections to the Project's various open space features, including residential courtyards, recreational clubhouse/pool/spa, and a large plaza, as well as nearby transit.

The Project provides for land uses that are horizontally and vertically mixed. Commercial and retail space will be provided along Camino de la Reina, a heavily travelled local roadway within Mission Valley. The strategic location of this commercial element allows for high visibility and access to the surrounding neighborhood and is connected internally for ease of access to the future Project residents. The vertical integration of shop-keeper units along Camino Del Arroyo and Camino Del Rio North adds a live-work element to the Project with appropriate street frontage and focus for the ground floor commercial spaces of these units.

According to the Community Plan, the multi-use option is intended to encourage comprehensive developments which will minimize the need for an over-reliance on automobile access and emphasize pedestrian orientation and proximity to public transit. Mixed-use activity centers are encouraged within larger multi-use projects, creating opportunities for villages within the community plan area. Village development is pedestrian-friendly and characterized by inviting, accessible, and attractive streets and public spaces. These spaces may consist of: public park or plazas, community meeting spaces, outdoor gathering spaces, passive or active open space areas that contain desirable landscape and streetscape design amenities, or outdoor dining and market activities. The Project is consistent with these characteristics and provides a bus stop located directly in front of the Project on Camino de la Reina, the Project is located approximately one half mile from a light rail transit station, residents of the Project will be able to walk to a near-by bus or trolley, minimizing the need for automobile use, and the Project will provide a nine-passenger shuttle to transport residents and employees to the light rail transit stations, as well as the various shopping centers and amenities in Mission Valley.

While the Project is not by itself a village, the Project will create land uses at the site that will contribute to a "village" in this portion of Mission Valley. The Project will be composed of residential uses on the north side of Camino del Rio North and retail and office uses on the south side of Camino de la Reina and these uses will be within walking distance of each other and other destinations within Mission Valley. In addition to these village components, the Project will create a large pedestrian plaza adjacent to Camino de la Reina which will provide a gathering space adjacent to planned commercial, shops and/or restaurants.

Furthermore, the Project is consistent with the traffic allocations of the Community Plan and the Mission Valley Planned District. The Project site is located in Development Intensity District "G". As indicated in Table 1514-03A of the Mission Valley Planned District, District "G" allows for up to 344 daily trips per acre (Threshold 2). According to the Traffic Impact Analysis prepared for the Project, the Project will generate approximately 339 trips per acre, which is below Threshold 2 of the Mission Valley Planned District.

The Project will implement the policies of the Community Plan and Planned District Ordinance intended for the Project site. The Project will provide a contemporary, mixed-use development that fulfills smart growth principles. In accordance with the Mission Valley Community Plan's Multiple Use Option, the proposed Project is seeking approval of a Planned Development Permit. The Multiple Use Option is intended to encourage comprehensive developments which will minimize the need for an over-reliance on automobile access and emphasize a pedestrian

orientation and opportunity to utilize public transportation. The Multiple Use Option requires the Project include functional and physical integration of Project components, including uninterrupted pedestrian connections, both within the Project and to the public sidewalk system. The residential units located along Camino Del Rio North and Camino Del Arroyo provide additional direct pedestrian access to the adjacent public sidewalk system. The proposed Project designates the residential units with commercial shops below for neighborhood commercial/office use on the ground floor which affirms the goals of the Multiple Use option of the community plan by reducing dependence upon private automobiles. Therefore, having been determined the proposed Project is consistent with the land use designation and goals of the Mission Valley Community Plan for this site, the Camino Del Rio Mixed Use Project will not adversely affect the applicable land use plan.

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

The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities.

The Project will not be detrimental to public health, safety and welfare because the permit controlling the development and continued use of the proposed Project for this site contains specific conditions addressing the Project compliance with the City's codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Conditions of approval require compliance with several operational constraints and development controls, the review of all construction plans by professional staff to determine construction will comply with all regulations and the inspection of construction to assure construction permits are implemented in accordance with the approved plans and the final construction will comply with all regulations, will assure the continued health, safety and general welfare of persons residing or working in the area. Therefore, the Project will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code. The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities.

The Camino Del Rio Mixed Use project proposes two deviations from the regulations of the Mission Valley Planned District. The first deviation will allow a 53.3 percent lot coverage where 50 percent is required by Section 1514.0305(d) and the second deviation will allow a sidewalk width of five feet and parkway width of five feet where a sidewalk width of eight feet with a six foot wide parkway is required by Section 1514.0402(b)(1) as shown in Table 1514-04A. The

Project will meet the requirements of Section 1514.0402(b)(1) for all streets fronting the Project site with the exception of Camino de la Reina. Camino de la Reina is classified as a four-lane collector. Table 1514-04A requires an eight-foot wide sidewalk along four-lane collectors, separated from the roadway by a six-foot wide landscape parkway. The Project proposes a five-foot wide sidewalk and a five-foot wide parkway which includes a 4.5-foot landscaped parkway and 6-inch curb.

Land Development Code Section 1514.0305(d) states the maximum structural development coverage in the MV-CR Zone shall be fifty percent. The structural development coverage of the proposed Project is 53.3 percent. A deviation to the maximum structural development coverage is necessary to allow for maximum and efficient use of the Project site. Residential and commercial buildings are proposed to front on and address surrounding streets. An internal parking garage will provide parking for residential uses and will be wrapped inside well-designed and architecturally articulated buildings to create an exciting street scene at a pedestrian scale.

Fundamental to the design is the connection of pedestrian access to and from the site. Holding the edge of the building twenty feet back from the curb of Camino de la Reina and creating a 4,000 square-foot space for a central plaza combined with stepped massing will provide a vibrant, pedestrian-oriented atmosphere. Locating the Project's "front door" adjacent to a large plaza allows for a sense of arrival, shared pedestrian experience and reinforces a sense of community through social interaction as people utilize the plaza. In addition, the Project provides three separate landscaped courtyards, as well as a common clubhouse/recreation area with pool, pool deck, and spa for use by Project residents and guests. The variety of landscaped common open spaces and multiple social areas provide the opportunity for social interaction within the central retail plaza and will support the creation and sense of community. Together with the central plaza, the Project's proposed courtyards and clubhouse/recreation center exceed the required amount of common open space.

Retail awnings and storefronts along the ground level will reduce the perceived scale of the building from the public sidewalk while providing views into semi-public areas of the building courtyards. Architectural elements serve to anchor key corners of the building while punched openings and cantilevered balconies provide relief and texture, working to further reduce the scale and massing of the building. The Project's architecture, sustainable design elements, and useable open space support the deviation to allow 53.3 percent structural development coverage where fifty percent is allowed by underlying zone.

The Land Development Code Section 1514.0402(b)(1) requires pedestrian sidewalks separated from the street by landscaped parkways be provided in relation to the street classification as shown in Table 1514-04A. Section 1514.0402(b)(1) allows the decision-maker to permit the widths of the parkway and sidewalk to diminish to accommodate such features as bus stops, transformer boxes, or other site constraints. The Project will meet the requirements of Section 1514.0402(b)(1) for all streets fronting the Project site with the exception of Camino de la Reina. Camino de la Reina is classified as a four-lane collector and per Table 1514-04A requires an eight-foot wide sidewalk separated from the roadway by a six-foot wide landscape parkway. The Project proposes a five-foot wide sidewalk with a five-foot wide parkway which includes a 4.5-foot landscaped parkway and six-inch curb. A deviation to the sidewalk and parkway requirements of the regulations is necessary to allow for development of the Project and for pedestrian-scale project features. Specifically, the Project proposes retail and commercial

buildings along Camino de la Reina, an open plaza, outdoor seating, and a grand staircase to access the commercial spaces and plaza area. As a result of the Project being located within the floodplain, the proposed structures must be raised above the potential flood level. To soften the visual appearance of the Project from Camino de La Reina, two low terraced walls functioning as raised planters provide the necessary increase in elevation while minimizing the visual effect to motorists and pedestrians along Camino de la Reina. Each planter is five-feet wide, providing the necessary depth and width of planters to allow plantings to reach their mature size and stature. The transition from the public street to the sidewalk to the landscape planters to the plaza to the residential building creates a project which integrates the development to the site and avoids harsh abrupt changes from the site development to the public right-of-way. Strict conformance with the sidewalk and parkway regulations would result in walls six- to seven-feet high along the sidewalk running the entire property along Camino de La Reina. The proposed deviation will create an attractive and inviting street scene, and the reduced sidewalk and parkway widths do not affect pedestrian access nor detract from public views. Incorporating the Project's design into the active realm of the pedestrian through the provision of a plaza area connected to the public sidewalk by way of a broad grand staircase results in a more desirable Project than would be achieved if the Project were to provide sidewalk and parkway widths designed in strict conformance with the regulations of the Mission Valley Planned District.

B. Supplemental Findings--Environmentally Sensitive Lands

1. **The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities.

The Project will redevelop a 5.37 acre property located in the Mission Valley community within a built-out urban community. The Project site is a completely developed site; no native habitat or steep slopes occur on the site. Existing urban development surrounds the Project site. Multi-family residential development occurs north of the Project site. Commercial office and retail developments occur east and west of the Project site; and Interstate 8, as well as commercial and hotel developments, occur south of the Project site. In this setting of existing development, the proposed Project functions as development of an in-fill site. The Project site has convenient access to an existing network of surface streets, freeways, and transit routes; and all public utilities are in place to allow easy connections to serve the Project.

The technical reports prepared for the Project concluded the site is physically suitable for the proposed development. However, the proposed Project will require grading to raise structures out of the flood zone and to minimize effects associated with potential liquefaction during a major seismic event. The Project site is located in Special Flood Zone AE of the San Diego River based on Federal Emergency Management Agency Flood Insurance Rate Map Panel No. 06073C1618G, dated May 16, 2012. The minimum finished floor elevations of buildings proposed for the Project will be two feet above the maximum water surface elevation adjacent to the Project site. The majority of the Project site will be elevated with fill to achieve the two feet

above maximum water surface elevation. Additionally, due to deep, relatively loose alluvial fill soils that occur on the Project site, the site is subject to potential liquefaction during a major seismic event, as such the Project will be built in accordance with the California Building Code, and measures will be implemented to minimize the effects of potential liquefaction. Therefore, the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

2. **The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities.

The proposed Project will not result in any alteration of natural landforms. The entire Project site has been graded in the past to accommodate the existing development; no natural landforms remain on-site.

The Project site is located in Special Flood Zone AE of the San Diego River based on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel No. 06073C1618G, dated May 16, 2012. The Project site is disconnected from the main channel of the San Diego River by an existing levee, which extends from Texas Street/Qualcomm Way upstream to State Route 163 downstream. The Project site is east and upstream of State Route 163 and south of the levee. During a major flood event, water from the main channel of the San Diego is not expected to leave the channel or breach the levee until downstream or west of State Route 163. Therefore, the Project site is located in a backwater area where the water surface elevation is controlled by the water surface downstream of the Project site rather than the water surface upstream of State Route 163.

