



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: November 26, 2014 **REPORT NO.** PC-14-079

ATTENTION: Planning Commission, Agenda of December 4, 2014

SUBJECT: PIPITONE TENTATIVE PARCEL MAP - PROJECT NO. 238861
PROCESS FOUR

OWNER San Ysidro Industrial Park, Ltd

APPLICANT: Pardee Homes

SUMMARY

Issues: Should the Planning Commission approve the subdivision of a single undeveloped 109-acre lot into three parcels located south of State Route 905 and east of Interstate 805 with the Otay Mesa Community Plan Area?

Staff Recommendations:

1. **ADOPT** Negative Declaration No. 238861; and
2. **APPROVE** Site Development Permit No. 1244502, Tentative Map No. 1244504 and Planned Development Permit No. 1309114.

Community Planning Group Recommendation: On December 7, 2011 the Otay Mesa Planning Group voted 12-0-2 to approve the project as submitted with no additional conditions (Attachment 9).

Environmental Review: On October 24, 2014, Negative Declaration No. 238861 was prepared in accordance with the State of California Environmental Quality Act (CEQA) Guidelines.

Fiscal Impact Statement: None with this action; the costs of processing this project have been paid by the applicant through a deposit account.

Code Enforcement Impact: None with this action.

Housing Impact Statement: None with this action.

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Environmental Review: On October 24, 2014, Negative Declaration No. 238861 was prepared in accordance with the State of California Environmental Quality Act (CEQA) Guidelines.

Fiscal Impact Statement: None with this action; the costs of processing this project have been paid by the applicant through a deposit account.

Code Enforcement Impact: None with this action.

Housing Impact Statement: None with this action.

BACKGROUND

The vacant and undeveloped 109-acre project site is located south of State Route 905, east of Interstate 805, and north of the international border with Baja, California, Mexico (Assessor's Parcel Nos. 667-010-2200 and 667-010-0100). The site is bounded by undeveloped properties or designated open-space to the west, south and east (Attachment 1). The site is in the AR-1-1 and IL-2-1 Zones and the Multi-Habitat Planning Area (MHPA) within the Otay Mesa Community Plan. Environmentally Sensitive Lands (ESL) including sensitive biological resources and steep slopes are present on the site.

The proposed Parcel One is 10 acres in size, triangular shaped, and is located within the northeastern portion of the site which is characterized by a large mesa mostly disturbed by unimproved dirt roads used by the U.S. Border Patrol. Site elevations vary from a high of 496 feet along the northeastern mesa top to 474 feet in the southeastern portion of the site.

The proposed Parcel A is 48 acres and the proposed Parcel B is 51 acres in size and both lots contain coastal sage scrub, non-native grasslands, maritime succulent scrub, and disturbed land composed of unimproved dirt roads used by the U.S. Border Patrol. The MHPA runs diagonally across Parcel A and crosses the eastern portion of Parcel B at the south end.

The Otay Mesa Community Plan Land Use Designations are: Open Space; Residential (Very Low, 0-5 dwelling units per acre [DU/AC]); Residential (Low, 5-10 DU/AC); Elementary School and Park. The project site is located within the Southwest Specific Plan area of the Otay Mesa Community Plan. Although the Land Use Map (Attachment 2) identifies a school and park on the site, they are included as placeholders based upon the future maximum number of dwelling units and population that could ultimately develop in the specific plan area. Upon its adoption as an amendment to the community plan, the Southwest Specific Plan could designate this area for residential development, in addition to specific school and park sites based upon population based requirements (which may not be in the same location as currently depicted).

PROJECT DESCRIPTION:

The project proposes to subdivide one lot into three parcels. No other development or improvement activity is permitted or proposed with this action. Future development potential will be determined as part of any required subsequent entitlement application. The project meets all the requirements for the underlying development regulations with the exception of street frontage for Parcel A, as described under the Planned Development Permit section below. A Covenant of Easement which ensures preservation of the MHPA and ESL (Sensitive Biological Resources and Steep Hillsides) is required for Parcels A and B in accordance with SDMC section 143.0152.

Tentative Parcel Map:

The project proposes a Process 3, Tentative Parcel Map pursuant to SDMC Section 125.0510, to subdivide one lot into three (3) parcels; Parcel One, Parcel A and B. No other development or ground-disturbing activities are permitted through this Tentative Parcel Map approval.

Site Development Permit:

Due to the presence of ESL (sensitive biological resources and steep slopes) the subdivision requires a Process 3, Site Development Permit (SDP) pursuant to SDMC Section 126.0502(d)(3). No impacts to these resources are proposed as part of this subdivision, and the SDP does not permit any disturbance of the site.

Planned Development Permit:

A Planned Development Permit in accordance with Process 4 is required for a deviation to the street frontage requirement for Parcel A. The underlying zone requires 200 feet of street frontage.

Parcel One and Parcel B meet the provisions of street frontage with an existing road easement which constitutes street frontage as defined in the SDMC.

The proposed subdivision is requesting to provide no street frontage for Parcel A. A private access easement from Parcel B to Parcel A is a condition the Tentative Parcel Map. Parcels A and B are also conditioned to execute a Covenant of Easement due to the MHPA and ESL. The purpose of this Covenant of Easement is to ensure that the parcels will be retained forever in a natural condition and to prevent any development from impacting sensitive biological resources or steep hillsides.

Staff supports this deviation because access would be provided to Parcel A, through a private access easement, and the Covenant of Easement will protect a large area of land (55 acres) located within the MHPA and containing ESL.

Conclusion:

Staff has determined the proposed Pipitone project complies with the applicable sections of the Municipal Code and adopted City Council Policies. Staff has determined the required findings would support the decision to approve the proposed project's Tentative Parcel Map, Site Development Permit, and Planned Development Permit.

