



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: June 16, 2016 REPORT NO. PC-16-046

HEARING DATE: June 23, 2016

SUBJECT: CREEKSIDE POINTE, Process Four Decision.

PROJECT NUMBER: [424931](#)

OWNER/APPLICANT: JACK MC GRORY/LJMJM Naranja LLC.

SUMMARY:

Issue: Should the Planning Commission approve the development of 24 townhomes, located at 5282 Naranja Street, in the RM-2-5 Zone within the Encanto Community Plan area?

Staff Recommendations:

1. **Certify** the Addendum to the Southeastern San Diego Community Plan 2015 Environmental Impact Report No. 386029 that was prepared for this project, and Adopt the Mitigation Monitoring and Reporting Program;
2. **Approve** Tentative Map No. 149351;
3. **Approve** Site Development Permit No. 1494353; and
4. **Approve** Planned Development Permit No. 1494352.

Community Planning Group Recommendation: On July 20, 2015, the Encanto Neighborhood Community Planning Group voted (9-0-1) to recommend approval of the project as proposed (Attachment 10).

Environmental Review: An Addendum to the Southeastern San Diego Community Plan 2015 Environmental Impact Report No. 424931 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines.

Fiscal Impact Statement: None with this action. All cost associated with the processing of this project are paid by the applicant through a deposit account.

Housing Impact Statement: The 1.55-acre site is designated by the Encanto Community Plan for residential development at 15-29 dwelling units per acre (du/ac). Based on the gross acreage, the subject site could accommodate between 23-45 dwelling units. However, the site is constrained by sloping topography and the Chollas Creek tributary along the north side of the site, therefore only 24 units are proposed in order to respect the natural terrain and sensitive habitat associated with the creek system. The applicant is restricting ten percent of the for-sale units to households earning 100% or less of Area Median Income (Attachment 8). Accordingly, the project provides two affordable for sale housing units on site, in compliance with the Inclusionary Housing Ordinance.

BACKGROUND

The 1.55-acre site is located at 5282 Naranja Street in the RM-2-5 Zone within the Encanto Community Plan area in the neighborhood of Valencia Park (Attachment 2). The project site is bounded on the east and west by developed residential property, on the south by Naranja Street, and on the north by a San Diego Metropolitan Transit System (MTS) railway easement, which contains an active trolley line, and the Encanto Branch of the South Las Chollas Creek Floodway. The project site is not within the Multiple Habitat Planning Area and has been previously disturbed. The Encanto Community Plan designates the site for medium density multi-family residential development at a rate of 15-29 du/ac. Therefore, the site could potentially accommodate 23 - 45 dwelling units, and the proposed 24 dwelling units are within the allowed density range (Attachment 1).

The undeveloped site contains gently sloping terrain that descends toward Chollas Creek to the north (Attachment 3) and is constrained to the north by a railway easement and the Encanto Branch of the South Las Chollas Creek Floodway. The high point of the site is approximately 140 feet Above Mean Sea Level (AMSL) with a low point of approximately 120 feet AMSL or 20 vertical feet across the site. Approximately 0.22-acre of the northern portion of the site is located within the Federal Emergency Management Agency (FEMA) 100-year floodway.

The project site is well served by public transportation choices. A major multi modal transit hub is within a five minute walk of the project. The nearest bus stop (Imperial Avenue and 54th Street) is approximately two blocks north. A second bus stop (located at the intersection of Euclid Avenue and Naranja Street) is approximately three blocks east of the project, and the Euclid Avenue trolley stop is four blocks to the east of the site. From this transportation hub, transit connections can easily be made to the downtown employment center and other transit served areas of San Diego.

DISCUSSION

Project Description:

The project proposes the construction of 24-townhomes, consisting of six two-story buildings with four units each, totaling 32,346 square feet. The RM-2-5 Zone allows for multi-family residential development; the allowed density of the RM-2-5 Zone is one dwelling unit per 1,500 square feet of lot area for a maximum of 45 units allowed onsite. The three-bedroom units are two stories over enclosed garages.

Site access will be provided by two City standard driveways with curb ramps with truncated domes on Naranja Street. The project is required to provide 54 parking spaces.

Project plans show the provision of 48 garage parking spaces (24 two-car garages) and six uncovered spaces for a total of 54 spaces. In addition, the project will provide a central landscaped corridor through the middle of the project. Outdoor use areas are provided on the project site in the form of private patios, balconies, a common play and picnic area with prominent views to Chollas Creek.

Approximately 78 percent of the site would be graded and is limited to the amount necessary to construct the project. Grading would result in 1,800 cubic yards of cut and 9,700 cubic yards of fill, which requires the import of 7,900 cubic yards of soil. The project would improve the site by providing new housing on a vacant site that has been under used as an illegal dumping site in previous years.

All required permitting actions are being consolidated under this application and processed concurrently, pursuant to the Consolidation of Processing regulations contained in SDMC Section [112.0103](#). As proposed, the project requires a Process Four decision, with appeal rights to the City Council.

Site Development Permit (SDP):

The project requires the following Site Development Permits; (1) Process Three is required for consolidated lots where more than 11 dwelling units are proposed in the RM-2-5 Zone, SDMC Section [126.0502](#); (2) Process Three is required for multiple unit development on a premises containing Environmentally Sensitive Lands (ESL) SDMC Section [143.0110](#); (3) Process Three is required for development of a Small Lot Subdivision (SLS) SDMC Section [143.0365](#); (4) Process Four is required for subdivision of a premise that contains ESL [143.0110](#).

The project is subdividing a 1.55-acre site in the RM-2-5 Zone of the Encanto Community Planning Area into 26 lots, 24-townhomes and two undevelopable lots. The 24-townhomes are consistent with the density of the RM-2-5 Zone, which allows for the construction of single dwelling units. The intent of the SLS ordinance is to encourage development of single dwelling units on small lots in order to provide a space-efficient and economical alternative to traditional single dwelling unit development. The two non-buildable lots within the subdivision will become homeowner association lots which will include all the common use areas governed by a Mutual Maintenance and Access Agreement per SDMC Section [143.0365\(f\)](#). The SDP contains conditions requiring the Mutual Maintenance and Access Agreement.

The proposed project would provide market rate and affordable home ownership opportunities for low to moderate income families in the Valencia Park neighborhood. The proposed development is consistent with the design standards of the Encanto Community Plan, including a comparative analysis of the surrounding development, open space requirements and conformance to the community plan. As proposed, staff believes the required findings can be made to support approval of the Site Development Permit required for project construction (Attachment 7).

Planned Development Permit (PDP):

A Process Four PDP is required per SDMC Section [126.0604](#) to allow one deviation from the development regulations of the RM-2-5 Zone. The deviation would allow two small portions of the side-yard retaining walls to exceed the six-foot height limit.

The eastern retaining wall is proposed to exceed the maximum allowed height of six feet with a height of seven feet, ten inches for approximately 20 feet near Naranja Street where the abutting development pad is higher than the existing and proposed grade. The proposed development includes grade breaks in the pad elevation from south to north to accommodate the change in elevation; however, the slope of the topography causes short portions of the retaining walls to exceed the maximum height of six feet.

The western retaining wall exceeds the maximum allowed height of six feet for approximately 45 feet where the abutting property slopes steeply down to the site. In order to grade the project, implement the Encanto Community Plan, and respect the Encanto branch of Chollas Creek, a retaining wall is included to protect the abutting development. The western retaining wall, which is oriented toward the abutting property, will have a maximum height of eight feet.

The proposed development is consistent with the design standards of the [Planned Development Permit Ordinance](#) which requires a comparative analysis of the surrounding development, open space requirements and conformance to the community plan. The natural topographic conditions are unique due to a topographical change in elevation of 20 feet across the project site. Additionally, current residential development on the east and west of the existing lot present challenges to the project design for meeting the required development regulations.

When considered as a whole, the proposed project deviations are supported by staff based upon the overall design of the project.

Tentative Map (TM):

A Tentative Map is required to subdivide the site into 26 lots to accommodate the construction of the 24 townhomes. Conditions of the TM include requiring onsite utilities to be undergrounded and the provision of a street light on Naranja Street. The Encanto Community Plan contains a section on General Plan conformance and identifies goals for residential development. One goal emphasizes the maintenance and enhancement of existing stable residential neighborhoods, which is consistent with the General Plan objectives for older communities which stress the preservation of established communities, the conservation of the social-environmental characteristics of the community and the rehabilitation of deteriorating neighborhoods. The infill development project would implement this guideline through a design that respects the character of the surrounding community. 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. As proposed, staff believes the required findings can be made to support approval of the requested TM.