The minimum finished floor elevations of buildings proposed for the Project will be two feet above the maximum water surface elevation adjacent to the Project site. The majority of the Project site will be elevated with fill to achieve the two feet above maximum water surface elevation. Because the site is disconnected from the main channel of the San Diego River and is in a backwater area, placement of fill at the Project will not result in an increase to the base flood elevation for the San Diego River.

Due to deep, relatively loose alluvial fill soils that occur on the Project site, the Project site is subject to potential liquefaction during a major seismic event, as such the Project will be built in accordance with the California Building Code, and measures will be implemented to minimize the effects of potential liquefaction.

Grading necessary to raise Project development out of the flood zone and implementation of measures to account for potential effects of liquefaction associated with a major seismic event will not impact environmentally sensitive lands, due to the developed nature of the entire Project site. Because the Project will develop the entire disturbed site, including constructing residential buildings and a parking structure and installing landscaping, erosion forces will be minimized. The Project is not located in a high fire risk area; development will be designed to meet City

standards for fire protection. Therefore, the proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

3. **The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities. The Project site is a completely developed site; no native habitat or steep slopes occur on the site. Additionally, the Project site is located in an urbanized neighborhood. No natural areas or environmentally sensitive lands occur adjacent to the Project site. Therefore, the proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.
4. **The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities. The Project site is not located within or adjacent to the Multi-Habitat Planning Area. No natural habitat or biological resources occur on the Project site or adjacent areas. As such the proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.
5. **The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities. The proposed Project will implement water quality measures and best management practices to prevent adverse impacts to environments downstream of the site. In addition the site is approximately five and one half miles from the Pacific Ocean and beaches. These measures will aid in protecting public beaches and locale shoreline sand supply, therefore the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.
6. **The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space

and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities. The proposed Project will implement mitigation to protect against potential impacts to Archaeological and Historic Resources. The Environmental Impact Report prepared for the Project concluded that no other mitigation is required for the Project. As such, the nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

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

1. **The proposed development will materially assist in accomplishing the goal of providing affordable housing opportunities in economically balanced communities throughout the City, and/or the proposed development will materially assist in reducing impacts associated with fossil fuel energy use by utilizing alternative energy resources, self-generation and other renewable technologies (e.g. photovoltaic, wind, and/or fuel cells) to generate electricity needed by the building and its occupants.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities. The Project proposes to meet the USGBC LEED Silver certification for residential projects. Additional support for this finding is in Site Development Permit Finding No. 3 above.
2. **The development will not be inconsistent with the purpose of the underlying zone.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities. Additional support for this finding is in Site Development Permit Findings Nos. 1, 2 and 3 above.
3. **Any proposed deviations are appropriate for this location and will result in a more desirable Project than will be achieved if designed in strict conformance with the development regulations of the applicable zone.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities.

The Camino Del Rio Mixed Use project proposes two deviations from the regulations of the Mission Valley Planned District. The first deviation will allow a 53.3 percent lot coverage where

50 percent is required by Section 1514.0305(d) and the second deviation will allow a sidewalk width of five feet and parkway width of five feet where a sidewalk with of eight feet with a six foot wide parkway is required by Section 1514.0402(b)(1) as shown in Table 1514-04A. Additional support for this finding, see Site Development Permit Finding #3 above.

Mission Valley Planned District - Section 1514.0201(d)(3)

- (A) **The proposed development is consistent with the Mission Valley Community Plan and the Progress Guide and General Plan.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities.

In accordance with the Mission Valley Community Plan's Multiple Use Option, the proposed Project is seeking approval of a Planned Development Permit. The Multiple Use Option is intended to encourage comprehensive developments which will minimize the need for an over-reliance on automobile access and emphasize a pedestrian orientation and opportunity to utilize public transportation. Additional support for this finding, see Site Development Permit Finding No. 1 above.

- (B) **The proposed development provides the required public facilities and is compatible with adjacent open space areas.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities.

The Project will pay all required fees levied by the City for development within the Mission Valley community plan area. A portion of these fees are directly related to providing public facilities for the community. The proposed Project site is not adjacent to any open space area. Therefore, the proposed development provides its fair share towards the community's public facilities and is compatible with adjacent open space areas.

- (C) **The proposed development meets the purpose, intent and criteria of the Mission Valley Planned District Ordinance including the applicable "Guidelines for Discretionary Review" adopted as a part of this planned district.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities. The deviations granted for this Project have been determined to be appropriate for this location and will result in a better

development than if strict adherence to the regulations were achieved. The proposed Project meets the purpose, intent and criteria of the Mission Valley Planned District Ordinance including the applicable "Guidelines for Discretionary Review" adopted as a part of the planned district.

- (D) **The proposed development will comply with all other relevant regulations in the San Diego Municipal Code.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities. Additional support for this finding, see Site Development Permit Finding No. 3 above.

Planned Development Permit - Section 126.0604

1. **The proposed development will not adversely affect the applicable land use plan.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities.

In accordance with the Mission Valley Community Plan's Multiple Use Option, the proposed Project is seeking approval of a Planned Development Permit. The Multiple Use Option is intended to encourage comprehensive developments which will minimize the need for an over-reliance on automobile access and emphasize a pedestrian orientation and opportunity to utilize public transportation. Additional support for this finding, see Site Development Permit Finding No. 1 above.

2. **The proposed development will not be detrimental to the public health, safety, and welfare.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities.

The Project will not be detrimental to public health, safety and welfare because the permit controlling the development and continued use of the proposed Project for this site contains specific conditions addressing the Project compliance with the City's codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Additional support for this finding, see Site Development Permit Finding No. 2 above.

3. **The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate**

for this location and will result in a more desirable Project than will be achieved if designed in strict conformance with the development regulations of the applicable zone; and any allowable deviations that are otherwise authorized pursuant to the Land Development Code. The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities.

The Camino Del Rio Mixed Use project proposes two deviations from the regulations of the Mission Valley Planned District. The first deviation will allow a 53.3 percent lot coverage where 50 percent is required by Section 1514.0305(d) and the second deviation will allow a sidewalk width of five feet and parkway width of five feet where a sidewalk with of eight feet with a six foot wide parkway is required by Section 1514.0402(b)(1) as shown in Table 1514-04A. Additional support for this finding, see Site Development Permit Finding No. 3 above.

Neighborhood Development Permit - Section 126.0404

1. **The proposed development will not adversely affect the applicable land use plan.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities.

In accordance with the Mission Valley Community Plan's Multiple Use Option, the proposed Project is seeking approval of a Planned Development Permit. The Multiple Use Option is intended to encourage comprehensive developments which will minimize the need for an over-reliance on automobile access and emphasize a pedestrian orientation and opportunity to utilize public transportation. Additional support for this finding, see Site Development Permit Finding No. 1 above.

2. **The proposed development will not be detrimental to the public health, safety, and welfare.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities.

The Project will not be detrimental to public health, safety and welfare because the permit controlling the development and continued use of the proposed Project for this site contains specific conditions addressing the Project compliance with the City's codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health,

safety and general welfare of persons residing and/or working in the area. Additional support for this finding, see Site Development Permit Finding No. 2 above.

3. **The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.** The Camino Del Rio Mixed Use project (Project) will demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage within a total building area of approximately 563,979 square feet and other site amenities such as: a fitness and recreation facility, swimming pool, spa and outdoor recreation amenities, three courtyards and a plaza, a dog park, water features and other accessory uses and amenities.

The Camino Del Rio Mixed Use project proposes two deviations from the regulations of the Mission Valley Planned District. The first deviation will allow a 53.3 percent lot coverage where 50 percent is required by Section 1514.0305(d) and the second deviation will allow a sidewalk width of five feet and parkway width of five feet where a sidewalk with of eight feet with a six foot wide parkway is required by Section 1514.0402(b)(1) as shown in Table 1514-04A. Additional support for this finding, see Site Development Permit Finding No. 3 above.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Planned Development Permit No. 1194682, Site Development Permit No. 1194683 and Neighborhood Development Permit No. 1300465 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 1194682, 1194683 and 1300465, a copy of which is attached hereto and made a part hereof.

John S. Fisher
Development Project Manager
Development Services

Adopted on: V27 - DATE OF APPROVAL

Job Order No. 24004095

RESOLUTION NUMBER R- _____

ADOPTED ON _____

WHEREAS, on November 18, 2013, MIRAMAR ROAD AUTO CENTER PROPERTIES, a California Limited Partnership, Owner, and CAL/DIN 3, INC., a Texas Corporation, Applicant, submitted an application to Development Services Department for a Planned Development Permit No. 1194682, Site Development Permit No. 1194683 and Neighborhood Development Permit No. 1300465 for the Camino Del Rio Mixed Use (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 October 30, 2014; and

WHEREAS, the Planning Commission considered the issues discussed in Environmental Impact Report No. 341130 (Report) prepared for this Project; NOW THEREFORE,

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

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081 and State CEQA Guidelines Section 15091, the Planning Commission hereby adopts the Findings made with respect to the Project, which are attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that pursuant to State CEQA Guidelines Section 15093, the Planning Commission hereby adopts the Statement of Overriding Considerations with respect to the Project, which is attached hereto as Exhibit B.

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 C.

BE IT FURTHER RESOLVED, that the Report and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101.

BE IT FURTHER RESOLVED, that Development Services Department 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.

By: _____
John S. Fisher
Development Project Manager

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

Exhibit A

**FINDINGS OF FACT
FINAL ENVIRONMENTAL IMPACT REPORT
FOR THE CAMINO DEL RIO MIXED USE PROJECT**

City of San Diego Project No. 341130

The attached Findings of Fact are and may be modified as the PROJECT proceeds through the hearing process.

1. Per the California Environmental Quality Act (CEQA) Section 15132, the Findings are not considered part of the environmental document but are made after the decision makers have considered the final environmental document.
2. These Findings have been submitted by the project applicant as candidate findings to be made by the decision-making body.

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I.

INTRODUCTION

A. Findings of Fact

The California Environmental Quality Act (CEQA) (Pub. Res. Code §§ 21000, *et seq.*) and the State CEQA Guidelines (Guidelines) (14 Cal. Code Regs §§ 15000, *et seq.*) promulgated thereunder, require that the environmental impacts of a project be examined before a project is approved. Specifically, regarding findings, Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an Environmental Impact Report (EIR) has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 3. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
 - (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
 - (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
 - (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
 - (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

The "changes or alterations" referred to in Section 15091(a)(1) above, that are required in, or incorporated into, the project which mitigate or avoid the significant environmental effects of the project, may include a wide variety of measures or actions as set forth in Guidelines Section 15370, including:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

- (e) Compensating for the impact by replacing or providing substitute resources or environments.