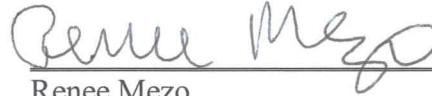
ALTERNATIVES

1. **Approve** Site Development Permit No. 1244502, Tentative Map No. 1244504 and Planned Development Permit No. 1309114, **with modifications.**
2. **Deny** Site Development Permit No. 1244502, Tentative Map No. 1244504 and Planned Development Permit No. 1309114, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Assistant Deputy Director
Development Services Department



Renee Mezo
Project Manager
Development Services Department

MW/RM

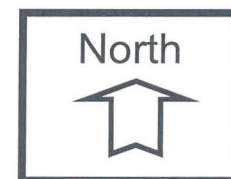
Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Draft Permit Resolution with Findings
4. Draft Permit with Conditions
5. Draft Tentative Parcel Map Resolution with Findings
6. Draft Tentative Parcel Map Conditions
7. Draft Environmental Resolution (ND)
8. Tentative Parcel Map Exhibit
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement



Location Aerial Photo

PIPITONE TPM/SDP/PDP – NORTHEAST OF EAST BEYER BOULEVARD
PROJECT NO. 238861



PLANNING COMMISSION RESOLUTION NO. XXX
 SITE DEVELOPMENT PERMIT NO. 1244502
 PLANNED DEVELOPMENT PERMIT NO. 1309114
PIBITONE- PROJECT NO. 238861
DRAFT

WHEREAS, SAN YSIDRO INDUSTRIAL PARK, a CALIFORNIA LIMITED PARTNERSHIP/Owner and PARDEE/Permittee, filed an application with the City of San Diego for a permit to subdivide one lot into three parcels within environmentally sensitive lands, with a deviation to the street frontage requirements (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval) for the associated Site Development Permit No. 1244502 and Planned Development Permit No. 1309114 on portions of a 109-acre site;

WHEREAS, the project site is located south of State Route 905, east of Interstate 805, and north of the international border with Baja, California, Mexico (Assessor's Parcel Nos. 667-010-2200 and 667-010-0100) in the AR-1-1 and IL-2-1 Zones and the Multiple Habitat Planning Area, within the Otay Mesa Community Plan;

WHEREAS, the project site is legally described as Lot 4 of Section 6, Township 19 South, Range 1 West and Lot 3 and the north half of the southeast quarter of the northwest quarter of Section 6, Township 19 South, Range 1 West;

WHEREAS, on December 4, 2014, the Planning Commission of the City of San Diego considered Site Development Permit No. 1244502 and Planned Development Permit No. 1309114 pursuant to the Land Development Code of the City of San Diego;

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

That the Planning Commission adopts the following written Findings, dated December 4, 2014.

FINDINGS:

Site Development Permit - Section 126.0504

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

The project includes a Site Development Permit to subdivide property within environmentally sensitive lands, a Planned Development Permit to deviate from the street frontage requirements for Parcel A, and a Tentative Parcel Map to create three parcels. The Otay Mesa Community Plan Land Use Designations are: Open Space; Residential (Very Low, 0-5 dwelling units per acre [DU/AC]); Residential (Low, 5-10 DU/AC); Elementary School and Park. The project site is located within the Southwest Specific Plan area of the Otay Mesa Community Plan. Although the Land Use Map identifies a school and park on the site, they are included as placeholders based upon the future maximum number of dwelling units and population that could ultimately develop in the specific plan area. Upon its adoption as an amendment to the community plan, the Southwest Specific Plan will designate this area for residential development, in addition to

specific school and park sites based upon population based requirements (which may not be in the same location as currently depicted).

The Otay Mesa Community Plan allows the creation of such lots consistent with the size allowed by the underlying zone. No other development or improvement activity is permitted or proposed with this action. Future development activity will be analyzed as part of any subsequent entitlement application. The minimum lot size for the AR-1-1 and IL-2-1 Zones are 10 acres and 15,000 square feet respectively. The proposed lots are 10, 52 and 47 acres in size and meet the minimum lot size. Therefore, the proposed 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 project includes a Site Development Permit to subdivide property within environmentally sensitive lands, a Planned Development Permit to deviate from the street frontage requirements for Parcel A, and a Tentative Parcel Map to create three parcels. The proposed project is purely a mapping action; no development activity shall occur, and no such permits shall be issued, until a new and project-specific Site Development Permit (and any other required permits) has been obtained as required by the San Diego Municipal Code.

Negative Declaration No. 238861 was prepared in accordance with the State of California Environmental Quality Act (CEQA) Guidelines and determined the project would not have a significant environmental effect. All future development and improvements shall be reviewed according to applicable regulations to ensure such activity 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 project includes a Site Development Permit to subdivide property within environmentally sensitive lands, a Planned Development Permit to deviate from the street frontage requirements for Parcel A, and a Tentative Parcel Map to create three parcels. The proposed project is purely a mapping action; no development activity shall occur. The subdivision complies with all development regulations for subdividing land with the exception of street frontage for Parcel A. The proposed subdivision will provide no street frontage for Parcel A. A private access easement from Parcel B to Parcel A is a condition the Tentative Parcel Map. Parcels A and B are also conditioned to execute a Covenant of Easement due to the MHPA and ESL. The purpose of this Covenant of Easement is to ensure that the parcels will be retained forever in a natural condition and to prevent any development that contains sensitive biological resources and steep hillsides.

Therefore, with the conditions contained in the Permit and the associated Tentative Parcel Map the proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

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 project includes a Site Development Permit to subdivide property within environmentally sensitive lands, a Planned Development Permit to deviate from the street frontage requirements for Parcel A, and a Tentative Parcel Map to create three parcels. The proposed project is purely a mapping action; no development activity shall occur, and no such permits shall be issued, until a new project-specific Site Development Permit (and any other required permits) has been obtained as required by the San Diego Municipal Code.