Community Plan Analysis:

The project site is located in the Valencia Park neighborhood of the Encanto Community Plan. The City of San Diego General Plan and the Encanto Community Plan designate the site for multi-family development at a medium density (15-29 du/ac). The 1.55-acre property could accommodate up to 45 dwelling units on the site and the proposed 24 dwelling units is within the allowed density range. The project is compatible with the appearance of the existing neighborhood and will incorporate façade, articulation and architectural details similar in scale, color and appearance of the existing neighborhood.

The General Plan contains a chapter on Balanced Communities and Equitable Development that includes a policy (LU-H.2) to provide affordable housing throughout the City so that no single area experiences a disproportionate concentration. The applicant would comply with the Inclusionary Housing Ordinance by restricting ten percent of the for-sale units (total of two) to households earning 100% or less of Area Median Income. Overall the project implements the goals and policies of the document by creating a multi-family residential development that accommodates a portion of the community's residential needs, while minimizing the environmental impacts of the development. The project design is consistent with the community's land use plan with the creation of a 24 residential units, as envisioned in the Encanto Community Plan. The proposed development is consistent with the City's General Plan and implements the goals and policies through the provision of residential development for the region.

The Encanto Community Plan contains a section on General Plan conformance and identifies goals for residential development. One goal emphasizes the maintenance and enhancement of existing stable residential neighborhoods, which is consistent with the General Plan objectives for older communities which stress the preservation of established communities, the conservation of the social-environmental characteristics of the community and the rehabilitation of deteriorating neighborhoods. The proposal would implement these objectives through a design that respects the existing two-story, pitched-roof character of the surrounding community. The project will not be in conflict with the General Plan and will be developed in accordance with the policies of the Encanto Community Plan.

Environmental Analysis:

An Addendum to the Southeastern San Diego Community Plan 2015 Environmental Impact Report No. 386029 was prepared for this project in accordance with the State of California Environmentally Quality Act (CEQA) Guidelines. The site is not within or adjacent to the City's MHPA. Mitigation for impacts to sensitive biological resources shall be provided pursuant to the City's Biology Guidelines. The proposed project includes mitigation measures to offset impacts to the environments in the area of Biological, Historical Resources (Archeology) and Paleontological Resources. Implementation of the Mitigation, Monitoring and Reporting Program as well as permit conditions would reduce impacts to below a level of significance.

The proposed development would result in impacts on approximately 1.35-acres of land, including 0.32-acres of lands identified as sensitive uplands (Tier I –IIIB) in the City of San Diego's Biology Guidelines. Pursuant to the City of San Diego's CEQA Significance Determination Thresholds and Biology Guidelines Total upland impacts (Tier 1-III) greater than 0.1 acre are considered significant and require mitigation.

Thus, impacts to 0.26-acre of Diegan coastal sage scrub habitats (including 0.13-acre of Diegan coastal sage scrub dominated by *Ambrosia monogyra*) and 0.05-acre of non-native grassland are considered significant. The applicant has elected to pay into the Habitat Acquisition Fund at a rate of \$35,000 per acre for impacts to approximately 0.32-acres of habitat. Impacts on Tier IV habitats are not considered significant and do not require mitigation.

Conclusion:

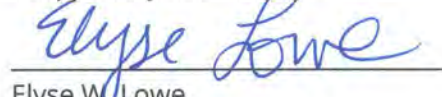
Staff has reviewed the proposed project and believes it to be in conformance with adopted City Council policies and regulations of the Land Development Code.

Staff has provided draft findings to support approval of the project (Attachments 6 and 7) and draft conditions of approval (Attachment 8). Staff recommends the Planning Commission approve the project as proposed.

ALTERNATIVES

1. Approve Site Development Permit No. 1494353, Planned Development Permit No. 149352 and Tentative Map No. 149351 with modifications.
2. Deny Site Development Permit No. 1494353, Planned Development Permit No. 149352 and Tentative Map No. 149351, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Elyse W. Lowe
Deputy Director
Development Services Department



Derrick Johnson
Development Project Manager
Development Services Department

Attachments:

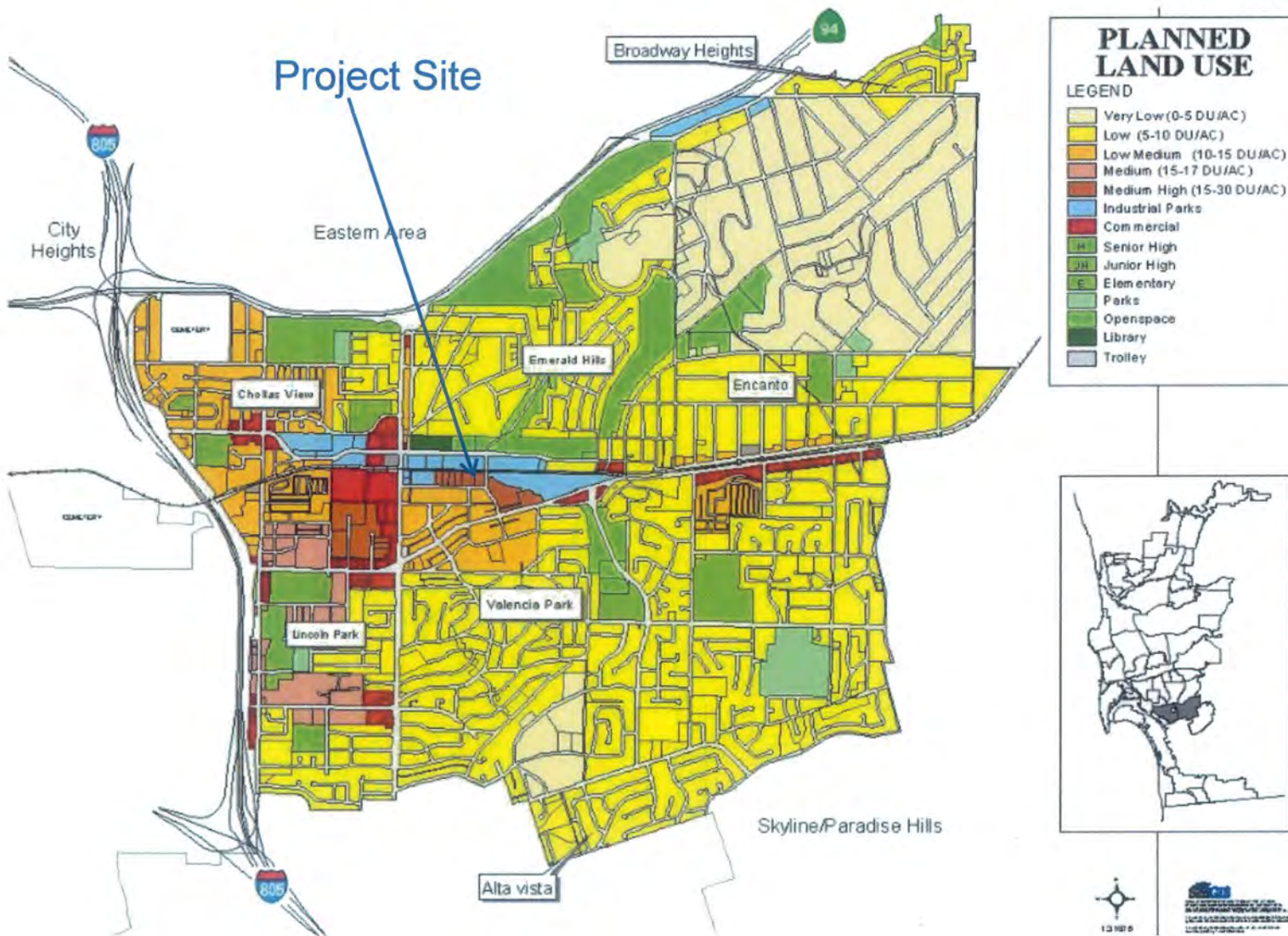
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Project Site Plan
5. Site Topography, Sheet C-3 & C-4
6. Environmental Resolution with MMRP
7. Draft Permit Resolution with Findings
8. Draft Permit with Conditions
9. Draft Map Resolution with Findings
10. Draft Map Conditions
11. Remaining Project Plans
12. Community Planning Group Recommendation
13. Ownership Disclosure Statement