Having received, reviewed and considered the Final Environmental Impact Report for the Site Development Permit, Planned Development Permit, and Neighborhood Development Permit for the Camino del Rio Mixed Use project, City of San Diego Project No. 341130 (Final EIR), as well as all other information in the record of proceedings on this matter, the following Findings of Fact (Findings) are hereby adopted by the City of San Diego (City) in its capacity as the CEQA Lead Agency. These Findings set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the proposed project.

B. Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation (NOP) and all other public notices issued by the City in conjunction with the proposed project;
- The Draft EIR;
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;
- All written and verbal public testimony presented during a noticed public hearing for the proposed project at which such testimony was taken;
- The Mitigation Monitoring and Reporting Program (MMRP);
- The Final EIR for the proposed project;
- The reports and technical memoranda included or referenced in Responses to Comments and/or in the Final EIR;
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft EIR and the Final EIR;
- Matters of common knowledge to the City, including but not limited to Federal, State and local laws and regulations;
- Any documents expressly cited in these Findings;
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e);
- All ordinances and resolutions adopted in connection with the Camino del Rio Mixed Use project; and
- All project application materials.

C. Custodian and Location of Records

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

constitute the record of proceedings, are and at all relevant times have been and will be available upon request at the offices of the City Development Services Center. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and Guidelines Section 15091(e).

DRAFT

II. PROJECT SUMMARY

A. Project Location

The regional and local settings of the project are discussed in Section 2.0, *Environmental Setting*, of the Final EIR. The Camino del Rio Mixed Use project site is located at 730 Camino del Rio North in the Mission Valley Community Plan area. Situated north of Camino del Rio North and Interstate 8 (I-8), east of Camino de la Siesta, west of Camino del Arroyo, and south of Camino de la Reina, the Camino del Rio Mixed Use project site encompasses approximately 5.37 acres. Multi-family residential developments are located north of the project site, beyond which is the San Diego River. Commercial uses in the form of automotive dealerships are located to the immediate east and west of the project site. Farther west of the project site, beyond the car dealership, is a four-story commercial office building and a 12-story commercial office building with a mixture of surface and structured parking. Farther east of the project site, beyond the car dealership, is Westfield Mission Valley West shopping center, which provides a mix of commercial and restaurant establishments. The I-8 freeway is located to the south of the project site. Regional access to the site is I-8, located immediately south of the project site; State Route 163 (SR-163), located approximately one-half mile west of the project site; and I-805, located less than two miles east of the project site. East-west access to the site is via Camino del Rio North; north-south access is provided from Camino del Arroyo. Additionally, two driveways provide access to the project site from Camino de la Reina.

B. Project Background

The Camino Del Rio Mixed Use project site encompasses approximately 5.37 acres. The site has been previously graded and is fully developed with commercial boat sales buildings, vehicle maintenance bays, and boat storage totaling 53,496 square feet. Parking is accommodated within surface parking lots. Landscaping is minimal, consists of non-native ornamental vegetation, and confined mostly to the perimeter of the property. The project involves demolition of existing structures (53,496 square feet) and on-site surface parking and construction of a mixed-use development consisting of residential, commercial, and shopkeepers units in a “wrap design” organized around three courtyards. The project would range in height from two stories to five stories, with a six-story internal parking garage, and would have a total of 305 residential units, 5,000 square feet of office space, and 4,000 square feet of retail space. The project is being designed to comply with the United States Green Building Council (USGBC) Leadership in Energy & Environmental Design (LEED) Silver standards.

The project requires discretionary approvals including: a Site Development Permit (SDP) to satisfy the requirement of obtaining a Mission Valley Development Permit and due to Environmentally Sensitive Lands (ESL) occurring on-site in the form of a Special Flood Hazard Area, a Planned Development Permit (PDP) for deviations to structural lot coverage (the project proposes 53.3 percent lot coverage where 50 percent is allowed in the MV-CR zone) and to sidewalk and walkway widths along Camino de la Reina (the project proposes a sidewalk width of five feet and a parkway width of five feet where the Mission Valley Planned District Ordinance requires a sidewalk width of eight feet with a six-foot-wide parkway), and a Neighborhood Use Permit (NUP) for the proposed encroachment of the private storm drain facilities in the Camino del Rio North public right-of-way.

C. Project Description

The project involves demolition of existing structures (53,496 square feet) and on-site surface parking and construction of a mixed-use development consisting of residential, commercial, and shopkeepers units in a “wrap design” organized around three courtyards. The project would range in height from two stories to five stories, with a six-story internal parking garage, and would have a total of 305 residential units, 5,000 square feet of office space, and 4,000 square feet of retail space. The project is being designed to comply with the USGBC LEED Silver standards.

Residential units for the project would be provided in a variety of forms. Studio, one-bedroom, and two-bedroom units would be provided, in addition to two-story townhouse units and two-story shopkeeper units. All units would have private outdoor space in the form of balconies overlooking one of the three courtyards totaling 25,347 square feet. The largest courtyard would house the pool, hot tub, and outdoor fireplace amenities. The two smaller courtyards would provide amenities conducive to quieter, more intimate gatherings. Approximately 14,389 square feet of residential amenity space would be provided in the form of a clubroom, fitness center, and lounge.

The project would include a 12,395-square foot pedestrian area and gathering space located between commercial buildings fronting along Camino de la Reina designed as restaurants or shops, and private gathering spaces for residential occupants. Colored concrete and enhanced paving would direct pedestrian circulation through the project site and to pedestrian gathering spaces. Landscaping and water features would be provided to enhance the pedestrian experience in these spaces.

The project would provide a total of 584 parking spaces. A six-story, above-ground parking structure be situated at the center of the project site, wrapped by the residential units, to provide a total of 508 parking spaces. The balance of 76 parking spaces would be provided as surface parking. These surface parking spaces would be predominantly for commercial and retail patrons, as well as visitors, of the project; as such, the surface parking would be located internal to the project in the north portion of the site adjacent to retail and office uses, as well as along the project’s western boundary.

The Camino Del Rio Mixed Use project would feature architectural elements that are intended to provide identifiable features, which would allow pedestrians and the motoring public to easily find their destinations. Architectural features such as varied building materials, heights, and setbacks would provide relief to building façades and would create focal points around the project for both pedestrians and passing vehicles. The project’s massing, colors, and materials have been selected to complement and blend with the adjacent development.

Project development consists of three separate design criteria: active commercial buildings; urban edge and residential buildings; and freeway. For active commercial buildings, located along Camino de la Reina and including the shopkeepers units, development would occur in a grid pattern, which breaks up massing and ensures uninterrupted retail elevations. This development pattern would blur the line between residential units and the retail base, creating a unified commercial look. The urban edge and residential buildings occur along the east and west

portions of the site, respectively. These buildings would be designed with the pedestrian scale details. Urban edge/residential buildings would be expressed as a double-height commercial base with residential above. The building located along the southern boundary would face I-8. The Freeway building would take a sculptural form, creating a distinct freeway-facing façade. Narrow, vertical-punched windows would minimize sound exposure for this building. The result of these design concepts is a project that would have a multi-faceted appearance. The project design has a full 360-degree character, responding to various constraints on all sides.

Primary access to the project would occur via a new driveway off Camino del Arroyo in the northeast portion of the project; an internal drive paralleling Camino de la Reina, which provides access to surface parking for the retail portion of the project; and an additional driveway off Camino de la Reina in the northwest corner of the project site. Direct entry to the parking structure would be provided from Camino del Arroyo and Camino del Rio North. A fire lane would be provided along the western boundary of the project site. Pedestrian movement would be accommodated throughout the project site, allowing pedestrians to easily move between the commercial and residential elements of the project via accentuated enhanced paving and signage.

The proposed Landscape Development Plan includes the use of indigenous and/or drought-tolerant plant material, whenever possible. No invasive or potentially invasive species would be utilized. Planting is intended to be a connecting device linking the various pieces of the project and design style. The Conceptual Landscape Plan emphasizes a garden setting, where plant material would be used to help define spaces, encourage circulation paths, highlight entry points, and provide softness and scale to the architecture. Evergreen, deciduous, and flowering material are proposed throughout the project.

Circulation throughout the project is accentuated with a hierarchy of landscape treatments. Enhanced paving at intersections and nodes is proposed to signify pedestrian/vehicle interaction areas. Street trees are proposed to define vehicle/pedestrian spaces and to provide shade and scale to the street scene. Entry points would be highlighted with enhanced plantings.

Landscaping throughout the Camino Del Rio Mixed Use project site is characterized by a diverse array of trees, shrubs, and accent planting. Trees would be utilized to define spaces and create a sense of place. Street trees along Camino del Arroyo, Camino de la Reina, and Camino del Rio North would enhance the pedestrian realm, while screening trees along Camino del Rio North and the western boundary would help to screen out unsightly neighboring uses. Accent trees and palms would be located throughout the project, as well as plaza specimen trees within courtyards. Parking lot trees would provide shade and canopy for surface parking areas. The use of shrubs for screening and demarcation would be utilized, as well as groundcover and vines/espaliers. Specially-selected shrubs and grasses would be utilized in the water treatment areas.

The project would be designed and developed utilizing sustainable development practices. These practices include new Title 24 (2013) standards. In addition, to the measures that are part of the Title 24 measures, the project would include the following energy efficiency measures in its design:

- LEED For Homes Silver Certification
- ENERGYSTAR® Windows and kitchen appliances
- Energy Efficient Air Conditioning and Heating
- 3rd Party Performance Testing and Inspections of Design and Equipment
- Ceiling Fans in all living areas
- Energy Efficient Lighting
- Programmable Thermostats
- Low Flow Water Fixtures
- High Efficiency Toilets
- High Efficiency Irrigation System
- Drought Tolerant Landscaping
- Recycling During Construction
- Onsite Recycling For Residents
- High Grade Air Filters (MERV 8)
- Bicycle Racks
- Carpooling/ Rideshare Program
- Close to Retail/Restaurants
- Close to Mass Transit
- Low VOC Paints, Sealants, Adhesives, and Carpet
- Green Label Plus Carpet and Padding
- Eco-Friendly Construction Materials and Finishes
- Preferred Parking For Fuel Efficient Vehicles
- Green Education of leasing staff and tenants
- Green Cleaning Program

In addition, the project is designed to comply with the United States Green Building Council (USGBC) Leadership in Energy & Environmental Design (LEED) Silver standards.

D. Discretionary Actions

For the Camino Del Rio Mixed Use project, the following discretionary actions are required:

- **Site Development Permit** – A Mission Valley Development Permit is required, in the form of a Site Development Permit. This permit would allow for the development of the Camino Del Rio Mixed Use project, which would create a mix of residential, commercial, and shopkeepers uses within central Mission Valley.

The project also requires a Site Development Permit due to Environmentally Sensitive Lands (ESL) occurring on the site in the form of a Special Flood Hazard Area (LDC Section 143.0145 and 143.0146). Earthwork for the project would be localized and only that necessary for flood protection and to minimize effects associated with liquefaction during a seismic event as required by the California Building Code.