Therefore, the site is physically suitable because the proposed project will result in no 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 project includes a Site Development Permit to subdivide property within environmentally sensitive lands, a Planned Development Permit to deviate from the street frontage requirements for Parcel A, and a Tentative Parcel Map to create three parcels. The proposed project is purely a mapping action; no development activity shall occur, and no such permits shall be issued, until a new project-specific Site Development Permit (and any other required permits) has been obtained as required by the San Diego Municipal Code. Therefore, the proposed development will not impact the 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 project includes a Site Development Permit to subdivide property within environmentally sensitive lands, a Planned Development Permit to deviate from the street frontage requirements for Parcel A, and a Tentative Parcel Map to create three parcels. The proposed project is purely a mapping action; no development activity shall occur, and no such permits shall be issued, until a new project-specific Site Development Permit (and any other required permits) has been obtained as required by the San Diego Municipal Code. Therefore, since no structures or development are proposed, there are no 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 project includes a Site Development Permit to subdivide property within environmentally sensitive lands, a Planned Development Permit to deviate from the street frontage requirements for Parcel A, and a Tentative Parcel Map to create three parcels. The proposed project is purely a mapping action; no development activity shall occur. Portions of Parcel A and B are within the Multiple Habitat Planning Area. The permit has been conditioned with a Covenant of Easement for Parcels A and B consistent with City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan which ensures preservation of the Environmentally Sensitive Lands.

Therefore, the proposed project 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 project includes a Site Development Permit to subdivide property within environmentally sensitive lands, a Planned Development Permit to deviate from the street frontage requirements for Parcel A, and a Tentative Parcel Map to create three parcels. The proposed project is purely a mapping action; no development activity shall occur, and no such permits shall be issued, until a new and project-specific Site Development Permit (and any other required permits) has been obtained as required by the San Diego Municipal Code. The project is over eight miles from a public beach and would not 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 project includes a Site Development Permit to subdivide property within environmentally sensitive lands, a Planned Development Permit to deviate from the street frontage requirements for Parcel A, and a Tentative Parcel Map to create three parcels. The proposed project is purely a mapping action; no development activity shall occur, and no such permits shall be issued, until a new project-specific Site Development Permit (and any other required permits) has been obtained as required by the San Diego Municipal Code. There is no mitigation required; therefore, the conditions imposed in the permit are reasonably related to, and calculated to alleviate negative impacts created by the proposed development.

Planned Development Permit - Section 126.0604

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

The project includes a Site Development Permit to subdivide property within environmentally sensitive lands, a Planned Development Permit to deviate from the street frontage requirements for Parcel A, and a Tentative Parcel Map to create three parcels.

The Otay Mesa Community Plan Land Use Designations are: Open Space; Residential (Very Low, 0-5 dwelling units per acre [DU/AC]); Residential (Low, 5-10 DU/AC); Elementary School and Park. The project site is located within the Southwest Specific Plan area of the Otay Mesa Community Plan. Although the Land Use Map identifies a school and park on the site, they are included as placeholders based upon the future maximum number of dwelling units and population that could ultimately develop in the specific plan area. Upon its adoption as an amendment to the community plan, the Southwest Specific Plan will designate this area for residential development, in addition to specific school and park sites based upon population based requirements (which may not be in the same location as currently depicted).

The Otay Mesa Community Plan allows the creation of such lots consistent with the size allowed by the underlying zone. No other development or improvement activity is permitted or proposed with this action. Future development activity would be determined as part of the required

subsequent entitlements and review. The minimum lot size for the AR-1-1 and IL-2-1 Zones are 10 acres and 15,000 square feet respectively. The proposed lots are 10, 52 and 47 acres in size and meet the minimum lot size. Therefore, the proposed 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 project includes a Site Development Permit to subdivide property within environmentally sensitive lands, a Planned Development Permit to deviate from the street frontage requirements for Parcel A, and a Tentative Parcel Map to create three parcels. The proposed project is purely a mapping action; no development activity shall occur, and no such permits shall be issued, until a new and project-specific Site Development Permit (and any other required permits) has been obtained as required by the San Diego Municipal Code.

Negative Declaration, Project No. 238861 was prepared in accordance with the State of California Environmental Quality Act. (CEQA) Guidelines and determined the project would not have a significant environmental effect. All future development and improvements shall be reviewed according to applicable regulations to ensure such activity will not be detrimental to the public health, safety and welfare.

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

The project includes a Site Development Permit to subdivide property within environmentally sensitive lands, a Planned Development Permit to deviate from the street frontage requirements for Parcel A, and a Tentative Parcel Map to create three parcels. The proposed project is purely a mapping action; no development activity shall occur. The subdivision complies with all development regulations for subdividing land with the exception of street frontage for Parcel A. The proposed subdivision will provide no street frontage for Parcel A. A private access easement from Parcel B to Parcel A is a condition the Tentative Parcel Map. Parcels A and B are also conditioned to execute a Covenant of Easement for the MHPA and ESL. The purpose of this Covenant of Easement is to ensure that the parcels will be retained forever in a natural condition and to prevent any development that contains sensitive biological resources and steep hillsides.

Therefore, with the conditions contained in the Permit and the associated Tentative Parcel Map to provide a private access easement along with the Covenant of Easement which would protect a large area of land (55 acres) within the MHPA and ESL would result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, SITE DEVELOPMENT PERMIT NO. 1244502 and PLANNED DEVELOPMENT PERMIT NO.1309114 is hereby GRANTED by the Planning Commission to the referenced Owner and Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1244502 and Planned Development Permit No. 1309114, a copy of which is attached hereto and made a part hereof.