Project Location Map

CREEKSIDE POINTE TENTATIVE MAP –
416-440 54TH STREET AND 5282 NARANJA STREET
PROJECT NO. 424931





Land Use Map

CREEKSIDE POINTE TENTATIVE MAP –
416-440 54TH STREET AND 5282 NARANJA STREET
PROJECT NO. 424931



North

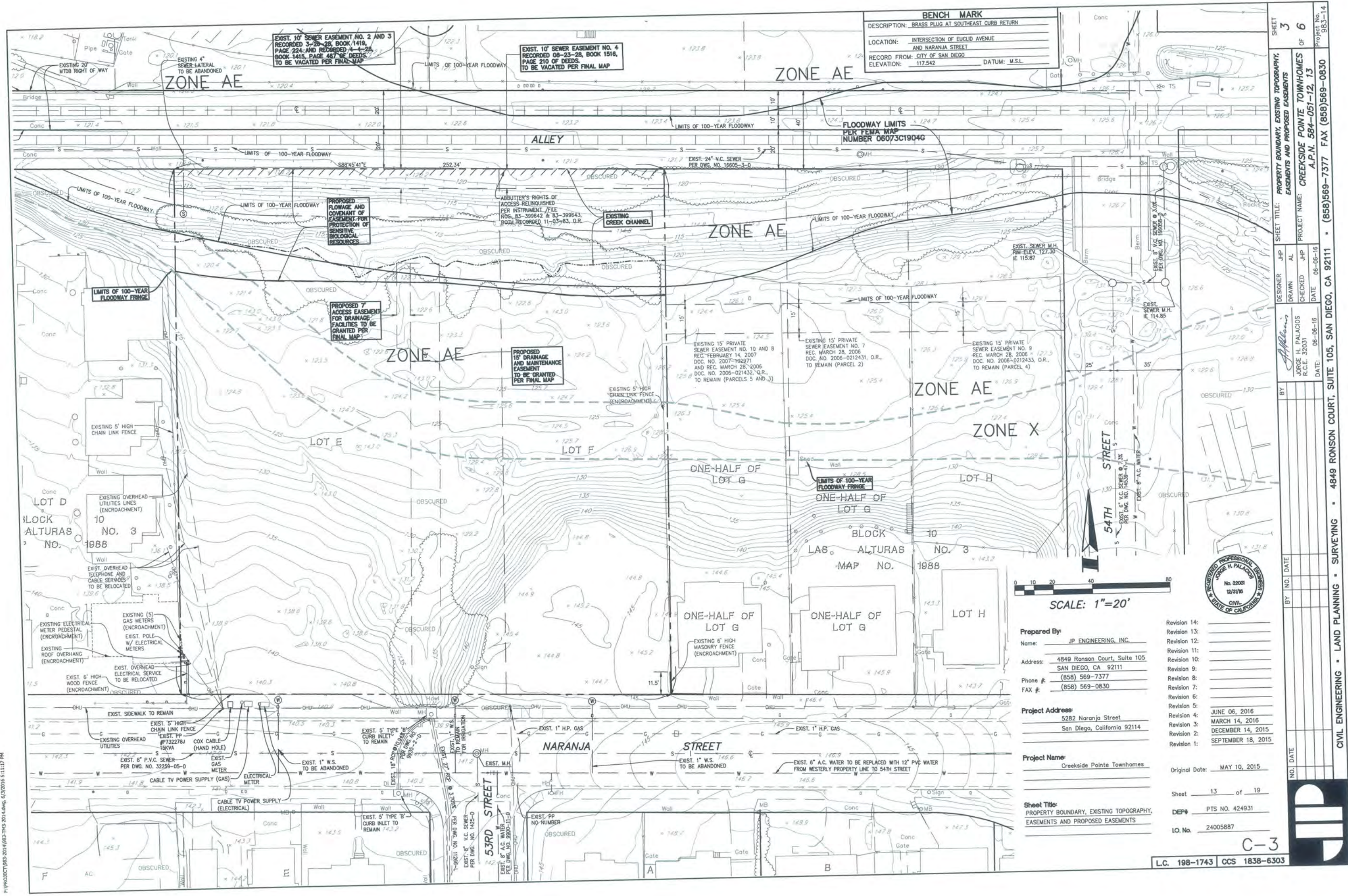




Location Aerial Photo

CREEKSIDE POINTE TENTATIVE MAP –
416-440 54TH STREET AND 5282 NARANJA STREET
PROJECT NO. 424931





BENCH MARK
DESCRIPTION: BRASS PLUG AT SOUTHEAST CURB RETURN
LOCATION: INTERSECTION OF EUCLID AVENUE AND NARANJA STREET
RECORD FROM: CITY OF SAN DIEGO
ELEVATION: 117.542 DATUM: M.S.L.

FLOODWAY LIMITS
PER FEMA MAP
NUMBER 06073C1904G

EXIST. 10" SEWER EASEMENT NO. 2 AND 3
RECORDED 3-28-28, BOOK 1419,
PAGE 224 AND RECORDED 4-1-28,
BOOK 1415, PAGE 487 OF DEEDS.
TO BE VACATED PER FINAL MAP

EXIST. 10" SEWER EASEMENT NO. 4
RECORDED 08-23-28, BOOK 1516,
PAGE 210 OF DEEDS.
TO BE VACATED PER FINAL MAP

PROPOSED FLOWAGE AND
COVENANT OF
EASEMENT FOR
PROTECTION OF
SENSITIVE
BIOLOGICAL
RESOURCES

ABUTTER'S RIGHTS OF
ACCESS RELINQUISHED
PER INSTRUMENT, FILE
NOS. 83-399642 & 83-399643,
BOTH RECORDED 11-03-83, O.R.

PROPOSED 7' ACCESS EASEMENT
FOR DRAINAGE
FACILITIES TO BE
GRANTED PER
FINAL MAP

PROPOSED 15' DRAINAGE
AND MAINTENANCE
EASEMENT
TO BE GRANTED
PER FINAL MAP

Prepared By:
Name: J.P. ENGINEERING, INC.
Address: 4849 Ranson Court, Suite 105
SAN DIEGO, CA 92111
Phone #: (858) 569-7377
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Project Address:
5282 Naranja Street
San Diego, California 92114

Project Name:
Creekside Pointe Townhomes

Sheet Title:
PROPERTY BOUNDARY, EXISTING TOPOGRAPHY,
EASEMENTS AND PROPOSED EASEMENTS

- Revision 14: _____
Revision 13: _____
Revision 12: _____
Revision 11: _____
Revision 10: _____
Revision 9: _____
Revision 8: _____
Revision 7: _____
Revision 6: _____
Revision 5: _____
Revision 4: JUNE 06, 2016
Revision 3: MARCH 14, 2016
Revision 2: DECEMBER 14, 2015
Revision 1: SEPTEMBER 18, 2015

Original Date: MAY 10, 2015
Sheet 13 of 19
DEP: PTS NO. 424931
LO No. 24005887



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|---|--|------|----|--|-----|------|----------|--|----------|---|--|----|
| NO. | | DATE | BY | | NO. | DATE | DESIGNER | | JHP | SHEET TITLE: PROPERTY BOUNDARY, EXISTING TOPOGRAPHY, EASEMENTS AND PROPOSED EASEMENTS | | 3 |
| | | | | | | | DRAWN | | AL | PROJECT NAME: CREEKSIDE POINTE TOWNHOMES | | 6 |
| | | | | | | | CHECKED | | JHP | A.P.N. 584-051-12, 13 | | OF |
| | | | | | | | DATE | | 06-06-16 | Project No. 583-14 | | |
| | | | | | | | DATE: | | 06-06-16 | Project No. 583-14 | | |
| CIVIL ENGINEERING • LAND PLANNING • SURVEYING • 4849 RONSON COURT, SUITE 105, SAN DIEGO, CA 92111 • (858)569-7377 FAX (858)569-0830 | | | | | | | | | | | | |

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C-3

L.C. 198-1743 CCS 1838-6303





RESOLUTION NUMBER R-

ADOPTED ON

WHEREAS, on November 16, 2016, the City Council of the City of San Diego considered an amendment to the Encanto Community Plan; and

WHEREAS, on November 16, 2016, as part of that consideration, the City of San Diego City Council adopted Resolution No.310077, certifying Environmental Impact Report No. 386029, a copy of which is on file in the Development Services Department in accordance 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.); and

WHEREAS, on June 8, 2016, LJMJM Naranja LLC submitted an application to the Development Services Department for approval of minor technical changes or additions to the Project; and

WHEREAS, State CEQA Guidelines section 15164(a) allows a lead agency to prepare an Addendum to a final Environmental Impact Report if such Addendum meets the requirements of CEQA;

NOW, THEREFORE,

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

1. That the information contained in the final Addendum to Environmental Impact Report No. 386029 along with the Addendum thereto, has been reviewed and considered by this Planning Commission prior to making a decision on the Project.
2. That there are no substantial changes proposed to the Project and no substantial changes with respect to the circumstances under which the Project is to be undertaken that would require major revisions in the Addendum to Environmental Impact Report for the Project.
3. That no new information of substantial importance has become available showing that the Project would have any significant effects not discussed previously in the Addendum to Environmental Impact Report or that any significant effects previously examined will be substantially more severe than shown in the Addendum to Environmental Impact Report.
4. That no new information of substantial importance has become available showing that mitigation measures or alternatives previously found not to be feasible are in fact feasible which would substantially reduce any significant effects, but that the Project proponents decline to adopt, or that there are any considerably different mitigation measures or alternatives not previously considered which would substantially reduce any significant effects, but that the Project proponents decline to adopt.
5. That pursuant to State CEQA Guidelines Section 15164, only minor technical changes or additions are necessary, and therefore, the Planning Commission adopts Addendum to

Environmental Impact Report No. 386029 with respect to the Project, a copy of which is on file in the office of the Development Services Department.