- **Planned Development Permit** – A Planned Development Permit is required for proposed development that requires deviation(s) from strict application of the requirements in the zone. The intent is to encourage imaginative and innovative planning

and to assure that the development achieves the purpose and intent of the applicable land use plan and that it would be preferable to what would be achieved by strict conformance with the regulations. A PDP would allow for a deviation to structural lot coverage and for the sidewalk and parkway width on Camino de la Reina. The PDP is also required to utilize the Multiple Use Option as described in the Mission Valley Community Plan.

Relative to the deviation for structural lot coverage, the project proposes 53.3 percent lot coverage where 50 percent is allowed in the MV-CR zone. The deviation would allow for architectural articulation, sustainable design elements, and excess usable open space.

Relative to the sidewalk and parkway along Camino de la Reina, the project proposes a sidewalk width of five feet and parkway width of five feet (which includes a 4.5-foot landscaped parkway and six-inch curb), where the Mission Valley PDO requires a sidewalk width of eight feet with a six-foot wide parkway. The proposed deviation to the sidewalk and parkway requirements of the Mission Valley PDO is requested to allow for the proposed development to address the street and provide for pedestrian-scale project features. The project proposes retail and commercial buildings along Camino de la Reina, an open plaza, outdoor seating, and a grand staircase to access the commercial spaces and plaza area. As a result of the project being located within the floodplain, proposed structures must be raised. Two low terraced walls functioning as raised planters would provide the necessary elevation and would minimizing the visual effect to motorists and pedestrians along Camino de la Reina. Each planter is proposed to be five-feet wide to provide adequate space for more mature plantings.

- **Neighborhood Development Permit** – In accordance with San Diego Municipal Section 126.0402(j), approval of a Neighborhood Development Permit (NDP) is required for the proposed encroachment of the private storm drain facilities in the Camino del Rio North public right-of-way.
- **Environmental Impact Report** – Concurrent with the Camino Del Rio Mixed Use project discretionary actions, an EIR has been prepared in accordance with the provisions of the CEQA. The EIR evaluates the land use, circulation, and infrastructure improvements resulting from implementation of the Camino Del Rio Mixed Use project and the potential environmental impacts that would result from their implementation. Review and certification of the EIR by the decision maker would complete the environmental review for the project in accordance with CEQA and City regulations.

As described in Section 1.3, *Responsible and Trustee Agencies*, of the Final EIR, due to the previous disturbance and full development of the project site, there are no natural resources on the project site. Therefore, there are no Trustee Agencies that would have jurisdiction. There are no responsible agencies that would have discretionary approval power over the project.

E. Statement of Project Purpose and Objectives

Project Purpose

The purpose of the Camino Del Rio Mixed Use project is to create a mix of commercial retail, residential, and shopkeeper uses that would serve the Mission Valley community. The project's location and proposed uses provide in-fill in a location where all utilities and public services, as well as transit, are readily available. The project has been designed as a sustainable development.

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Project Objectives

The project objectives associated with the Camino Del Rio Mixed Use project are as follows:

- Create a coherent and cohesive building site and site design that is compatible in scale and character and enhances the existing community character in the Mission Valley community.
- Implement a project that is sustainable based on the USGBC LEED for Homes Silver certification standards. Through the incorporation of the project's sustainable design features, the project's overall carbon footprint, water and energy use, and generation of greenhouse gas emissions will be reduced.
- Provide for a mix of commercial retail, office, and residential uses as in-fill development of an underutilized site within an urban area where amenities are readily available and easily accessed via alternative modes of travel, included transit, bike, and pedestrian.
- Maximize efficiency in use of project site.
- In keeping with the City of Villages and Smart Growth policies, maximize residential development at an infill site, where public facilities, transit, and services are within walking distance.
- Enhance this portion of the Mission Valley community by created a "Main Street" feel along Camino de la Reina, with buildings that address the street and open pedestrian areas that front on the street.
- Utilize architecture and design elements to ensure high quality design and aesthetics.
- Create additional retail and job opportunities in the Mission Valley community.
- Provide retail amenities for the adjacent employment and residential uses and capture drive-by trips, thereby reducing the amount of routine daily trips.
- Provide for a mix of residential and live-work units currently unavailable in the community.
- Provide quasi-public space for community use in the form of a pedestrian plaza.

III.

ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City determined that the proposed project may have a significant effect on the environment and that an EIR should be prepared to analyze the potential impacts associated with approval and implementation of the proposed project. In accordance with CEQA Guidelines Section 15082(a), a Notice of Preparation (NOP), dated November 19, 2013, was prepared for the project and distributed to agencies and members of the public who may have an interest in the project. The purpose of the NOP was to solicit comments on the scope and analysis to be included in the EIR for the proposed Camino Del Rio Mixed Use project. A copy of the NOP and letters received during its review are included in Appendix A to the EIR. Based on an initial review of the project and comments received, the City of San Diego determined that the EIR for the proposed project should address the following environmental issues: Land Use; Transportation/Traffic Circulation/Parking; Visual Effects and Neighborhood Character; Noise; Air Quality; Greenhouse Gas Emissions; Energy; Geologic Conditions, Paleontological Resources; Hydrology; Public Services and Facilities; Public Utilities; Water Quality; Growth Inducement; and Cumulative Effects.

The Draft EIR for the proposed project was then prepared and circulated for review and comment by the public, agencies and organizations for a 45-day public review period that began on July 23, 2014 and ended on August 22, 2014. The Draft EIR and technical appendices were directly sent to all applicable local, State, and Federal agencies, Caltrans District 11, State Clearinghouse, California Air Resources Board, and the Native American Heritage Commission. A notice of availability of the Draft EIR for review was mailed to residents in the vicinity of the project site and non-residential property owners expressing an interest in the project. The notice of availability was also filed with the City Clerk and posted in the San Diego Daily Transcript and on the City's web page, and the required notice was provided to the public.

As noted, the public comment period on the Draft EIR concluded on August 22, 2014. The City received eight letters of comment on the proposed project. The City prepared responses to those comments, which are incorporated into the Final EIR. On October 30, 2014, the City of San Diego Planning Commission held a public hearing to consider the project and, by a [] vote, certified the Final EIR, adopted these findings of fact and approved the Camino Del Rio Mixed Use project.

IV. GENERAL FINDINGS

The City hereby finds as follows:

- The City is the “Lead Agency” for the proposed project evaluated in the Final EIR.
- The Draft EIR and Final EIR were prepared in compliance with CEQA and the Guidelines.
- The City has independently reviewed and analyzed the Draft EIR and the Final EIR, and these documents reflect the independent judgment of the Planning Commission and the City of San Diego.
- The City of San Diego’s review of the Draft EIR and the Final EIR is based upon CEQA, the CEQA Guidelines, and the City of San Diego California Environmental Quality Act Significance Determination Thresholds – Development Services Department (January 2011) (CEQA Significance Determination Thresholds).
- A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the proposed project, which the City has adopted or made a condition of approval of the proposed project. That MMRP is included as Section 11.0 of the Final EIR, is incorporated herein by reference and is considered part of the record of proceedings for the proposed project.
- The MMRP designates responsibility and anticipated timing for the implementation of mitigation. The City will serve as the MMRP Coordinator.
- In determining whether the proposed project has a significant impact on the environment, and in adopting these Findings pursuant to Section 21081 of CEQA, the City has complied with CEQA Sections 21081.5 and 21082.2.
- The impacts and potential impacts of the proposed project have been analyzed to the extent feasible at the time of certification of the Final EIR.
- The City has reviewed the comments received on the Draft EIR and Final EIR and the responses thereto and has determined that, in accordance with CEQA Guidelines Section 15088.5, neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR or Final EIR, no new impacts and/or mitigation measures have been identified, and that recirculation of the EIR is not necessary. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings and Statement of Overriding Considerations, concerning the environmental impacts identified and analyzed in the Final EIR. The City has included new information in the Final EIR, but the new information merely clarifies and amplifies the information in the Draft EIR. This new information does not alter the EIR in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect. No significant new information is provided by the inclusion of this information that would require recirculation of the EIR.
- The City has made no decisions that constitute an irretrievable commitment of resources toward the proposed project prior to certification of the Final EIR, nor has the City previously committed to a definite course of action with respect to the proposed project;
- Copies of all the documents incorporated by reference in the Final EIR are and have been available upon request at all times at the offices of the City, custodian of record for such documents or other materials; and

- Having received, reviewed, and considered all information and documents in the record, the City hereby conditions the proposed project and finds as stated in these Findings.

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V.

SUMMARY OF IMPACTS

Section 5.0, Section 6.0, and Section 7.0 of the Final EIR presents the *Environmental Analysis* of the proposed project. Based on the analysis contained in Section 5.0, Section 6.0, and Section 7.0 of the Final EIR, the Final EIR concludes that the proposed Camino Del Rio Mixed Use project will have **no significant direct or cumulative impacts** and require no mitigation with respect to the following issues:

- Land Use
- Transportation/Traffic Circulation/Parking
- Visual Quality/Neighborhood Character
- Air Quality
- Global Climate Change
- Historical Resources (cumulative only)
- Energy
- Noise
- Geological Conditions
- Paleontological Resources
- Hydrology
- Public Services and Facilities
- Public Utilities
- Water Quality

Potentially **significant direct impacts of the proposed project will be mitigated to below a level of significance** with respect to the following issue:

- Historical Resources (Archaeological Resources)

The project would not result in any significant unmitigated impacts.

VI. FINDINGS REGARDING IMPACTS

A. Historical Resources

Environmental Impact: The project could result in direct impacts to unknown subsurface archaeological resources as a result of excavation and grading for the project.

Finding:

The project area is located within an area identified as having a high sensitivity level for archaeological resources according to the City's Historical Resources Sensitivity Maps. In addition, several previously recorded historic and prehistoric sites have been identified in the project vicinity. Additionally, a record search of the California Historical Resources Information System (CHRIS) digital database was reviewed to determine presence or absence of potential resources within the project site. No recorded sites were identified within the project boundaries. Although the project site does not contain any recorded archaeological resources, as previously mentioned there are several previously recorded sites within close proximity of the project site. Based on this information, there is a potential for buried cultural resources to be impacted through implementation of the project. Furthermore, given the alluvial setting, it is possible that any cultural material related to human habitation may have been buried by the alluvial cover and therefore there may be buried historical resources without visible surface elements. Therefore, there is the potential for ground-disturbing activities to result in impacts to unknown historical resources (archaeology).

Facts in Support of Finding: The following mitigation measures have been identified for the Camino Del Rio Mixed Use project. Monitoring is required and shall apply to areas of the project site where cultural resources could be encountered grading for the project. These measures shall not apply to areas of fill on the site, unless grading of the fill areas results in grading into undisturbed formational material. With implementation of these mitigation measures, the project's impacts would be reduced to below a level of significance.