Renee Mezo
Development Project Manager
Development Services

Adopted on: December 4, 2014

Internal Order No. 24001768

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

PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24001768

SITE DEVELOPMENT PERMIT NO. 1244502
PLANNED DEVELOPMENT PERMIT NO. 1309114
PIPITONE- PROJECT NO. 238861
PLANNING COMMISSION
DRAFT

This Site Development Permit No. 1244502 and Planned Development Permit No. 1309114 are granted by the Planning Commission of the City of San Diego to SAN YSIDRO INDUSTRIAL PARK, A CALIFORNIA LIMITED PARTNERSHIP/ Owner, and PARDEE HOMES/ Permittee, pursuant to San Diego Municipal Code [SDMC] sections 143.0141 and 144.0202. The 109-acre site is located south of State Route 905, east of Interstate 805, and north of the international border with Baja, California, Mexico (Assessor's Parcel Nos. 667-010-2200 and 667-010-0100) in the AR-1-1 and IL-2-1 Zones and the Multi- Habitat Planning Area (MHPA), within the Otay Mesa Community Plan. The project site is legally described as: Lot 4 of Section 6, Township 19 South, Range 1 West and Lot 3 and the north half of the southeast quarter of the northwest quarter of Section 6, Township 19 South, Range 1 West.

Subject to the terms and conditions set forth in this Permit, permission is granted to San Ysidro Industrial Park/Owner, and Pardee/Permittee to subdivide one lot into three parcels within environmentally sensitive lands and deviate from the street frontage requirements described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated December 4, 2014, on file in the Development Services Department.

The project shall include:

- a. These permits only allow the subdivision of one lot into three parcels. No other development or improvement activity is permitted or proposed with this action;
- b. A deviation to the street frontage requirements for Parcel A is permitted (as described in Condition No. 10).

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 DATE (include appeal time).
2. No development activity other than the creation of three parcels pursuant to Tentative Parcel Map No. 1244504 as defined in the Land Development Code Section 144.0202, shall occur, and no such permits shall be issued, until a new and project-specific Site Development Permit (and any other required permits) has been obtained as required by the San Diego Municipal Code. Future potential development activity would be determined as part of the required subsequent entitlements and review.
3. This Site Development Permit and Planned Development Permit shall conform to the provisions of Tentative Parcel Map No. 1244504.
4. 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.
5. 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.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. 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.).
8. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

9. 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.

PLANNING

10. The project proposes to deviate from the street frontage requirements. The underlying zone requires a street frontage of 200 feet. The project proposes no street frontage for Parcel A. A private access easement from Parcel B to Parcel A is a condition of the Tentative Parcel Map.

GEOLOGY

11. The Owner/Permittee, during the term of their ownership, and its successors, heirs, assignees, transferees and grantees, during their respective terms of ownership, hereby agree to indemnify, defend and hold harmless the City of San Diego, its employees and agents from any and all costs, losses, liabilities or damages resulting from bodily injury, property damage or death to the Owner/Permittee, its family, guests, invitees, visitors, employees, agents or contractors, which occur on the subject property, which are sustained, caused or result from failure of underlying soils, slopes, or utilities which are beneath or adjacent to the referenced property due to ground movement on the subject property.

12. The Owner/Permittee acknowledges by their signatures hereon that they have been informed by their consultant of geological conditions, which may constitute a defect or hazard, and they accept all risk and sole responsibility.

13. The Owner/Permittee certifies by their signature hereon that they are fully aware of the conditions set forth in Tentative Parcel Map No. 1244504.

14. The Owner/Permittee, its successors, heirs, assignees, transferees, and grantees, during their respective terms of ownership, also agree to voluntarily assume all risks and costs, known or unknown, associated with ownership, use, development, occupancy, or maintenance of the subject property.

15. The Owner/Permittee hereby declares that all property described above is held and shall be held, conveyed, hypothecated or encumbered, leased, rented, used, occupied and improved or maintained subject to the covenants contained herein, which shall run with the land and shall be binding on all parties having or acquiring a right, title or interest in the described lands or any part thereof.

MULTIPLE SPECIES CONSERVATION PROGRAM:

16. Prior to or concurrently with the recordation of the Parcel Map, the Owner/Permittee shall execute and record a Covenant of Easement on Parcels A and B which ensures preservation of the Multiple Habitat Planning Area (MHPA) and Environmentally Sensitive Lands in accordance with SDMC section 143.0152. The Covenant of Easement shall include a legal description and MHPA/Environmentally Sensitive Lands.

17. The Owner/Permittee shall ensure that the Covenant of Easement excludes access requirements across Parcel B to access Parcel A.

18. The Owner/Permittee shall ensure that the Covenant of Easement does not preclude geological/geotechnical exploration and sampling and associated access for equipment and personnel. Access for geological/geotechnical exploration and sampling shall meet the requirements of the City of San Diego's Information Bulletin 560.

19. The Owner/Permittee shall ensure that the Covenant of Easement does not preclude a public recreation easement for trail purposes.

20. The Owner/Permittee shall irrevocably offer to dedicate in fee to the City of San Diego, Parcels A and B for MHPA and/or open space purposes. At no time will Parcels A and B be encumbered by any deed of trust and shall remain free and clear until at such time the City of San Diego accepts said lots. If it has been determined that there are parcels or portions thereof without Geologic Hazards determined to the satisfaction of the City Engineer, the City shall accept an irrevocable offer to dedicate those parcels for MHPA and/or open space purposes.

21. The City acknowledges that the Covenant of Easement and Irrevocable Offer of Dedication is a design feature of the project and is not required as mitigation for project biological impacts. Owner/Permittee may reserve to its self and successors in the Covenant of Easement Irrevocable Offer of Dedication the unrestricted right to use Parcels A and B for its own use as mitigation for biological impacts or to sell to third parties as mitigation for their biological impacts.