6. That pursuant to CEQA Section 21081.6, the Planning Commission adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this Planning Commission in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.
7. 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: DEVELOPMENT PROJECT MANAGER

By: _____
Derrick Johnson, Development Project Manager

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

Tentative Map (TM), Planned Development Permit (PDP) and Site Development Permit (SDP) for
 Environmentally Sensitive Lands (ESL)
 PROJECT NO. 424931

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Addendum to Environmental Impact Report No. 386029 shall be made conditions of TM, PDP, and SDP for ESL as may be further described below.

VI. MITIGATION, MONITORING AND REPORTING PROGRAM INCORPORATED INTO THE PROJECT:

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

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.

2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, **"ENVIRONMENTAL/MITIGATION REQUIREMENTS."**

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

<http://www.sandiego.gov/development-services/industry/standtemp.shtml>

4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

5. **SURETY AND COST RECOVERY** - The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

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

1. PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT. The PERMIT HOLDER/OWNER is responsible to arrange and perform

this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

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

Note:

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

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**

2. MMRP COMPLIANCE: This Project, Project Tracking System (PTS) # 424931 and /or Environmental Document # 424931, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc).

Note:

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

3. OTHER AGENCY REQUIREMENTS: Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

NONE REQUIRED

4. MONITORING EXHIBITS

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

NOTE:

Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

5. OTHER SUBMITTALS AND INSPECTIONS:

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

| DOCUMENT SUBMITTAL/INSPECTION CHECKLIST | | |
|--|---|---|
| Issue Area | Document Submittal | Associated Inspection/Approvals/Notes |
| General | Consultant Qualification Letters | Prior to Preconstruction Meeting |
| General | Consultant Construction Monitoring Exhibits | Prior to or at Preconstruction Meeting |
| Biology | Biologist Limit of Work Verification | Limit of Work Inspection |
| Archaeology | Archaeology Reports | Archaeology/Historic Site Observation |
| Paleontology | Paleontology Reports | Paleontology Site Observation |
| Bond Release | Request for Bond Release Letter | Final MMRP Inspections Prior to Bond Release Letter |

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS**BIO-1: BIOLOGICAL RESOURCE PROTECTION DURING CONSTRUCTION with AVIAN PROTECTION MITIGATION****I. Prior to Construction**

- A. **Biologist Verification** - The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (2012), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.
- B. **Preconstruction Meeting** - The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.
- C. **Biological Documents** - The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.
- D. **BCME** -The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: restoration/revegetation plans, plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland

buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.

- E. **Avian Protection Requirements** - To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.
- F. **Resource Delineation** - Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.
- G. **Education** - Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

II. During Construction

- A. **Monitoring** - All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSV). The CSV shall be e-mailed to MMC on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.

- B. Subsequent Resource Identification** - The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna onsite (e.g., flag plant specimens for avoidance during access, etc). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state or federal regulations have been determined and applied by the Qualified Biologist.

III. Post Construction Measures

- A. In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

BIO-2: Habitat Acquisition Fund:

Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the owner/permittee shall contribute to the City of San Diego Habitat Acquisition Fund (HAF) to mitigate for the loss of 0.320 acre of Diegan coastal sage scrub (Tier II) and Non-native Grasslands (Tier IIIB). This fee is based on mitigation ratios, per the City of San Diego Biology Guidelines, of 1:1 for Diegan coastal sage scrub and 0.5:1 for Non-native Grassland preserved within the MHPA. Therefore, the resulting total mitigation required for direct project impacts for a total of 0.291 acres equivalent contribution to the City's Habitat Acquisition Fund (HAF) plus a ten percent (10%) administrative fee.

D. 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 (¼ 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 (CSVSR). The CSVSR'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 CSV 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.

E. PALEONTOLOGICAL RESOURCES

I. Prior to Permit Issuance

A. Entitlements Plan Check

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

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

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

B. PI Shall Attend Precon Meetings

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

2. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

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

III. During Construction

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

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

B. Discovery Notification Process

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

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
 - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
2. The following procedures shall be followed.
 - a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSV and submit to MMC via fax by 8AM on the next business day.
 - b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.

c. Potentially Significant Discoveries

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

- d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If night work becomes necessary during the course of construction

1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
2. The RE, or BI, as appropriate, shall notify MMC immediately.

C. All other procedures described above shall apply, as appropriate.

V. Post Construction

A. Preparation and Submittal of Draft Monitoring Report

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

The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
4. MMC shall provide written verification to the PI of the approved report.
5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Fossil Remains

1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.

C. Curation of fossil remains: Deed of Gift and Acceptance Verification

1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

D. Final Monitoring Report(s)

1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

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

PLANNING COMMISSION
SITE DEVELOPMENT PERMIT NO. 1494353
PLANNED DEVELOPMENT PERMIT NO. 1494352
CREEKSIDE POINTE TM PROJECT NO. 424931
[MMRP]

LJMJM NARANJA LLC, Owner/Permittee, filed an application with the City of San Diego for a permit to allow the development of 24 townhomes, consisting of six, two-story buildings with four units each, totaling 32,346 square feet (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Site Development Permit No. 149353 and Planned Development Permit No. 1494352) on portions of a 1.55-acre site;

WHEREAS, the project site is located at 5282 Naranja Street in the RM-2-5 Zone, within the Encanto Community Plan area;

WHEREAS, the project site is legally described as Lots E and F in Block 10 of La Alturas, Map No. 1988, San Diego County;

WHEREAS, on June 23, 2016, the Planning Commission of the City of San Diego considered Site Development Permit No. 149353 and Planned Development Permit No. 1494352 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 June 23, 2016.

FINDINGS:

Site Development Permit Findings, SDMC 126.0504

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

The project proposes the construction of 24 residential townhomes on a vacant 1.55-acre site located in the Valencia Park neighborhood of the Encanto Community Plan, which designates the site for medium density residential development at a rate of 15-29 dwelling units per acre (du/ac) or 23 to 47 dwelling units allowed onsite. Therefore, the proposed 24 residential units complies with the land use designation of the Encanto Community Plan.

The Encanto Community Plan contains a section on General Plan conformance and identifies goals for residential development. One goal emphasizes the maintenance and enhancement of existing stable residential neighborhoods, which is consistent with the General Plan objectives for the preservation of established communities, the conservation of the community's social-environmental characteristics and the rehabilitation of deteriorating neighborhoods.

This infill development project would implement these objectives through a design that respects the character of the surrounding community. Both multi-family and single-family residential are the primary existing land uses of the immediate neighborhood and the proposed multi-family development maintains that character. The project will be compatible with the appearance of the existing neighborhood and will incorporate façade, articulation and architectural details similar in scale, color and appearance of the existing development. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

Adequate levels of essential public services are available to serve the project, including police, fire, and emergency medical services. The project is located in a developed residential neighborhood and the addition of 24 dwelling units is consistent with the existing use and intensity of the area. The site is served by developed streets and public utility facilities with access to be provided from two City standard driveways on Naranja Street. In addition, any existing non-standard and/or damaged public improvements, including curb, gutter and sidewalk would be replaced.

The project will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of this site contain specific conditions addressing compliance with the City's codes, policies, regulations and other regional, state, and federal regulations. Also, conditions of approval require the review and approval of all construction plans by professional staff to ensure the project will comply with all building code regulations. The project will be inspected by certified building and engineering inspectors to assure construction is in accordance with the approved plans and all applicable regulations.