MM 5.7-1 Development of the project is expected to have no effect on cultural resources. However, due to the sensitivity of the project area to exhibit archaeological resources and the potential for subsurface cultural material, a monitoring program is required during grading for the project. If archaeological material is encountered during monitoring, the monitors shall have the authority to temporarily halt or redirect grading away from the area while they are removed by hand excavation. Artifacts recovered would be analyzed and cataloged. A report on the result would be written for submittal to the City of San Diego.

The monitoring program would consist of the following:

1. The qualified archaeologist and Native American monitor shall attend the pre-grading meeting with the grading contractor and City of San Diego representatives to explain the requirements of the program.
2. The monitors shall observe all grading, trenching, excavation, and other ground-disturbing activities in native soils. If archaeological material is

encountered, grading activities shall be directed away from this material to allow documentation and collection of cultural material.

3. Recovered materials shall be cataloged and analyzed.
4. In the event that human remains are encountered, the Principal Investigator shall contact the County Coroner. If the remains are determined to be of Native American origin, the County Coroner shall contact the Native American Heritage Commission, who will identify and notify the Most Likely Descendent, in order to determine proper treatment and disposition of the remains. The Principal Investigator shall follow up with the County Coroner and the Native American Heritage Commission to ensure that these steps have been completed.
5. A report shall be completed describing the methods and results of the project.
6. Artifacts will be curated with accompanying catalog at the San Diego Archaeological Center unless directed otherwise by the Native American representative and City staff.

Implementation of this monitoring program will ensure that development of the Camino Del Rio Mixed Use project would mitigate direct project impacts to cultural resources to below a level of significance.

Reference: Final EIR § 5.7.

VII.

FINDINGS REGARDING CHANGES OR ALTERATIONS THAT ARE WITHIN THE RESPONSIBILITY AND JURISDICTION OF ANOTHER PUBLIC AGENCY

There are no changes or alterations that are within the responsibility and jurisdiction of another public agency and not the agency making the finding.

VIII.

FINDINGS REGARDING ALTERNATIVES

In accordance with Section 15126.6(a) of the CEQA Guidelines, an EIR must contain a discussion of "a range of reasonable alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." Section 15126.6(f) further states that "the range of alternatives in an EIR is governed by the 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice." Thus, the following discussion focuses on project alternatives that are capable of eliminating significant environmental impacts or substantially reducing them as compared to the proposed project, even if the alternative would impede the attainment of some project objectives, or would be more costly. In accordance with Section 15126.6(f)(1) of the State CEQA Guidelines, among the factors that may be taken into account when addressing the feasibility of alternatives are: (1) site suitability; (2) economic viability; (3) availability of infrastructure; (4) general plan consistency; (5) other plans or regulatory limitations; (6) jurisdictional boundaries; and (7) whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.

As required in CEQA Guidelines Section 15126.6(a), in developing the alternatives to be addressed in this section, consideration was given regarding an alternative's ability to meet most of the basic objectives of the proposed project. Because the proposed project will cause unavoidable significant environmental effects related to Historical Resources (direct), the City must consider the feasibility of any environmentally superior alternatives to the proposed project, evaluating whether these alternatives could avoid or substantially lessen the unavoidable significant environmental effects while achieving most of the objectives of the proposed project.

The alternatives presented and considered in the Final EIR constitute a reasonable range of alternatives necessary that would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project to permit a reasoned choice among the options available to the City and/or the project proponent. As presented in the Final EIR, the following is a list of the project objectives:

- Create a coherent and cohesive building site and site design that is compatible in scale and character and enhances the existing community character in the Mission Valley community.
- Implement a project that is sustainable based on the USGBC LEED Silver standards. Through the incorporation of the project's sustainable design features, the project's overall carbon footprint, water and energy use, and generation of greenhouse gas emissions will be reduced.

- Provide for a mix of commercial retail, office, and residential uses as in-fill development of an underutilized site within an urban area where amenities are readily available and easily accessed via alternative modes of travel, included transit, bike, and pedestrian.
- Maximize efficiency in use of project site.
- In keeping with the City of Villages and Smart Growth policies, maximize residential development at an infill site, where public facilities, transit, and services are within walking distance.
- Enhance this portion of the Mission Valley community by created a “Main Street” feel along Camino de la Reina, with buildings that address the street and open pedestrian areas that front on the street.
- Utilize architecture and design elements to ensure high quality design and aesthetics.
- Create additional retail and job opportunities in the Mission Valley community.
- Provide retail amenities for the adjacent employment and residential uses and capture drive-by trips, thereby reducing the amount of routine daily trips.
- Provide for a mix of residential and live-work units currently unavailable in the community.
- Provide quasi-public space for community use in the form of a pedestrian plaza.

The impacts of each alternative are analyzed Section 9.0 of the EIR. The review of alternatives includes an evaluation to determine if any specific environmental characteristic would have an effect that is “*substantially less*” than the proposed project. A significant effect is defined in Section 15382 of the CEQA Guidelines as “*a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project.*” The significant impacts that apply to this project are: Historical Resources (direct).

Alternatives considered for the Camino Del Rio Mixed Use project, including a discussion of the “No Project” alternative, are addressed in detail in Section 10.0, *Alternatives*. Relative to the requirement to address a “No Project” alternative, CEQA Guidelines Section 15126.6(e) states that:

- (A) *When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the “no project” alternative will be the continuation of the existing plan, policy or operation into the future.*
- (B) *If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the “no project” alternative is the circumstance under which the project does not proceed.*

Alternatives to the Camino Del Rio Mixed Use project discussed in the EIR include the “No Project” alternative that is mandated by CEQA and other alternatives that were developed in the course of project planning and environmental review for the proposed project. Specifically, the following project alternatives are addressed in the EIR:

1. Alternative 1 – No Project/No Build
2. Alternative 2 – All Commercial Development

Based upon the administrative record for the project, the City makes the following findings concerning the alternatives to the proposed project.

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Alternative 1 – No Project/No Build Alternative

Description: Under the No Project/No Development Alternative, the project would not be implemented on the site. The existing boat sales/structures would not be demolished and would be left as they are today.

Finding: The City finds that specific economic, legal, social, technological, or other considerations make the No Project/No Build alternative infeasible.

Public Resources Code § 21081(a)(3), Guidelines § 15091(a)(3).

Facts in Support of Finding: When compared to the proposed Camino Del Rio Mixed Use project, the No Project/No Build alternative would eliminate the potential for direct significant impacts to Historical Resources, as no new development would occur. The No Project/No Build alternative would also have fewer environment effects associated with air quality, noise, and GHG, as no new construction or trips would occur under this alternative. There also would be fewer impacts to public utilities and public services associated with schools, libraries, and recreation as no residential development would occur. However, based on the analysis in this EIR, none of those effects would be regarded as significant under the proposed project. The No Project/No Build alternative has the potential to result in slightly greater impacts to visual quality and neighborhood character, although such impacts would not reach a level of significance. Hydrological impacts associated with flooding would be greater, as the existing development is not elevated out of the floodplain; and impacts associated with water quality would be greater because the existing development does not include BMPs and LIDs. For all other issue areas (i.e., land use, paleontology, , and cumulative effects), the No Project/No Build alternative would result in the same level of environmental effects as the proposed project. The No Project/No Build alternative would not meet any of the project objectives. Therefore, the No Project/No Build alternative has been found to be infeasible.

Reference: Final EIR § 9.2.2

Alternative 2 – All Commercial Development

Description: In order to fully evaluate the range of possible alternatives and uses for the project site, other land uses allowed within the existing land use designation and zone were considered. The project site is designated for Commercial uses in the Mission Valley Community Planned and is zoned MV-CR (Mission Valley – Commercial Retail). The project site could be developed as an all-commercial retail project.

The All Commercial Development Alternative would be a single-story retail building or buildings, with 15,000 square feet of multi-tenant office and 44,000 square feet of specialty retail shops. Parking would be provided in surface lots.

For purposes of this alternative, it is assumed that the design of the retail center would be with architectural detail and design in keeping with the styles, bulk, and scale of other small commercial centers in west-central Mission Valley. Like the proposed project, this alternative would be elevated out of the 100-year floodplain. Additionally, for purposes of the environmental analysis, it is assumed that the All Commercial Development Alternative would not include sustainable design features but would develop as a conventional small commercial center similar to other commercial centers in the Mission Valley community.

Finding: The City finds that specific economic, legal, social, technological, or other considerations make the All Commercial alternative infeasible.

Public Resources Code § 21081(a)(3), Guidelines § 15091(a)(3).

Facts in Support of Finding: Like the project, the All Commercial Alternative would be consistent with the General Plan, Community Plan and existing zoning. However, less environmental impacts would result from this alternative with regards to noise, as an All Commercial Development Alternative would be compatible with the exterior noise environment and would not require measures to reduce noise levels to comply with City requirements. Slightly less traffic (two less ADT) would occur under this alternative, resulting in a slight decrease in air quality and global climate change impacts; like the project, these impacts would be less than significant. This alternative, however, would not provide the mix of uses and, therefore, would not have the trip reducing and air quality benefits (such as reduced trip lengths to nearby services and amenities and opportunities for live-work that can result in a reduction in commute trips). Because no residential development is occurring with this alternative, impacts to public services and facilities would be less. Impacts to hydrology and water quality would be greater than the proposed project because of the increase in the amount of impervious surfaces. For all other issue areas (i.e., visual effects and neighborhood character, energy, geologic conditions, paleontological conditions, hydrology, public utilities, historical resources, and cumulative effects), the No Project/No Build alternative would result in the same level of environmental effects as the proposed project.

This alternative would meet some of the project objectives. Specifically, this alternative would meet four of the proposed project's 11 objectives:

- Create a coherent and cohesive building site and site design that is compatible in scale and character and enhances the existing community character in the Mission Valley community.
- Utilize architecture and design elements to ensure high quality design and aesthetics.
- Create additional retail and job opportunities in the Mission Valley community.

- Provide retail amenities for the adjacent employment and residential uses and capture drive-by trips, thereby reducing the amount of routine daily trips.

This alternative would not meet the project primary goals of providing a mixed use and sustainable project. Furthermore, the All Commercial Development alternative would not result in substantial environmental advantages or benefits. Therefore, the All Commercial Development alternative has been found to be infeasible.

Reference: Final EIR § 9.2.3

DRAFT

IX.**ENVIRONMENTAL ISSUES DETERMINED
NOT TO BE POTENTIALLY AFFECTED BY THE PROJECT**

Based on the analysis contained in Section 7.0 of the Final EIR, the City determined that the environmental analysis contained in the Final EIR for agricultural resources, biological resources, energy, geologic conditions, growth inducement, hazards and hazardous materials, hydrology, mineral resources, paleontological resources, population and housing, public services and facilities, public utilities, and water quality had “no impact” or had a “less than significant impact,” and, therefore, did not warrant further consideration in the Final EIR. No substantial evidence has been presented to or identified by the City that will modify or otherwise alter the City’s “no impact” or “less-than-significant” determination for these environmental issues.