22. Conveyance of any land in fee to the City shall require approval from the Park and Recreation Department Open Space Division Deputy Director and shall exclude detention basins or other storm water control facilities, brush management areas, landscape/revegetation areas, and graded slopes; these features shall be privately owned and have a covenant of easement

recorded over them. Maintenance and management responsibilities shall be retained by the Owner/Permittee, unless otherwise agreed to by the City. A copy of the proposed/final method of conveyance shall be submitted to the Development Services Department and Multiple Species Conservation Planning section of the Planning Department.

23. The Subdivider/Owner/Permittee shall ensure that any lot(s) to be deeded to the city as open space are free and clear of all private easements, private encroachments, private agreement and/or liens, unless otherwise described in this permit.

24. The Subdivider/Owner/Permittee shall schedule an inspection with the Park & Recreation Department, Open Space Division prior to acceptance of the Irrevocable Offer of Dedication for lot(s) deeded to the City. All trash, illegal use and associated structures on the lot(s) shall be removed prior to the City acceptance.

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 December 4, 2014 and Resolution No. XXXX

PLANNING COMMISSION RESOLUTION NUMBER R-_____

PLANNING COMMISSION
TENTATIVE PARCEL MAP NO. 1244504

PIPITONE - PROJECT NO. 238861

DRAFT

WHEREAS, SAN YSIDRO INDUSTRIAL PARK, A CALIFORNIA LIMITED PARTNERSHIP/Owner, PARDEE/Subdivider, and RICK ENGINEERING/Engineer, submitted an application to the City of San Diego for Tentative Parcel Map No. 1244504 to subdivide one lot into three parcels for the Pipitone project. The 109-acre project site is located south of State Route 905, east of Interstate 805, and north of the international border with Baja, California, Mexico (Assessor's Parcel Nos. 667-010-2200 and 667-010-0100) in the AR-1-1 and IL-2-1 Zones and the Multiple Habitat Planning Area within the Otay Mesa Community Plan. The project site is legally described as Lot 4 of Section 6, Township 19 South, Range 1 West and Lot 3 and the north half of the southeast quarter of the northwest quarter of Section 6, Township 19 South, Range 1 West;

WHEREAS, the Map proposes the Subdivision of a 109-acre site into three (3) parcels; and;

WHEREAS, on December 4, 2014, the Planning Commission of the City of San Diego considered Tentative Parcel Map No. 1244504 pursuant to San Diego Municipal Code sections 125.0440 and 143.0141 and the Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Planning Commission

having fully considered the matter and being fully advised concerning the same; NOW

THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Tentative Parcel Map No. 1244504:

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

The project is for the subdivision of one lot into three parcels and includes a Site Development Permit to subdivide property with environmentally sensitive lands (ESL) and a Planned Development Permit to deviate from the street frontage requirements for Parcel A.

The Otay Mesa Community Plan Land Use Designations are: Open Space; Residential (Very Low, 0-5 dwelling units per acre [DU/AC]); Residential (Low, 5-10 DU/AC); Elementary School and Park. The project site is located within the Southwest Specific Plan area of the Otay Mesa Community Plan. Although the Land Use Map identifies a school and park on the site, they are included as placeholders based upon the future maximum number of dwelling units and population that could ultimately develop in the specific plan area. Upon its adoption as an amendment to the community plan, the Southwest Specific Plan will designate this area for residential development, in addition to specific school and park sites based upon population based requirements (which may not be in the same location as currently depicted).

The Otay Mesa Community Plan allows the creation of such lots consistent with the size allowed by the underlying zone. No other development or improvement activity is permitted or proposed with this action. Future development activity would be determined as part of the required subsequent entitlements and review. The minimum lot size for the AR-1-1 and IL-2-1 Zones are 10 acres and 15,000 square feet respectively. The proposed lots are 10, 52 and 47 acres in size and meet the minimum lot size. Therefore, the proposed project will not adversely affect the applicable land use plan.

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

The project is for the subdivision of one lot into three parcels and includes a Site Development Permit to subdivide within environmentally sensitive lands and a Planned Development Permit to deviate from the street frontage requirements for Parcel A. The proposed project is purely a mapping action; no development activity shall occur.

The subdivision complies with all development regulations for subdividing land with the exception of street frontage for Parcel A. The proposed subdivision will provide no street frontage for Parcel A. A private access easement from Parcel B to Parcel A is a condition the Tentative Parcel Map. Parcels A and B are also conditioned to execute a Covenant of Easement due to the MHPA and ESL. The purpose of this Covenant of Easement is to ensure that the parcels will be retained forever in a natural condition and to prevent any development that contains sensitive biological resources and steep hillsides.

Therefore, with the conditions contained in the Tentative Parcel Map and associated Permits the proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

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

The project is for the subdivision of one lot into three parcels and includes a Site Development Permit to subdivide within environmentally sensitive lands and a Planned Development Permit to deviate from the street frontage requirements for Parcel A. The proposed project is purely a mapping action; no development activity shall occur, and no such permits shall be issued, until a new project-specific Site Development Permit (and any other required permits) has been obtained as required by the San Diego Municipal Code. Therefore, the subdivision is physically suitable for the type and density of development.

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

The project is for the subdivision of one lot into three parcels and includes a Site Development Permit to subdivide within environmentally sensitive lands and a Planned Development Permit to deviate from. The proposed project is purely a mapping action; no development activity shall occur, and no such permits shall be issued, until a new project-specific Site Development Permit (and any other required permits) has been obtained as required by the San Diego Municipal Code. Therefore, the design of the subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

The project is for the subdivision of one lot into three parcels and includes a Site Development Permit to subdivide within environmentally sensitive lands and a Planned Development Permit to deviate from. The proposed project is purely a mapping action; no development activity shall occur, and no such permits shall be issued, until a new

project-specific Site Development Permit (and any other required permits) has been obtained as required by the San Diego Municipal Code.

Negative Declaration No. 238861 was prepared in accordance with the State of California Environmental Quality Act (CEQA) Guidelines and determined the project would not have a significant environmental effect. All future development and improvements shall be reviewed according to applicable regulations to ensure such activity will not be detrimental to the public health, safety and welfare.