Approximately 0.22-acres of the northern portion of the site is located within the 100-year floodway and the applicant is required to obtain a Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA) prior to issuance of any grading, engineering, or building permits. No work is allowed within the regulatory floodway and all residential structures built within the flood fringe of the Special Flood Hazard Area (SFHA) must be constructed with the lowest floor elevated a minimum of two feet above the base flood elevation at that location.

The project was reviewed by the Airport Land Use Commission (ALUC) of the San Diego County Regional Airport for a consistency determination. The ALUC determined that the project was consistent and meets their requirements. An Addendum to the Southeastern San Diego Community Plan 2015 Environmental Impact Report was prepared for this project in accordance with the State of California Environmentally Quality Act (CEQA) Guidelines. The proposed project includes mitigation measures to offset environmental impacts to Biological, Historical Resources (Archeology) and Paleontological Resources. Implementation of the Mitigation, Monitoring and Reporting Program (MMRP) as well as permit conditions would reduce impacts to below a level of significance. Therefore, the project 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 allowable deviations pursuant to the Land Development Code.

The proposed use of the 1.55-acre site for the development of 24 residential townhomes is consistent with the RM-2-5 Zoning designation. The RM-2-5 Zone allows for multi-family residential development at a density of one dwelling unit per 1,500 square feet of lot area for a maximum of 45 units allowed onsite. As designed, the project meets all applicable development regulations of the Land Development Code, including height, setbacks, parking and landscaping.

The applicant is requesting one deviations from the RM-2-5 Zone, which is allowed with the approval of a Planned Development Permit (PDP). The deviation would allow two small portions of the side-yard retaining walls to exceed the six-foot height limit. The eastern retaining wall exceeds the maximum height of six feet for approximately 20 feet near Naranja Street where the abutting development pad is higher than the existing and proposed grade. This wall would be oriented internal to the project with a maximum height of seven feet, ten inches. The western retaining wall exceeds the maximum height of six feet. This wall would be oriented toward the abutting property with a maximum height of eight feet, for approximately 45 feet where the abutting property slopes steeply down to the site.

The proposed development includes grade breaks in the pad elevation from south to north to accommodate the change in elevation; however, the slope of the topography causes short portions of the retaining walls to exceed the maximum height of six-feet. In order to grade the project, implement the Encanto Community Plan, and respect the Encanto branch of Chollas Creek and protect the abutting development, the retaining wall deviations are appropriate and the minimum necessary to implement the project.

The use of the Small Lot Subdivision (SLS) ordinance is required for development of single dwelling units in a small lot subdivision. The project is subdividing a small lot in the RM-2-5 Zone of the Encanto Community Planning Area. The 24- townhomes are consistent with the density of the RM-2-5 Zone, which allows for the construction of single dwelling units. The intent of the SLS is to encourage development of single dwelling units on small lots in order to provide a space-efficient and economical alternative to traditional single dwelling unit development. The SLS will be designed as a 26 lot subdivision with a Mutual Maintenance and Access Agreement for all facilities used in common. The proposed development is consistent with the design standards of the Encanto Community Plan.

The natural topographic conditions are unique and current residential development east and west of the existing lot presents challenges to design a project that meets the required development regulations. The property is also constrained due to a topographical change in elevation of 20 feet across the project site.

When considered as a whole, the proposed deviation is supported by staff based upon the overall design of the project. The project would provide home ownership opportunities for low to moderate income families in quality housing that includes all required public improvements and services. Therefore, the proposed development will comply with the

regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

(b) Supplemental Findings--Environmentally Sensitive Lands.

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

The vacant 1.55-acre site is located in a developed residential neighborhood and is served by existing streets and public utility facilities, with site access to be provided by two driveways on Naranja Street. The Encanto Community Plan designates the site for medium density residential development at a rate of 15-29 dwelling units per acre (du/ac) or 23 to 45 dwelling units allowed onsite. Therefore the proposed 24 dwelling units are suitable for the proposed project.

The project site is located outside the Multiple Habitat Planning Area (MHPA) and was previously disturbed. The proposed development respects the Encanto branch of the Chollas Creek which is located on the northern portion of the site. The development has been clustered towards the southern portion of the site closest to Naranja Street, on the least sensitive areas of the site, away from Chollas Creek. The project is required to conserve 0.346 acres of the northern portion of the property adjacent to Chollas Creek with a Covenant of Easement in favor of the City of San Diego.

Approximately 78 percent of the site would be graded and is limited to the amount necessary for project construction. The proposed 24-townhome are on a location and scale consistent with the Community Plan, and is consistent in type and intensity of use with surrounding residential developments.

An Addendum to the Southeastern San Diego Community Plan 2015 Environmental Impact Report was prepared for this project in accordance with the State of California Environmentally Quality Act (CEQA) Guidelines. The proposed project includes mitigation measures to offset impacts to the environments in the area of Biological, Historical Resources (Archeology) and Paleontological Resources. Implementation of the Mitigation, Monitoring and Reporting Program as well as permit conditions would reduce impacts to below a level of significance. The applicants have elected to pay into the Habitat Acquisition Fund at a rate of \$35,000 per acre for impacts to approximately 0.32-acres of upland habitat. 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 vacant 1.55-acre site is located in an urbanized area with existing residential development adjacent to the west and east. Approximately 78 percent of the site would be graded and is limited to the amount necessary to construct the project. The site slopes from south to north towards Chollas Creek and that general orientation would remain with project implementation. The project proposes to construct two retaining walls up to eight feet in height with new landscaping on the east and west sides of the site. These walls would direct site drainage, limit erosion and protect the adjacent properties and Chollas Creek. The project is required to conserve 0.346-acres of the northern portion of the property adjacent to Chollas Creek with a Covenant of Easement in favor of the City of San Diego.

Geotechnical Update, Creekside Pointe, 53rd Street and Naranja Street, San Diego, California, dated April 6, 2015, was prepared for the project which determined the site is suitable for development. The new retaining walls will be constructed on fill soils so there will be minimal risk from geologic and erosional forces.

Approximately 0.22-acres of the northern portion of the site is located within the 100-year floodway and the applicant was required to obtain a Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA). No work is allowed within the regulatory floodway and all residential structures built within the flood fringe of the Special Flood Hazard Area (SFHA) must be constructed with the lowest floor elevated a minimum of two feet above the base flood elevation at that location.

The construction materials are comprised of primarily non-combustible materials as required by the California State Fire Marshall, and will not increase any fire hazards for the site. 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 project is located in an urbanized area and the adjacent properties to the east and west are devoid of any environmentally sensitive lands as they are fully developed with residential uses. The development has been located on the least sensitive areas towards the southern end of the property away from Chollas Creek to the north. The project is required to conserve 0.346 acres of the northern portion of the property adjacent to Chollas Creek with a Covenant of Easement in favor of the City of San Diego.

Approximately 0.22-acres of the northern portion of the site is located within the 100-year floodway and the applicant was required to obtain a Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA). No work is allowed within the regulatory floodway and all residential structures built within the flood fringe of the Special Flood Hazard Area (SFHA) must be constructed with the lowest floor elevated a minimum of two feet above the base flood elevation at that location.

Grading would include 78 percent of the project site and is limited to that necessary to construct the project. The proposed 24 dwelling residential development is on a location

and scale consistent with the Encanto Community Plan, and is consistent in type and intensity of use with surrounding residential developments. Further, the proposed project will comply with the provisions of the Chollas Creek Enhancement Program (CCEP). Therefore, the development will result in minimum disturbance to adjacent Environmentally Sensitive Lands (ESL).

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

The project site is not within or adjacent to the Multiple Species Conservation Program (MSCP) Multiple Habitat Planning Area (MHPA). Therefore, the project is not inconsistent with the City's MSCP.

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

The proposed development is located more than six miles inland from public beaches and more than three miles from local shoreline (San Diego Harbor) and therefore it is unlikely that on-site development will contribute to erosion of public beaches or adversely affect shoreline sand supply. The development will comply with the CCEP and will include water quality Best Management Practices (BMPs) in compliance with local and state regulations to ensure downstream water quality is not significantly affected. Specifically, detention/desiltation basins will be provided on-site to reduce surface water runoff and reduce water runoff velocities to the extent water runoff might increase downstream siltation and contribute to the erosion of public beaches or adversely affect 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.