X.**FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE
ENVIRONMENTAL CHANGES**

Guidelines Section 15126(c) requires that an EIR describe any significant irreversible environmental changes that would be involved in the proposed project should it be implemented. Section 15126.2(c) indicates that:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely.

The same section further indicates that:

Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Development would occur on the project site as a result of the proposed project, which would entail the commitment of energy and natural resources. The primary energy source would be fossil fuels, representing an irreversible commitment of this resource. Construction of the project would also require the use of construction materials, including cement, concrete, lumber, steel, etc., and labor. These resources would also be irreversibly committed.

Once constructed, use of the Camino Del Rio Mixed Use project would entail a further commitment of energy resources in the form of fossil fuels and electricity. This commitment would be a long-term obligation since the proposed structures are likely to have a useful life of 20 to 30 years or more. However, as discussed in Section 7.3, *Energy*, of the EIR, the impacts of increased energy usage are not considered significant adverse environmental impacts.

EXHIBIT B**MITIGATION MONITORING AND REPORTING PROGRAM**

PLANNED DEVELOPMENT PERMIT NO. 1194682,
 SITE DEVELOPMENT PERMIT NO. 1194683 and
 NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1300465
 PROJECT NO. 341130

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Environmental Impact Report No. 341130 shall be made conditions of Planned Development Permit No. 1194682, Site Development Permit No. 1194683 and Neighborhood Development Permit No. 1300465 as may be further described below.

HISTORICAL RESOURCES (ARCHAEOLOGY)**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
 - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
 - b. The AME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
 3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

- A. Monitor(s) Shall be Present During Grading/Excavation/Trenching
1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any**

construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.

2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
 3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
 4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (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 Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
 4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.
- C. Determination of Significance
1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. **Note: If a unique archaeological site is also an historical resource as defined in CEQA, then**

the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.

- c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

IV. Discovery of Human Remains

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

A. Notification

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

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.
2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains **ARE determined to be Native American**

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:

- a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN,
 - c. In order to protect these sites, the Landowner shall do one or more of the following:
 - (1) Record the site with the NAHC;
 - (2) Record an open space or conservation easement on the site;
 - (3) Record a document with the County.
 - d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.
- D. If Human Remains are **NOT** Native American
- 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
 - 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
 - 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

V. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
- 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 - 2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVr and submit to MMC via fax by 8AM of the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.
 - c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed.

- d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

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

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.

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: 24004095

**PLANNED DEVELOPMENT PERMIT NO. 1194682,
SITE DEVELOPMENT PERMIT NO. 1194683 and
NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1300465
CAMINO DEL RIO MIXED USE PROJECT NO. 341130 [MMRP]
PLANNING COMMISSION**

This Planned Development Permit No. 1194682, Site Development Permit No. 1194683 and Neighborhood Development Permit No. 1300465 is granted by the Planning Commission of the City of San Diego to MIRAMAR ROAD AUTO CENTER PROPERTIES, a California Limited Partnership, Owner, and CAL/DIN 3, INC., a Texas Corporation, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0404, 126.0504 and 126.0604. The 5.37 acre site is located at 730 Camino Del Rio North in the Mission Valley Planned District MV-CR Zone within the Mission Valley community planning area. The project site is legally described as Lot 3 of Miller-Bond Subdivision, according to Map thereof No. 5732, filed May 16, 1966.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish the existing structures and parking lots and construct a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, approximately 4,000 square feet of retail space and a six level parking garage located on a 5.37 acre site at 730 Camino Del Rio North in the Mission Valley Planned District MV-CR Zone within the Mission Valley community planning area described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated [INSERT Approval Date], on file in the Development Services Department.

The project shall include:

- a. Demolition of the existing structures and parking lots and construction of a mixed use project consisting of 305 residential units, approximately 5,000 square feet of office space, and approximately 4,000 square feet of retail space and the parking structure within a total building area of approximately 563,979 square feet;

- b. Two deviations from the Land Development Code regulations; 1) A deviation to allow a 53.3 percent lot coverage where 50 percent is required by Section 1514.0305(d) and 2) A deviation to allow a sidewalk width of five feet and parkway width of five feet where a sidewalk width of eight feet with a six foot wide parkway is required by Section 1514.0402(b)(1) as shown in Table 1514-04A;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;
- e. Approximately 14,389 square feet of leasing space and amenity space for residents; and
- f. 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 [ENTER DATE including the appeal time].
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 Environmental Impact Report No. 341130 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 Environmental Impact Report No. 341130 to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

HISTORICAL RESOURCES (ARCHAEOLOGY)

AFFORDABLE HOUSING REQUIREMENTS:

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 any construction permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

17. 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.

18. 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.

19. The drainage system proposed for this development is private and is subject to approval by the City Engineer.

20. All driveways and curb openings shall comply with City Standard Drawings SDG-160 and SDG-164.

21. 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.

22. 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.

23. Prior to the issuance of any building permits for residential buildings, the Owner/Permittee shall assure by permit and bond the replacement of sidewalk, adjacent to the site frontages on Camino del Rio North, Camino del Arroyo and Camino de la Reina, satisfactory to the City Engineer. Additionally the Owner/Permittee shall replace the sidewalk removed for installation of the private storm drain westerly of the project site on Camino del Rio North, satisfactory to the City Engineer.

24. Fill placed in the Special Flood Hazard Area for the purpose of creating a building pad must be compacted to ninety-five percent of the maximum density obtainable with the Standard Proctor Test Fill method issued by the American Society for Testing and Materials (ASTM Standard D-698). Granular fill slopes must have adequate protection for a minimum flood water velocity of five feet per second.

25. The Owner/Permittee shall enter into an agreement with the City waiving the right to oppose a special assessment initiated for the construction of flood control facilities and their perpetual maintenance.

26. If the structures will be elevated on fill such that the lowest adjacent grade is at or above the BFE, the Owner/Permittee must obtain a Letter of Map Revision based on Fill (LOMR-F) prior to occupancy of the building. The Owner/Permittee must provide all documentation,

engineering calculations, and fees which are required by FEMA to process and approve the LOMR-F.

27. Prior to the issuance of any building permits for residential buildings, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement, for the private storm drains in the Camino del Arroyo and Camino del Rio North public rights-of-way, satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

28. 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 the San Diego Low Impact Development Design Manual, to the satisfaction of the Development Services Department.

29. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the Development Services Department for approval. Improvement plans shall take into account a 40 square foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

30. 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." Construction plans shall provide a forty square foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per LDC 142.0403(b)5.

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

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

33. The Owner/Permittee shall be responsible for the 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.

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

equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

PLANNING/DESIGN REQUIREMENTS:

35. 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.

36. All signs associated with this development shall be consistent with sign criteria established by the City-wide sign regulations.

37. 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.

38. Prior to issuance of any building permit for residential dwelling units, the Owner/Permittee shall submit an exterior-to-interior noise analysis shall be conducted, as described within approved technical report (Camino del Rio Mixed Use Project, Exterior Noise Analysis Report, prepared by dB Associates, Inc., dated January 28, 2014) to identify appropriate sound transmission loss requirements for building façade elements (windows, walls, doors, and exterior wall assemblies) necessary to limit interior noise in habitable rooms to 45 dBA CNEL or below. If the interior noise limit can be achieved only with the windows closed, the building design shall include mechanical ventilation that meets California Building Code (CBC) requirements. With the implementation of the findings of the interior noise analysis, interior noise levels in habitable rooms would be 45 dBA CNEL or below and comply with the California Code of Regulations, Title 24: Noise Insulation Standards.

39. Prior to final inspection of any building permit for residential dwelling units, the Owner/Permittee shall submit three copies of the final acoustical report, two with construction documents to the Building Inspector, and one copy to Mitigation Monitoring Coordination Section (MMC) to verify that exterior acoustical levels have been achieved per the approved technical report.

40. Prior to issuance of building permits, the Owner/Permittee shall provide documentation that the project has been submitted to the U.S. Green Building Council for review and will achieve at least a Leadership in Energy and Environmental Design (LEED) Silver Certification. Construction documents shall note all criteria included in the design and construction of the project as identified in the LEED certification application.

TRANSPORTATION REQUIREMENTS

41. No fewer than 466 parking spaces (441 for Residential and 25 for Commercial/Office and Retail) shall be permanently maintained on the site within the approximate location as shown on the Exhibit "A", which includes 18 disabled accessible spaces. Additionally, a minimum of 29 motorcycle and 138 bicycle spaces shall be provided on-site. Further, all on-site parking stalls

and aisle widths shall be in compliance with requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purposes, unless otherwise authorized in writing by appropriate decision-maker in accordance with SDMC.

42. Prior to the issuance of the first construction permit, the Owner/Permittee shall assure, by permit and bond, restriping of the eastbound approach on Camino Del Rio N. from project's first western driveway to the intersection of Camino Del Arroyo to provide one twenty foot through lane at each direction and a ten foot left turn lane transitioning to a two-way-turn lane in front of the second driveway as shown on Figure 13-1 "Camino Del Rio North Proposed Striping", satisfactory to the City Engineer. The improvement shall be completed and accepted by the City Engineer prior to issuance of the first certificate of occupancy.

43. Prior to the issuance of the first occupancy permit, the Owner/Permittee shall develop and implement a comprehensive Transportation Demand Management Plan that includes information kiosks in central locations on the site, bicycle lockers, priority parking spaces for carpools, partially subsidized transit passes for employees, preferred parking for fuel efficient vehicles. The Owner/Permittee shall provide and maintain a nine-passenger shuttle, including driver, to transport residents and employees of the development to the nearest transit stations at Fashion Valley and Mission Valley shopping centers travelling on a regular schedule and the service provided to residents shall be free of charge, satisfactory to the City Engineer.

44. Prior to the issuance of the first occupancy permit, the Owner/Permittee shall obtain a public improvement permit to upgrade the existing bus stop along Camino de la Reina at Camino de Arroyo. The improvement shall maintain the existing bus stop in place and upgrade the sidewalk and facilities to current ADA standards. Current ADA standards require a five foot by eight foot concrete boarding/alighting pad at the stop. Space is also required for a shelter. During construction, location of temporary bus stops shall be coordinated with MTS. All work shall be to the satisfaction of MTS and the City Engineer.

45. Prior to the issuance of the first building permit, a Joint Use Driveway/Mutual Access Easement Agreement shall be recorded among all affected parties as shown on the Exhibit "A."

46. Prior to issuance of any permits the Owner/Permittee shall construct any missing standard full-height curb, gutter, and sidewalk along the project's frontages on Camino de la Reina, Mission Center Road, Camino del Rio North, and Camino del Arroyo, satisfactory to the City Engineer.