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

The project is for the subdivision of one lot into three parcels and includes a Site Development Permit to subdivide within environmentally sensitive lands and a Planned Development Permit to deviate from. The proposed project is purely a mapping action; no development activity shall occur, and no such permits shall be issued, until a new project-specific Site Development Permit (and any other required permits) has been obtained as required by the San Diego Municipal Code. There are no easements acquired by the public at large for access through or use of the property.

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

The project is for the subdivision of one lot into three parcels and includes a Site Development Permit to subdivide within environmentally sensitive lands and a Planned Development Permit to deviate from. The proposed project is purely a mapping action; no development activity shall occur, and no such permits shall be issued, until a new project-specific Site Development Permit (and any other required permits) has been obtained as required by the San Diego Municipal Code. All future development and improvements shall be reviewed according to applicable regulations to ensure such activity conforms with the requirements for passive or natural heating and cooling opportunities as required by law.

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

The project is for the subdivision of one lot into three parcels and includes a Site Development Permit to subdivide within environmentally sensitive lands and a Planned Development Permit to deviate from. The proposed project is purely a mapping action; no development activity shall occur, and no such permits shall be issued, until a new project-specific Site Development Permit (and any other required permits) has been

obtained as required by the San Diego Municipal Code. The proposed subdivision is not proposing any housing and will not have an effect on the housing needs of the region.

9. The notices required by San Diego Municipal Code section 125.0431 have been given in the manner required (San Diego Municipal Code § 125.0444(a) and Subdivision Map Act §§ 66452.17; 66427.1).

The proposed project is purely a mapping action; no other development activity shall occur. The notices are not required and therefore this finding does not apply.

10. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing (San Diego Municipal Code § 125.0444(b)).

The project is for the subdivision of one lot into three parcels and includes a Site Development Permit to subdivide within environmentally sensitive lands and a Planned Development Permit to deviate from. The proposed project is purely a mapping action; no development activity shall occur, and no such permits shall be issued, until a new project-specific Site Development Permit (and any other required permits) has been obtained as required by the San Diego Municipal Code. There is no housing proposed therefore, this finding does not apply and no funds have been provided for housing.

11. For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed (San Diego Municipal Code § 125.0444(c)).

The project is for the subdivision of one lot into three parcels and includes a Site Development Permit to subdivide within environmentally sensitive lands and a Planned Development Permit to deviate from. The proposed project is purely a mapping action; no development activity shall occur, and no such permits shall be issued, until a new project-specific Site Development Permit (and any other required permits) has been obtained as required by the San Diego Municipal Code. There is no housing proposed therefore, this finding does not apply.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Planning Commission, Tentative Parcel Map No. 1244504, is hereby granted to

SAN YSIDRO INDUSTRIAL PARK, A CALIFORNIA LIMITED PARTNERSHIP/Owner,
PARDEE/Subdivider subject to the attached conditions which are made a part of this resolution
by this reference.

By _____
Renee Mezo
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24001768

PLANNING COMMISSION
CONDITIONS FOR TENTATIVE PARCEL MAP NO. 1244504

PIPITONE - PROJECT NO. 238861

ADOPTED BY RESOLUTION NO. R-_____ ON _____

DRAFT

GENERAL

1. This Tentative Parcel Map will expire on December 18, 2017.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
3. Prior to the recordation of the Parcel Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
4. The Tentative Parcel Map shall conform to the provisions of Site Development Permit No. 1244502 and Planned Development Permit No. 1309114.
5. No development activity other than the creation of three (3) lots shall occur, and no such permits shall be issued, until a new and project-specific Site Development Permit (and any other required permits) has been obtained as required by the San Diego Municipal Code.
6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its

Project No. 238861
TPM No. 1244504

own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

ENGINEERING

7. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

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

ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

INFORMATION:

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

Internal Order No. 24001768

Project No. 238861
TPM No. 1244504

RESOLUTION NUMBER R- _____

ADOPTED ON DECEMBER 4, 2014__

DRAFT _____

WHEREAS, on May 10, 2011, Pardee Homes submitted an application to Development Services Department for Site Development Permit No. 1244502, Tentative Parcel Map No. 1244504 and Planned Development Permit No. 1309114 for the Pipitone Tentative Map Waiver (Project); and

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

WHEREAS, the issue was heard by the Planning Commission on December 4, 2014; and

WHEREAS, the Planning Commission considered the issues discussed in Negative Declaration No. 238861 (Declaration) prepared for this Project; NOW THEREFORE,

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

BE IT FURTHER RESOLVED, that the Planning Commission finds on the basis of the entire record, including the Initial Study and any comments received, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

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

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

APPROVED:

By: _____
Renee Mezo
Development Project Manager

RESOLUTION NUMBER R- _____

ADOPTED ON DECEMBER 4, 2014__

DRAFT _____

WHEREAS, on May 10, 2011, Pardee Homes submitted an application to Development Services Department for Site Development Permit No. 1244502, Tentative Parcel Map No. 1244504 and Planned Development Permit No. 1309114 for the Pipitone Tentative Map Waiver (Project); and

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WHEREAS, the Planning Commission considered the issues discussed in Negative Declaration No. 238861 (Declaration) prepared for this Project; NOW THEREFORE,

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BE IT FURTHER RESOLVED, that the Planning Commission finds on the basis of the entire record, including the Initial Study and any comments received, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