An Addendum to the Southeastern San Diego Community Plan 2015 Environmental Impact Report was prepared for this project in accordance with the State of California Environmentally Quality Act (CEQA) Guidelines. The site is not within or adjacent to the City's MHPA. Mitigation for impacts to sensitive biological resources shall be provided pursuant to the City's Biology Guidelines. The proposed project includes mitigation measures to offset impacts to the environments in the area of Biological, Historical Resources (Archeology) and Paleontological Resources. Implementation of the Mitigation, Monitoring and Reporting Program as well as permit conditions would reduce impacts to below a level of significance. The applicants have elected to pay into the Habitat Acquisition Fund at a rate of \$35,000 per acre for impacts to approximately 0.32-acres of habitat. As described in the administrative record, the permit conditions, and mitigation measures alleviate the negative impact of this development. All feasible mitigation reasonably related to and calculated to alleviate negative impacts created by the proposed development are incorporated into the conditions of approval.

Planned Development Permit, SDMC 126.0604**1. The proposed development will not adversely affect the applicable land use plan.**

The project proposes the construction of 24-townhomes on a vacant 1.55-acre site located in the Valencia Park neighborhood of the Encanto Community Plan, which designates the site for medium density residential development at a rate of 15-29 dwelling units per acre (du/ac) or 23 to 45 dwelling units allowed onsite. Therefore, the proposed 24-townhomes comply with the land use designation of the Encanto Community Plan.

The Encanto Community Plan contains a section on General Plan conformance and identifies goals for residential development. One goal emphasizes the maintenance and enhancement of existing stable residential neighborhoods, which is consistent with the General Plan objectives for the preservation of established communities, the conservation of the community's social-environmental characteristics and the rehabilitation of deteriorating neighborhoods.

This infill development project would implement these objectives through a design that respects the character of the surrounding community. Both multi-family and single-family residential are the primary existing land uses of the immediate neighborhood and the proposed multi-family development maintains that character. The project will be compatible with the appearance of the existing neighborhood and will incorporate façade, articulation and architectural details similar in scale, color and appearance of the existing development. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

Adequate levels of essential public services are available to serve the project, including police, fire, and emergency medical services. The project is located in a developed residential neighborhood and the addition of 24 dwelling units is consistent with the existing use and intensity of the area. The site is served by developed streets and public utility facilities with access to be provided from two City standard driveways on Naranja Street. In addition, any existing non-standard and/or damaged public improvements, including curb, gutter and sidewalk would be replaced. The project will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of this site contain specific conditions addressing compliance with the City's codes, policies, regulations and other regional, state, and federal regulations. Also, conditions of approval require the review and approval of all construction plans by professional staff to ensure the project will comply with all building code regulations. The project will be inspected by certified building and engineering inspectors to assure construction is in accordance with the approved plans and all applicable regulations.

Approximately 0.22-acres of the northern portion of the site is located within the 100-year floodway and the applicant was required to obtain a Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA). No work is allowed within the regulatory floodway and all residential structures built within the flood fringe of

the Special Flood Hazard Area (SFHA) must be constructed with the lowest floor elevated a minimum of two feet above the base flood elevation at that location.

The project was reviewed by the Airport Land Use Commission (ALUC) of the San Diego County Regional Airport for a consistency determination. The ALUC determined that the project was consistent and meets their requirements. An Addendum to the Southeastern San Diego Community Plan 2015 Environmental Impact Report was prepared for this project in accordance with the State of California Environmentally Quality Act (CEQA) Guidelines. The proposed project includes mitigation measures to offset environmental impacts to Biological, Historical Resources (Archeology) and Paleontological Resources. Implementation of the Mitigation, Monitoring and Reporting Program (MMRP) as well as permit conditions would reduce impacts to below a level of significance. Therefore, the project will not be detrimental to the public health, safety, and welfare.

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

The proposed use of the 1.55-acre site for the construction of 24 townhomes is consistent with the RM-2-5 Zoning designation. The RM-2-5 Zone allows for multi-family residential development at a density of one dwelling unit per 1,500 square feet of lot area for a maximum of 45 units allowed onsite. As designed the project meets all applicable development regulations of the Land Development Code, including height, setbacks, parking and landscaping.

The applicant is requesting one deviation from the RM-2-5 Zone, which is allowed with the approval of a Planned Development Permit (PDP). The deviation would allow two small portions of the side-yard retaining walls to exceed the six-foot height limit. The eastern retaining wall is proposed to exceed the maximum allowed height of six feet with a height of seven feet, ten inches for approximately 20 feet near Naranja Street where the abutting development pad is higher than the existing and proposed grade. The proposed development includes grade breaks in the pad elevation from south to north to accommodate the change in elevation; however, the slope of the topography causes short portions of the retaining walls to exceed the maximum height of six feet.

The western retaining wall exceeds the maximum allowed height of six feet for approximately 45 feet where the abutting property slopes steeply down to the site. In order to grade the project, implement the Encanto Community Plan, and respect the Encanto branch of Chollas Creek, a retaining wall is included to protect the abutting development. The western retaining wall, which is oriented toward the abutting property will have a maximum height of eight feet.

The proposed development is consistent with the design standards of the [Planned Development Permit Ordinance](#) which requires a comparative analysis of the surrounding development, open space requirements and conformance to the community plan. The natural topographic conditions are unique due to a topographical change in elevation of 20 feet across the project site. Additionally, the current residential development on the east and west of the existing lot present challenges to project design for meeting the required development regulations.

When considered as a whole, the proposed project deviations are supported by staff based upon the overall design of the project. If approved, the project would provide new housing along with all necessary public improvements. Two housing units will provide opportunities for home ownership to low to moderate income families. The project would improve the site by providing new housing on a vacant site that has been under used as an illegal dumping site in previous years. Therefore, the proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code and results 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.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Development Permit No. 149353 and Planned Development Permit No. 1494352, is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Site Development Permit No. 149353 and Planned Development Permit No. 1494352, a copy of which is attached hereto and made a part hereof.



Derrick Johnson (DJ)
Development Project Manager
Development Services

Adopted on: June 23, 2016

SAP or WBS Number: 24005887

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: 24005887

SITE DEVELOPMENT PERMIT NO. 1494351
PLANNED DEVELOPMENT PERMIT NO. 1494352
CREEKSIDE POINTE - PROJECT NO. 424931 MMRP
PLANNING COMMISSION

This Site Development Permit No. 149435 and Planned Development Permit No. 149352 is granted by the Planning Commission of the City of San Diego to LJMJM NARANJA LLC, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0504 and 126.0604. The 1.55-acre site is located at 5282 Naranja Street in the RM-2-5 Zone within the Encanto Community Plan area. The project site is legally described as Lot E and F in Block 10 of La Alturas, Map No. 1988, San Diego County.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to allow the construction of 24 townhomes, consisting of six two-story buildings with four units each, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 23, 2016, on file in the Development Services Department.

The project shall include:

- a. Construction of six buildings totaling 32,346-square-feet, containing four three-bedroom units, per building, (a total of 24 townhomes). Each townhome is two-stories over a two-car garage;
- b. Deviation for retaining walls that exceed six feet in height;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. 54 off-street parking spaces;
- e. Retaining walls, fences, signs, lighting and recreational facilities; 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 June 10, 2019.
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.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

11. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

12. The mitigation measures specified in the MMRP and outlined in Addendum to the Southeastern San Diego Community Plan 2015 Environmental Impact Report No. 424931, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The northern portion of the property adjacent to Chollas Creek, approximately 0.346 acres, shall be conserved in and placed into a Covenant of Easement in favor of the City of San Diego.

AFFORDABLE HOUSING REQUIREMENTS

14. Prior to receiving the first residential building permit or recordation of the final map, whichever shall first occur, Owner/Permittee shall comply with the provisions of Chapter 14, Article 2, Division 13 of the San Diego Municipal Code ("Inclusionary Affordable Housing Regulations") by entering into an agreement with the San Diego Housing Commission, secured by a performance deed of trust, to provide at least 10 percent of the total units at the project as affordable to households earning at or below 100 percent of area median income in compliance with the Inclusionary Affordable Housing Regulations. The agreement shall provide that the affordable units must be offered for sale within 12 months from issuance of the first residential building permit and that the Owner/Permittee shall diligently pursue the sale of such affordable units until all affordable units have been sold. If the affordable units are not offered for sale and/or sale is not diligently pursued by the Owner/Permittee, Owner/Permittee shall pay the Inclusionary Affordable Housing Fee for the entire project to the San Diego Housing Commission, upon notice, based upon the rate in effect at the time the first building permit was issued, plus interest at the legal rate to the date of payment. The agreement, secured by a performance deed of trust, shall be executed before the issuance of the first residential building permit or the recordation of the final map, whichever shall first occur, in a form as approved by the San Diego Housing Commission and its General Counsel, and the Agreement shall provide that time is of the essence in marketing the affordable units.