47. Prior to the issuance of any occupancy permit, the Owner/Permittee shall replace all non-utilized driveways with full height curb, gutter and sidewalk, to the satisfaction of the City Engineer.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

48. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service, domestic, fire and irrigation, in a manner satisfactory to the Director of

Public Utilities and the City Engineer. Back flow prevention devices shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way in substantial conformance with Exhibit "A." The Public Utilities Department will not permit the required back flow prevention devices to be located below grade or within any structure.

49. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of all public water and sewer facilities are to be in accordance with established criteria in the most current City of San Diego Water and Sewer Design Guides.

50. All proposed private water and sewer facilities located within a single lot are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

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

52. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to cap (abandon) at the property line any existing unused sewer lateral.

53. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to remove (kill) at the main any existing unused water service.

54. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment and Maintenance Removal Agreement for proposed improvements of any kind, including utilities, medians, landscaping, enriched paving, curb, gutter and sidewalk to be installed within the sewer easement. Electrical conduits running parallel to the trunk sewer will not be permitted.

ENVIRONMENTAL SERVICES DEPARTMENT REQUIREMENTS:

55. Prior to issuance of grading permits, the Owner/Permittee shall provide plans indicating contract documents have recycling specifications included, materials purchase documents demonstrate that 20% buy-recycled has been accomplished and a solid waste coordinator has been identified, to the satisfaction of Environmental Services Department Director and the City Engineer.

56. Prior to issuance of building permits, the Owner/Permittee shall verify to the Environmental Services Department (ESD) that an appropriate number of bins are provided with appropriate signage, bins are appropriately used and contamination levels are minimized, the Construction and Demolition Debris Diversion Deposit Program deposit has been paid, a diversion rate of 75% is specified on the Waste Diversion Form and provide evidence that materials shall be taken to an appropriate facility.

57. Prior issuance of any Certificate of Occupancy, the Owner/Permittee shall contact a representative of the Environmental Services Department to schedule an appointment to provide

evidence that a hauler has been retained to provide recyclable materials collection and yard waste collection, inspect and approve a storage area that has been provided consistent with the City's Storage Ordinance (Chapter 14, Article 2: General Development Regulations, Division 8: Refuse and Recyclable Materials Storage Regulations) and inspect and approve the education materials for building tenants/owners that are required pursuant to the City's Recycling Ordinance.

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 **[INSERT Approval Date]** and **[Approved Resolution Number]**.

Permit Type/PTS Approval No.: PDP No. 1194682, SDP No. 1194683, NDP No. 1300465
Date of Approval:

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

John S. Fisher
Development Project Manager

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

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

MIRAMAR ROAD AUTO CENTER PROPERTIES,
a California Limited Partnership
Owner

By _____
Robert H. Baker
President

CAL/DIN 3, INC.,
A California Corporation
Permittee

By _____
John Caltagirone
Vice President

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

Camino Del Rio Mixed Use

PTS# 341130

Remaining Project Plans

(under separate cover)

MINUTES OF THE REGULAR MEETING OF THE MISSION VALLEY PLANNING GROUP

August 06, 2014

MEMBERS PRESENT

Deborah Bossmeyer
Paul Brown
Bob Cummings
Perry Dealy
Robert Doherty
Randall Dolph
Alan Grant
John LaRaia
Elizabeth Leventhal
John Nugent
Jim Penner
Karen Ruggels
Marco Sessa
Rick Tarbell
Josh Weiselberg

MEMBERS ABSENT

Jason Broad
John Carson
Gina Cord
Alex Plishner
Dottie Surdi

GUESTS

Bob Faudoa
Arleen Garcia- Herbst
Jon Hellinga
Rob Hutsel
Patrick Jelserma
Norman Kasubuchi
Kelly Knight
Jordon Lail
Kathy Lippitt
Vince Meehan
Lucky Michael
Jeremy Ogul
Jan Sachs
Justin Schlaefli
Rick Wilson

FEDERAL REP'S STAFF

Armita Pedramrazi

CITY STAFF

Anthony George
Adam McElroy

COUNTY STAFF

ASSEMBLY STAFF

Katelyn Hailey

Perry Dealy, Acting Chair, called the regular meeting of the Mission Valley Planning Group (MVPG) to order at 12:02 p.m. at the Mission Valley Library Community Room located at 2123 Fenton Parkway, San Diego, CA.

A. CALL TO ORDER

Verify Quorum: 15 members were present, constituting a quorum.

B. PLEDGE OF ALLEGIANCE – Paul Brown led the Pledge of Allegiance.

C. INTRODUCTIONS / OPENING REMARKS/ AGENDA CHANGE

Perry Dealy welcomed everyone to the meeting and reminded those present to sign the sign in sheets.

Guests introduced themselves.

D. APPROVAL OF MINUTES

Elizabeth Leventhal moved to approve the minutes of the July 09, 2014 regular meeting. Josh Weiselberg seconded the motion. Minutes were approved 10 – 0 – 5, with Deborah Bossmeyer, Paul Brown, Bob Cummings, Robert Doherty and John LaRaia abstaining.

E. PUBLIC INPUT – NON-AGENDA ITEMS BUT WITHIN THE SCOPE OF AUTHORITY OF THE PLANNING GROUP.

“The Mission Valley Planning Group has been formed and recognized by the City Council to make recommendations to the City Council, Planning Commission, City staff, and other governmental agencies on land use matters, specifically concerning the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to the Mission Valley community boundaries. The planning group also advises on other land use matters as requested by the City or other governmental agency.” Mission Valley Planning Group Bylaws as Amended 05/07/2008, approved 12/02/2008

Kathy Lippitt distributed a flyer titled “QUESTIONS FOR PLANNING GROUPS” regarding Medical Marijuana Dispensaries.

F. MEMBERSHIP BUSINESS

John Nugent reported on the remaining Board membership open positions:

Local Businessperson -term ending March 2016

Resident--term ending March 2016

Local Businessperson -term ending March 2018

Resident--term ending March 2018

G. TREASURER’S REPORT

Bob Doherty reported that the balance remains at \$1,414.43.

H. PUBLIC SAFETY REPORTS**1. Police Department – Officer Adam McElroy**

Officer McElroy reported that he had attended the local “National Night Out-America’s Night Out Against Crime” on August 05, 2014 and reported on major incidences that have occurred in the region including the recent boating and plane accidents, the pedestrian death in Mission Valley and the break-in at Qualcomm stadium parking lot.

Fire Department – No report.

I. GOVERNMENTAL STAFF REPORTS**1. Mayor’s Office**

Anthony George reported on the new “San Diego Works Project” and the beginning of enforcement of the Oversize Vehicles Ordinance.

2. State Representatives

a. Senate Member's Office – Sen. Marty Block from the 39th Senate District l. Katelyn Hailey distributed the July/August “Around the Block Report”.

b. Assembly Member's Office – Shirley Weber from the 79th Assembly District George Gastil was not present. No report.

3. Federal Representatives

a. Congresswoman Susan Davis' Office -- Armita Pedramrazi
Armita Pedramrazi introduced herself as the new representative and distributed the August “Davis Dispatch”

b. Congressman Scott Peters' Office – Sarah Czarrecki was not present. No report.

J. NEW BUSINESS

1. Hazard Center Auto Mart, 7698 Friars Road in San Diego- CUP-type 20 Beer & Wine license-

Robert Faudoa reviewed the conditional use permit (CUP) application for a type 20 – Alcoholic Beverage Control (ABC) Off Sale Beer and Wine license which authorizes the sale of beer and wine for consumption off of the premises. The existing footprint of the building would remain the same with the interior reconfigured to add approximately 174 s.f. of a new walk-in/reach in cooler. Phase 2 of the project would modernize and upgrade the exterior and grounds of the property.

There was discussion regarding:

- The Homeless Problem around Hazard Center
- Adding an additional facility to purchase beer and wine in Mission Valley
- Proximity of business to entrance to HWY 163
- Congestion at corner of Frazee Road and Friars Road
- The project being divided into two phases, with the type 20 beer and wine license being separate from the modernization of the property.

Karen Ruggels moved to approve the conditional use permit for a new beer and wine ABC license at Hazard Center Auto Mart, 7698 Friars Road in San Diego with the conditions that the project return to update the MVPG on the substantial conformance review of the modernization phase of the project and that the project does not conflict with the revisions to HWY 163 and Friars Road. Josh Weiselberg seconded the motion. Motion was approved 10 – 5 – 0.

2. Millennium Camino de Rio Project -Josh Vasbinder

Karen Ruggels recused herself from the discussion and vote on this project.

Josh Vasbinder with the Dinerstein Companies updated the Millennium Camino de Rio Project, aka Camino Del Rio Mixed Use Project. The Camino del Rio project site is located at 730 Camino del Rio North on the old Bob Baker automobile sales site.

The 5.37-acre project site is designated Commercial within the Mission Valley Community plan area. The site is zoned Mission Valley Planned District MV-CR (Commercial-Retail) Zone.

After Josh Vasbinder's project reviewed, Randy Dolph reviewed the Design Advisory Board report on the project.

Design Advisory Board Report

August 6, 2014

TO: Dottie Surdi, MVPG Chair

FROM: Randy Dolph, DAB Chair

SUBJECT: Report of August 4, 2014 DAB Meeting

The meeting was called to order at 3:30 P.M. in the Mission Valley Library. Members present were: Paul Dugas, Paul Brown, Steve Kiss, Dottie Surdi, Jerry Shonkwiler and Randy Dolph.

Applicant representatives included Josh Vasbinder (The Dinerstein Cos) Karen Ruggels (KLR Planning), Jordan Lail (Urban Arena), Norm Kaoubuchi (Leppert Engineering) and Jon Hellenga and Irwin Yau (TCA Architects).

Camino del Rio Mixed Use (Bob Baker site) – Action Item

Josh Vasbinder introduced the team and provided an overview of the project. The project is located at the former site of Bob Baker auto dealership at Camino del Rio North, Camino del Arroyo and Camino de la Reina on approx 5.37 acres. The project proposes demolition of the existing improvements and construction of a new 3 to 5 story, 291-unit apartment building with mostly structured parking (581 spaces), 14 shopkeeper units, 4,000 sf of retail and 5,000 sf of commercial building. Components of the presentation include:

- Required discretionary approvals included Planned Development Permit, Site Development Permit, and Neighborhood Development Permit. The project has been deemed consistent with the Community and General Plan. The EIR is currently open for public review.
- The various components of the project were described by the team members.
- Two deviations from the plan are being requested. They are:
 1. Increase of the FAR from .50 to .52. This is necessary so as to provide the neighboring auto dealership with a maximum exposure to Interstate 8 and yet still achieve the density that was available with the .50 FAR.
 2. Reduce the width of a sidewalk on one side of the project. The Mission Valley PDO states that pedestrian sidewalks separated from the street by landscaped parkways shall be provided in relation to the street classification as shown in the PDO. This allows the decision-maker to permit the widths of the parkway and sidewalk to diminish to accommodate such features as bus stops, transformer boxes, or other site constraints. The project would meet the requirements of the PDO for all streets fronting the project site with the exception of Camino de la Reina. Camino de la Reina is classified as a four-lane collector. The PDO requires an eight-foot wide sidewalk along four-lane collectors, separated from the roadway by a six-foot wide landscape parkway. The project proposes a five-foot wide sidewalk with a five-foot wide parkway (which includes a 4.5-foot landscaped parkway and 6-inch curb). A deviation to

the sidewalk and parkway requirements of the Mission Valley PDO is necessary to allow for development of a project which addresses the street and allows for pedestrian-scale project features.