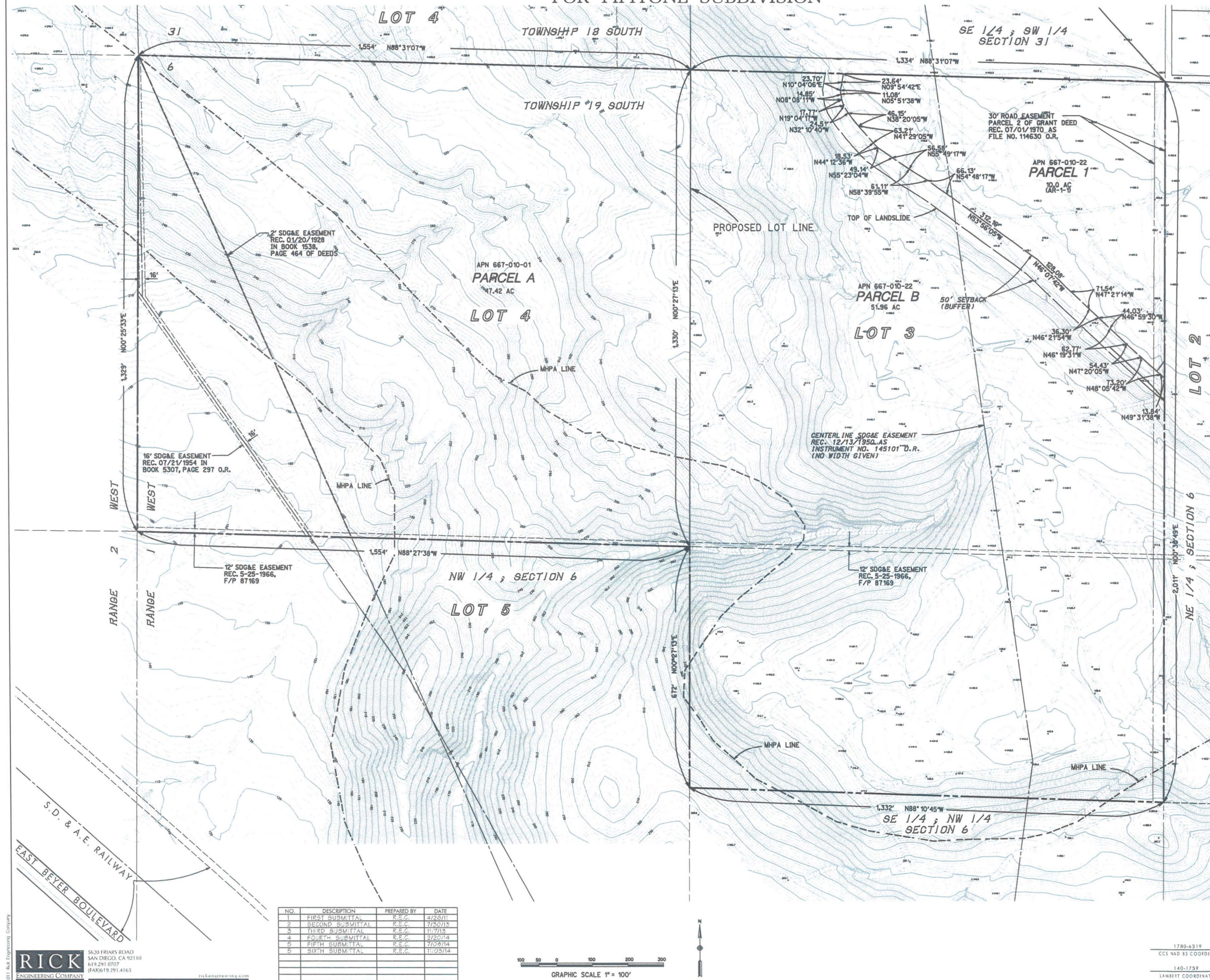
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APPROVED:

By: _____
Renee Mezo
Development Project Manager

TENTATIVE PARCEL MAP AND SITE DEVELOPMENT PERMIT AND PLANNED DEVELOPMENT PERMIT
FOR PIPITONE SUBDIVISION



Site Data

Parcel A: (APN: 667-010-01)
Area: 47.42 AC

Parcel B: (APN: 667-010-22)
Area: 51.96 AC

Parcel 1: (APN: 667-010-22)
Area: 9.45 AC

Gross Site Area: 108.83 ac.

General Notes

1. Existing Zoning: AR-1-1, IL-2-1
2. Proposed Zoning: No Change
3. Existing Community Plan: Otay Mesa, San Ysidro
5. There Is No Proposed Development
6. A Tentative Parcel Map Is Being Requested

Zone Overlays

Airport Influence Area (AIA), Fire Hazard Severity Zone & MHPA

Legal Description

Parcel A: [APN: 667-010-01]
Lot 4 of Section 6, Township 19 South, Range 1 West,
San Bernardino Meridian, in the City of San Diego,
County of San Diego, State of California, according
to the official plat thereof.

Parcel B/1: [APN: 667-010-22]
Lot 3 and the north half of the southeast quarter
of the northwest quarter of Section 6, Township 19
South, Range 1 West, San Bernardino Meridian, in the
City of San Diego, County of San Diego, State of
California, according to the official plat thereof.

LEGEND

Project Boundary.....

Proposed Lot Line.....

Land Slide Line.....

Land Slide Buffer.....

MHPA Line.....