AIRPORT REQUIREMENTS:

15. Prior to issuance of a grading permit the Owner/Permittee shall provide a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration [FAA].

ENGINEERING REQUIREMENTS:

16. The Site Development and Planned Development Permit shall comply with all Conditions of the Final Map for the Tentative Map No. 1494351.

17. The project proposes to import material to project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

18. The drainage system proposed for this development, as shown on the site plan, is public and private and subject to approval by the City Engineer.

19. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

20. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the enhanced paving, landscaping and steps in the Public storm drain easement.
21. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to construct a curb ramp the north curb of Naranja Street at 53rd Street, with current City Standard curb ramp Standard Drawing SDG-130 and SDG-132 with truncated domes, satisfactory to the City Engineer.
22. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of two current City Standard 24 foot wide concrete driveways, adjacent to the site on Naranja Street, satisfactory to the City Engineer.
23. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to reconstruct the damaged portions of the curb, gutter and sidewalk with current City Standards curb, gutter and sidewalk, adjacent to the site on Naranja Street, satisfactory to the City Engineer.
24. Prior to the issuance of any building permits, the Owner/Permittee shall dedicate a 15-foot wide Public Storm Drain Easement, satisfactory to the City Engineer.
25. Whenever Public easements are required to be dedicated, it is the responsibility of the Owner/Permittee to provide the easements free and clear of all encumbrances and prior easements. The Applicant must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.
26. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to construct a current City Standard 36 inch Reinforced Concrete Pipe (RCP) Public Storm Drain system, per approved Exhibit 'A', satisfactory to the City Engineer.
27. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent water quality Best Management Practice (BMP) device maintenance, satisfactory to the City Engineer.
28. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction BMPs necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.
29. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.
30. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-00090DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for

the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.

31. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

32. The storm drain outfall structure of this project has been identified as being within the floodway of a Special Flood Hazard Area (SFHA). No increases to base flood elevations are allowed. Prior to issuance of a grading or a construction permit, a Registered Professional Engineer shall submit a no rise certification along with a detailed engineering analysis to substantiate the certification. The analysis is subject to the approval of the City Engineer.

33. No certificates of occupancy will be granted or bonds released for development associated with this project until a Letter of Map Revision (LOMR) is obtained from FEMA. The LOMR is issued based upon as-built site conditions, therefore, the Owner/Permittee must allow time to complete this process. The developer must provide all documentation, engineering calculations, and fees which are required by FEMA.

34. Fill placed in the SFHA for the purpose of creating a building pad must be compacted to 95% 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.

35. The Owner/Permittee shall denote on the final map and the improvement plans "Subject to Inundation" all areas lower than the base flood elevation plus two feet.

36. 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.

37. The Owner/Permittee shall grant a flowage easement, satisfactory to the City Engineer, over property within the floodway.

38. This project proposes to construct structures within the flood fringe of a Special Flood Hazard Area (SFHA). No work is allowed within the regulatory floodway. All residential structures built within the SFHA must be constructed with the lowest floor elevated a minimum of two feet above the base flood elevation (BFE) at that location.

39. The Owner/Permittee shall floodproof all structures subject to inundation. The floodproofed structures must be constructed to meet the requirements of the Federal Insurance Administration's Technical Bulletin 3-93. Additionally, a registered civil engineer or architect must certify prior to occupancy that those requirements have been met.

40. The Owner/Permittee shall enter into an agreement to indemnify, protect and hold harmless the City, its officials and employees from any and all claims, demands, causes of action, liability or loss because of, or arising out of flood waters.

LANDSCAPE REQUIREMENTS:

41. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' on file in the Office of the Development Services Department.

42. Prior to issuance of any engineering permits for right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

43. In the event that a foundation only permit is requested, the Owner/Permittee shall submit a site plan or staking layout plan identifying all landscape areas consistent with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'

44. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Development Services Department. Construction plans shall show, label, and dimension a 40 square feet area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)(5).

45. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit a water budget in accordance with the Water Conservation Requirements per SDMC 142.0413, Table 142-04I, to be included with the construction documents. An irrigation audit shall be submitted consistent with Section 2.7 of the Landscape Standards of the Land Development Manual at final inspection. The irrigation audit shall certify that all irrigation systems have been installed and operate as approved by the Development Services Department.

46. 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. 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.

If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace it 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:

47. Owner/Permittee shall maintain a minimum of 54 off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

48. 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.

49. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as condition of approval of this permit. Where there is a conflict between a condition (including exhibits) of this permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations.

50. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this permit.

51. Any future requested amendment to this permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

52. All signs shall comply with the San Diego Municipal Code Chapter 14, Article 2, Division 12, Sign Regulations.

53. Fences and retaining walls shall comply with the San Diego Municipal Code Section 142.0301, unless deviations to the regulations are approved with this permit.

54. Environmentally sensitive lands that are outside of the allowable development area of the premises shall be left in a natural state and used only for those passive activities allowed as a condition of permit approval. Prior to the issuance of any construction permits, the passive activities allowed on the undeveloped remainder of the premises and any other conditions of the

permit shall be incorporated into a covenant of easement that shall be recorded against title to the property, in accordance with procedures set forth in section 143.0152.

55. The U.S. Fish and Wildlife Service and the California Department of Fish and Game will be named as third party beneficiaries to any covenant of easement recorded pursuant to this condition.

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

57. 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.

58. A Mutual Maintenance and Access Agreement for all facilities used in common will be entered into to the satisfaction of the City Engineer and shall be recorded against the applicable properties in the office of the San Diego County Recorder prior to issuance of a certificate of occupancy.

59. The Mutual Maintenance and Access Agreement shall, at a minimum, include and provide for the following: (1) Easements for: (A) Shared driveways, (B) Utilities (C) Drainage and runoff, (D) Encroachments, (E) Maintenance, repair, and reconstruction, (2) Maintenance for: (A) Shared driveways, (B) Sewer lines, (C) Cable and electrical lines, (D) Exterior lighting, (E) Perimeter fences as shown on Exhibit "A", satisfactory to the City Engineer.

TRANSPORTATION REQUIREMENTS

60. No fewer than 54 parking spaces (two spaces per unit), including 1 van accessible space, and 2 motorcycle spaces shall be maintained on the property at all times in the approximate locations shown on Exhibit "A". 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 purpose, unless otherwise authorized in writing by the Development Services Department.

61. Within three months from the issuance of occupancy permit, applicant shall request an evaluation for a stop control installation (sign, limit line and pavement legend) at the north leg of the intersection of 53rd Street and Naranja Street from City's Transportation and Storm Water Department-Traffic Engineering Operations Division.

62. Red curb markings shall be installed between the two proposed project driveways on the north side of Naranja Street, and 50 feet east of easterly driveway and 50 feet west of the westerly driveway. No objects higher than 36 inches shall be located within the visibility triangles.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

63. Prior to issuance of any engineering permits, the Owner/Permittee shall obtain Encroachment and Maintenance Removal Agreement (EMRA) for proposed improvements of any kind, including

utilities, landscaping, enriched paving, and electrical conduits to be installed within the public- right-of-way or public easement.

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

65. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate above ground private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPD's are typically located on private property, in line with the service and immediately adjacent to the right-of-way. The Public Utilities Department will not permit the required BFPDs to be located below grade or within the structure.

66. Prior to the issuance of any certificate of occupancy, the Owner/Permittee shall construct all water and sewer facilities required by the Public Utilities Department necessary to serve this development and assure them by permit and bond.

67. The Owner/Permittee shall install fire hydrants at locations satisfactory to the Fire Marshal, the Public Utilities Director and the City Engineer. If more than two (2) fire hydrants or thirty (30) dwelling units are located on a dead-end water main then the Owner/Permittee shall install a redundant water system, in a manner satisfactory to the Public Utilities Director and the City Engineer.

68. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the replacement of the existing 6-inch water main with 12-inch water facilities and a 12" X 6" reducer in Naranja Street from 54th Street to the project westerly lot boundary, in a manner satisfactory to the Public Utilities Department Director and the City Engineer.

69. In addition, prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the replacement of the existing connections with one 6" X 8" X 12" Tee-connection at the intersection of 54th Street and Naranja Street and one 12" X 12" X 8" Tee-connection of the intersection of 53rd Street and Naranja Street, in a manner satisfactory to the Public Utilities Department Director and the City Engineer.