Question, comments, and discussion from the board included:

- Concerns were raised regarding the above-noted deviations. Each of these was addressed in detail.
- The retaining walls at the northwest corner of the project.
- Roof mechanical units and their visibility from I-8.
- Carports over parking.
- The lift for disabled access.
- Color concerns for the white thrust box (long term maintenance issues) and the glare from the white roofs.

A motion to recommend to the MVPG that the design be approved was initiated by Jerry Shonkwiler and seconded by Dottie Surdi, with the conditions that (1) the applicant fulfill all City cycle comments, (2) all environmental impact report items are addressed, and (3) the applicant return to the DAB, for informational purposes only, to present the materials pallet for the project.

There was no subsequent discussion. The motion was approved 5-0-1.

The meeting was adjourned at 4:30 P.M., with the next meeting tentatively scheduled for Monday, September 1, 2014.

End Design Advisory Board Report

Questions/Discussions:

There were questions/discussion regarding:

- Parking on public streets near the project
- The traffic studies for the project, especially at Mission Center Road and I-8
- The number and times of shuttles

Randy Dolph moved to approve the design, with the conditions that (1) the applicant fulfill all City cycle comments, (2) all environmental impact report items are addressed, and (3) the applicant return to the DAB, for informational purposes only, to present the materials pallet for the project. The motion was seconded by Jim Penner. Motion was approved 13 – 1 –1, with Karen Ruggels abstaining.

Jim Penner moved to support the project based on the discretionary approval of the Planned Development Permit (PDP), Site Development Permit (SDP), Neighborhood Development Permit and completion, with no unmitigated impacts, of the Environmental Impact Report (EIR). The motion was seconded by Rick Tarbell. Motion was approved 13 – 1 –1, with Karen Ruggels abstaining.

3. Downtown San Diego Partnership- Clean and Safe Program

Lucky Michael and Kelly Knight from the Downtown San Diego Partnership's Clean & Safe Homeless Outreach Department discussed their program.

The Downtown San Diego Partnership's (DSDP's) Clean and Safe Homeless Outreach Department conducts their own monthly homeless count in the downtown footprint. Their

data suggests that homelessness in the area has increased by 14 percent (from 517 in 2013 to 589 total homeless individuals in 2014).

DSDP's Clean and Safe program tracks the inflow of homelessness to gain an understanding of why people are entering at such a high rate. Community partners and staff of the Clean and Safe Program ask three key questions to help inform reasons for increased homelessness in the downtown area. The following questions are:

Where did you come from?
How did you get here and who paid for your trip?
How long have you been here?

The focus on the Homeless Outreach Department is on:

- Illegal lodging
- Public feeding
- Unattended property

There was discussion about the project and if a model could be developed for the Mission Valley area.

K. OLD BUSINESS

1. City Planning Update

No report

2. Council Office-District 7- Councilmember Scott Sherman

Ryley Webb was not presented but sent in the following report:

8/6/14- Mission Valley Planning Group Update

- Saturday September 20th is I Love a Clean San Diego's Annual Coastal Cleanup Day. There are no sites in Mission Valley this year, but there are sites surrounding Mission Valley related to the San Diego River. I encourage you to visit I Love a Clean San Diego's website at Cleanupday.org and get involved
- The City has begun enforcing the Oversized Vehicle Ordinance. They will be giving notices through August 16th and will be giving tickets after that. You can get a permit online for \$1.25 for up to 3 nights in a row.
- The Dog Park at Westfield Mission Valley is now open. The Councilmember was at the opening ceremony and it is a great asset to the community. I encourage you to check it out.
- Our newsletter came out on Monday. You can view it on our website and if you would like it emailed to you, you can sign up on the main page of our website.
- As always, if you have any questions or requests you can call me at 619-236-6677 or email me at rwebb@sandiego.gov

3. Business Cards for MVPG Board members

There was discussion regarding MVPG Board members having business cards indicating that they were Board members of the MVPG. The discussion concluded with the request that the MVPG Board Secretary contact the City of San Diego Planning Department to attempt to get clarification from them on the issue.

4. Subcommittee Reports

a. Design Advisory Board

See report under New Business 2. Millennium Camino de Rio Project

b. Stadium Committee

Randy Dolph did not have a report but asked Anthony George, from the Mayor's office, to contact appropriate City departments about proper notifications and traffic warnings regarding major events at Qualcomm stadium. There were inadequate notifications and traffic warnings for the recent fan fest which caused major traffic congestion in the Mission Valley.

c. San Diego River Coalition

The July meeting included a presentation on using SANDAG TransNnet funds on the San Diego River Trail from the Mission Valley Library through the Qualcomm stadium site. Stephan Vance from SANDAG will present the information at the September MVPG meeting.

The Coalition will not be meeting in August and September. September 18th is River Park Foundation annual anniversary party. This year the celebration will be in Santee at the Carlton Oaks Golf Course.

d. Community Planners Committee (CPC)

No meeting in July

e. Parks Subcommittee

No report

f. Uptown Regional Bike Corridor Advisory Group

A volunteer is being sought to chair the subcommittee.

g. Public Health, Safety and Welfare

Elizabeth L Leventhal thanked Lucky Michael and Kelly Knight from the Downtown San Diego Partnership's Clean & Safe Homeless Outreach Department for their report.

4. Miscellaneous Mail

There were no items

5. Miscellaneous Items

a. Paul Brown requested that the MVPG have further information on how traffic studies are conducted in general and especially regarding some of the projects in the Mission Valley. Anthony George, from the Mayor's office, was asked to inquire if someone from the City of San Diego traffic department could attend a future meeting to discuss this issue.

b. Josh Weiselberg reported on his attendance at the meeting regarding police retention within the City of San Diego. The San Diego Police Officers Association is asking for community letters of support for their proposed means and methods to retain City of San Diego Police Officers including higher compensation.

L. ADJOURNMENT – There being no further business to be brought before the Committee, the meeting was adjourned at 1: 43 p.m.

The next meeting will be on Wednesday, September 03, 2014 at 12:00 p.m. at the Mission Valley Library, Community Room.

John Nugent, Secretary



THE CITY OF SAN DIEGO

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

Camino Del Rio Mixed Use Project

Project No. For City Use Only

341130

Project Address:

730 Camino del Rio North, San Diego, CA 92108

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):

☐ 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:

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:

Project Title: Camino Del Rio Mixed Use Project	Project No. (For City Use Only) <u>341130</u>
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Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

☐ Corporation ☐ Limited Liability -or- ☐ General) What State? _____ Corporate Identification No. _____
☐ Partnership

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

Corporate/Partnership Name (type or print): <u>MIRAMAR ROAD AUTO CENTER PROPERTIES, LP</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: <u>591 CAMINO DE LA REINA, SUITE 1100</u> City/State/Zip: <u>SAN DIEGO, CA 92108</u> Phone No: <u>(619) 297-1001</u> Fax No: <u>(619) 327-4177</u> Name of Corporate Officer/Partner (type or print): Title (type or print): <u>ROBERT H BAKER</u> Signature: <u>Robert H. Baker</u> Date: <u>9/24/13</u>	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature: Date:
Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature: Date:	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature: Date:
Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature: Date:	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature: Date:

Ownership Disclosure Statement

Miramar Road Auto Center Properties, a California Limited Partnership, and
Cal/Din 3, Inc.

Ownership interest for Miramar Road Auto Center Properties:

Robert H. Baker
Michael Baker
Christopher Baker
Elizabeth Baker Treloar
Theresa Baker Hertel
Mary Baker Ross
Rekab Family Enterprises, LLC

Rekab Family Enterprises, LLC:

Baker Marital Non-Exempt Trust
Baker Marital GST-Exempt Trust
Michael Baker
Christopher Baker
Elizabeth Baker Trelor
Theresa Baker Hertel
Mary Baker Ross

Cal/Din 3, Inc.:

The Dinerstein Company

Ownership interest for The Dinerstein Company

Jack Dinerstein
Ted Dinerstein
Tom Caltagirone

PROJECT DATA SHEET

PROJECT NAME:	Camino Del Rio Mixed Use	
PROJECT DESCRIPTION:	To demolish existing structures, remove pavement and construct a mixed use project consisting of residential units, retail and office space on a 5.37 acres site in Mission Valley	
COMMUNITY PLAN AREA:	Mission Valley Community Plan	
DISCRETIONARY ACTIONS:	Planned Development Permit and Site Development Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Commercial – Retail	
<u>ZONING INFORMATION:</u> ZONE: Mission Valley Planned District MV-CR Zone HEIGHT LIMIT: No height limit (74 feet proposed) LOT SIZE: 5,000 square feet minimum (5.37 acres) FLOOR AREA RATIO: 1.60 proposed FRONT SETBACK: Min. 10 feet (10 feet proposed) SIDE SETBACK: Min. 10 feet (45 feet proposed) REAR SETBACK: Min. 8 feet (10 feet proposed) PARKING: 584 parking spaces provided		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Multiple Use	Residential
SOUTH:	Office or Commercial Recreation	Commercial
EAST:	Multiple Use	Commercial
WEST:	Commercial - Office	Commercial
DEVIATIONS OR VARIANCES REQUESTED:	One; Proposed Lot Coverage 53.3% deviates from the max. 50% allowed in the MV-CR Zone and Two; Sidewalk and landscaped parkway width along Camino Del La Reina deviate from the Mission Valley PDO requirements.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On August 6, 2014 the Mission Valley Planning Group voted 13:1:1 to recommend approval of the proposed project.	

DEVELOPMENT SERVICES
Project Chronology
Camino Del Rio Mixed Use - PTS# 341130

Date	Action	Description	City Review Time	Applicant Response
11/18/13	First Submittal	Project Deemed Complete		
12/18/13	First Assessment Letter		22 days	
01/09/14	Second Submittal			16 days
01/27/14	Second Review Complete		12 days	
05/14/14	Third Submittal			77 days
05/30/14	Third Review Complete		12 days	
06/05/14	Fourth Submittal			4 days
06/12/14	Fourth Review Complete		5 days	
06/13/14	Fifth Submittal			1 day
06/13/14	Fifth Review Complete		0 days	
06/17/14	Sixth Submittal			2 days
07/10/14	Sixth Review Complete		17 days	
07/10/14	Issues Complete			
10/23/14	Public Hearing		75 days	
TOTAL STAFF TIME			143 days	
TOTAL APPLICANT TIME				100 days
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Planning Commission	8 months and 3 days	