Existing Major Contour----- 350
Existing Minor Contour-----
Existing Trail-----
Existing Spot Elevation----- X 486

VICINITY A
NOT TO SCALE

Owner / Developer
San Ysidro Industrial Park,
A California Limited Partnership

CHARLES V. PIPITONE, GENERAL PARTNER

ANTOINETTE SARASPE, GENERAL PARTNE

Engineer of Work
Rick Engineering Company
5620 Friars Road
San Diego, California 92110
(619) 291-0707

MICHAEL S. WHILE, RCE 49865

Prepared By:
Name: Rick Engineering Company
Address: 5620 Friars Road
San Diego, California 92118
Phone #: (619) 291-0707
Legal Description:

Revision 14: _____
Revision 13: _____
Revision 12: _____
Revision 11: _____
Revision 10: _____
Revision 9: _____
Revision 8: _____
Revision 7: _____
Revision 6: _____
Revision 5: 11/03/14
Revision 4: 07/08/14
Revision 3: 02/20/14
Revision 2: 11/07/13
Revision 1: 7/30/13

Project Name:
Pipitone Subdivision
Tentative Parcel Map 1244504
Site Development Permit 1244
Planned Development Permit 1
Sheet Title:
Tentative Parcel Map

Original Date 4/26/11
114 Sheet 1 of 1
PTS 238861

Job Number: 15013

**OTAY MESA PLANNING GROUP
MINUTES
December 7, 2011**

ATTENDANCE:**Members Present:**

Steve Gross
April Massarene
Mel Ingalls
Jimmy Ayala
Shane Harman
Nici Boon
Rob Hixson
Emil Wohl
Lisa Golden
Felipe Nuno
Kaitlan Murphy
Sarah Street

Members Absent:

Alejandra Mier y Teran
Wayne Dickey

1.- CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order by Chairman Hixson at 3:00 p.m. and introductions were made across the room.

2.- APPROVAL OF MINUTES

Did not have the minutes from November present. Will approve at January meeting

3.- PUBLIC INPUT

Lisa Golden: rash of break-ins at ocean view neighborhood during day.

4.- CHAIRMAN'S REPORT

Chairman's report: scoping meeting vernal pool conservation plan. Report to planning commission on Otay Tijuana cross border facility. Update from Theresa Millette on the community plan update. (passed out by Rob). Notification regarding the Riviera del sol neighborhood park construction. 5th assessment review letter for Metro Air Park.

5.- GOVERNMENT LIAISON REPORTS

- a. **COUNCILMAN HUESO'S OFFICE .-**
- b. **MAYOR'S OFFICE.-** No report
- c. **SUPERVISOR COX'S OFFICE.-** No report
- d. **ASSEMBLYMEMBER SALAS' OFFICE.-** No report given.
- e. **POLICE DEPARTMENT.-** Officer Carlos. Ocean View Hills, Remington Hills. Breakin's probably kids from the neighborhood skipping school.
- f. **FIRE DEPARTMENT.-** No report given.

6.- MONTHLY REPORTS

- a) **CPC – MEL INGALLS.-** nothing new

**OTAY MESA PLANNING GROUP
MINUTES
December 7, 2011**

- b) **BORDER TRANSPORTATION – Alejandra:**
- c) **COMMUNITY PLAN UPDATE.- Rob Hixson:** Rob passed around the update
- d) **FACILITIES FINANCING COMMITTEE.- none**
- e) **HEAVY INDUSTRIAL USE COMMITTEE – none**
- f) **SAN DIEGO AIRPORT ADVISORY COMMITTEE (AAC) – none**
- g) **CODE ENFORCEMENT.- Rob** went over with Officer Carlos about the issues we have discussed before.
- h) **CHAMBER UPDATE: Shane:** Meet and Greet with Councilman Alvarez dec. 9th
- i) **EAST OTAY MESA PROPERTY OWNERS' ASSOCIATION UPDATE: no report**

7.- INFORMATIONAL ITEMS.-

- a) None

8.- ACTION ITEMS

Appointment of Felipe Nuno to the Board: Residence lives in Dolphin Cove. Lived in area for 10 years. Been active in the school district and works for the department of defense. Father of 3 kids. Junior at San Ysidro high school, others go to ocean view hills. Moved by Jimmy to approve. Seconded by Nicci. Approved unanimously.

Pipitone Lot Split: Randy Rodriguez, Rick engineering. Jimmy Ayala recused. Lot split for Pardee homes. Pardee wants to purchase parcel 2 and split the lots. Total of 108 acres total lot. In the community plan update it is the western village. The northern part could be residential in future. Mel recommends, Shane seconds. Passed unanimously.

Urban Agriculture Proposed City Guidelines: Eric Robinson vice president San Diego beekeeping society. Jimmy moved for approval. Passed unanimously.

ATand T Presentation for cell tower: Monica Moretta- Swing, Real Estate Specialist, At Dennerly Road behind Wal-Mart. On Wal-Mart property. Motion by Jimmy, second by Felipe Nuno. Passed unanimously.

Sprint Cell Site: Otay Mesa Park, Debra not here. Letter passed out by April Massarene. Lady spoke that her house is 4th house from proposed cell tower. She said she paid extra because of view. Told her that behind her house is park. Finally park is going to happen and sprint wants their tower. April spoke that is #3 as the preferred location. There are other options that would be better for the homeowners. No vote because Debra from Sprint is not here.

10.- ADJOURNMENT

The meeting was adjourned

OWNERSHIP DISCLOSURE

Pipitone Tentative Parcel Map Project No. 238861

SAN YSIDRO INDUSTRIAL PARK, a California limited partnership

General Partner, Border Development Co., a California general partnershi

LIMITED PARTNERS:

Bertha Cavesina, Trustee of the Cavesina Family Trust, created by a Revocable Inter Vivos Trust dated July 3, 1996

Angelo Cusumano Jr., Trustee or Successor Trustee of the Angelo Cusumano Trust, dated Aprill3, 1993

Maria Hayes, Trustee of the Liborio Dia and Josephine Dia Trust

Lori Fogolini
Anthony J. Gelardi

Salvatore M. Gelardi

Thomas C. Gelardi

Antoinette Saraspe , Trustee of the Gelardi BP Trust

Anthony J. Mancuso

Antonina Mirabile, Trustee of the Antonina Mirabile Trust

ANNA R. NIOTTA, TRUSTEE OF THE ANNA R. NIOTTA TRUST, created February 22, 2006

Charles V. Pipitone, Trustee of the Charles V. Pipitone Revocable Trust

Ellen Fager

The William Thompson Trsut c/o Elizabeth S. Del Pozo, Successor

Martin Thompson