70. All on-site water and sewer facilities shall be private.

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

72. All proposed public water and sewer facilities, must be designed and constructed in accordance with established criteria in the most current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices pertaining thereto.

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

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 June 23, 2016 and PC-Reso NO_____.

Permit Type/PTS Approval No.: Site Development Permit No. 149353/Planned Development Permit
No. 1494352

Date of Approval: June 23, 2016

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Derrick Johnson (DJ)
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.

LJMJM NARANJA LLC
Owner/Permittee

By _____
Jack McGory
President

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

PLANNING COMMISSION RESOLUTION NUMBER R-_____

TENTATIVE MAP NO. 1494351
CREEKSIDE POINTE TM-PROJECT NO. 424931 [MMRP]

WHEREAS, LJMJM NARANJA LLC, Subdivider, and Engineer, JP ENGINEERING, INC, submitted an application to the City of San Diego for Tentative Map No. 1494351 for the construction of six two-story buildings with four units each, totaling 24 townhomes. The project site is located at 5282 Naranja Street in the RM-2-5 Zone, within the Encanto Community Plan Area. The property is legally described as Lots E and F in Block 10 of La Alturas, Map No. 1988, San Diego County; and

WHEREAS, the Map proposes the Subdivision of a 1.55-site from two lots into 26 lots to accommodate the construction of 24-townhomes; and

WHEREAS, on April 6, 2016, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that an Addendum to the Southeastern San Diego Community Plan 2015 Environmental Impact Report No. 386029 is required for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines; and

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

WHEREAS, on June 23, 2016, the Planning Commission of the City of San Diego considered Tentative Map No. 1494351 and pursuant to San Diego Municipal Code section(s) 125.0440, 125.1040 and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all

interested parties at the public hearing, and the 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 Map No. 1494351:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

The City of San Diego General Plan and the Encanto Community Plan designate the site for multi-family development at a medium density of 15-29 dwelling units per acre, with minimum lot size and dimensional criteria. The project proposes the subdivision of a vacant 1.55-acre site, to create 26 lots for the construction of 24 townhomes. The 25th & 26th lots within the subdivision will include all the common use areas and the Mutual Maintenance and Access Agreement. Both multi-family and single-family residential are the primary existing land uses of the surrounding neighborhood. The project will be compatible with the appearance of the existing neighborhood and will incorporate façade, articulation and architectural details similar in scale, color and appearance of the existing neighborhood.

The Encanto Community Plan contains a section on General Plan conformance and identifies goals for residential development. One goal emphasizes the maintenance and enhancement of existing stable residential neighborhoods, which is consistent with the General Plan objectives for older communities which stress the preservation of established communities, the conservation of the social-environmental characteristics of the community and the rehabilitation of deteriorating neighborhoods. The infill development project would implement this guideline through a design that respects the character of the surrounding community. The project will not be in conflict with the General Plan and will be developed in accordance with the policies of the Encanto Community 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 proposes the subdivision of a vacant 1.55-acre site, to create 26 lots for the construction of 24 townhomes and is consistent with the RM-2-5 Zoning designation. The RM-2-5 Zone allows for multi-family residential development. The allowed density of the RM-2-5 Zone is one dwelling unit per 1,500 square feet of lot area for a maximum of 45 units allowed onsite. As designed the project meets all applicable development regulations of the Land Development Code, including lot size, lot dimensions and right-of-way accessibility.

The applicant is requesting one deviation from the RM-2-5 Zone, which is allowed with the approval of a Planned Development Permit (PDP). The deviation would allow two small portions of the side-yard retaining walls to exceed the six-foot height limit. The eastern retaining wall exceeds the maximum height of six feet for approximately 20 feet near Naranja Street where the abutting development pad is higher than the existing and

proposed grade. This wall would be oriented internal to the project with a maximum height of seven feet, ten inches. The western retaining wall exceeds the maximum height of six feet for approximately 45 feet where the abutting property slopes steeply down to the site. This wall would be oriented toward the abutting property with a maximum height of eight feet.

The proposed development is consistent with the design standards of the PDP Ordinance which requires a comparative analysis of the surrounding development, open space requirements and conformance to the community plan.

The natural topographic conditions are unique and current residential development east and west of the existing lot presents challenges to design a project that meets the required development regulations. The property is also constrained due to a topographical change in elevation of 20 feet across the project site.

When considered as a whole, the proposed deviation is supported by staff based upon the overall design of the project. The project would provide home ownership opportunities for low to moderate income families in quality housing that includes all required public improvements and services. Therefore, 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.

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

The site is physically suitable for the type and density of development. The Encanto Community Plan identifies the project site as an area designated for single-family residential development at a low density of (15-29 du/ac). The 1.55 acre site could accommodate 45 dwelling units on the site, so, at 24 dwelling units, the proposal is within the allowed density range and the site is suitable for the proposed project.

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.

The City of San Diego, as Lead Agency, through the Development Services Department, conducted an environmental review of this site in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. An Addendum to the Southeastern San Diego Community Plan 2015 Environmental Impact Report was prepared for this project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. The proposed project includes mitigation measures to offset impacts to the environments in the area of Biological, Historical Resources (Archeology) and Paleontological Resources. Implementation of the Mitigation, Monitoring and Reporting Program as well as permit conditions would reduce impacts to below a level of significance. In addition, a Stormwater Quality Management Plan and a Drainage Study were prepared for the proposed project and Best Management Practices (BMPs) necessary to minimize the impacts of surface water runoff are included in the project design.

5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare.

The approval for this subdivision includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the San Diego Municipal Code in effect for this subdivision and improvements. Such conditions have been determined by the decision maker as necessary to avoid adverse impacts upon the public health, safety and welfare. Further, the applicant is required to abide by all relevant Federal, State and Local regulations, including building regulations.

Approximately 0.22-acres of the northern portion of the site is located within the 100-year floodway and the applicant was required to obtain a Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA). No work is allowed within the regulatory floodway and all residential structures built within the flood fringe of the Special Flood Hazard Area (SFHA) must be constructed with the lowest floor elevated a minimum of two feet above the base flood elevation at that location.

An Addendum to the Southeastern San Diego Community Plan 2015 Environmental Impact Report was prepared for this project in accordance with the State of California Environmentally Quality Act (CEQA) Guidelines. The proposed project includes mitigation measures to offset environmental impacts to Biological, Historical Resources (Archeology) and Paleontological Resources. Implementation of the Mitigation, Monitoring and Reporting Program (MMRP) as well as permit conditions would reduce impacts to below a level of significance. Therefore, the project will not be detrimental to the public health, safety, and welfare.

Therefore, the design of the subdivision and the type of improvements will not be detrimental to the public health, safety, and welfare.

6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

The project site does not contain public access easements within the project boundaries as shown on Tentative Map No. 1494351. Access to the site will be provided via two new driveways on Naranja Street and the site does not provide access to any other parcels. As such, no conflict will occur with the recording of the subdivision and therefore no conflict would negatively affect any easements acquired by the public at large. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities. The proposed project will not impede or inhibit any future passive or natural heating and cooling opportunities.

The proposed project will not impede or inhibit any future passive or natural heating and cooling opportunities. During the construction of the proposed multi-family dwelling units

caution will be taken to ensure the best use of the land, by minimized grading and by providing for natural light to permeate through the windows of the residences. In addition, the potential and opportunity exists to incorporate sustainable building techniques that utilize photovoltaic systems (solar panels) to generate a portion of the project energy needs. The units will have the opportunity to perform remodels through the building permit process, which would include building materials, placement and selection of plant materials to provide, to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

The site is located in the RM-2-5 Zone of the Valencia Park neighborhood of the Encanto Community Plan area. The vacant 1.55-acre site is identified in the Encanto Community Plan as an area designated for multi-family residential development at a medium density (15-29 du/ac). The site is served by developed streets and public utility facilities with access to be provided from two City standard driveways on Naranja Street. In addition, any existing non-standard and/or damaged public improvements, including curb, gutter and sidewalk would be replaced.

The San Diego Housing Commission has reviewed the project and the project is conditioned to comply with the Inclusionary Housing Ordinance at the time of building permit issuance or prior to the filing of the final map. The need for public facilities was taken into consideration with the development of the Encanto Community Plan and the project is consistent with the density in the community plan. Therefore, approval of the tentative map will not negatively impact the housing needs within the region, and those needs are balanced against the needs for public services and available fiscal and environmental resources. 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 Map No. 149351, is hereby granted to LJMJM NARANJA LLC, subject to the attached conditions which are made a part of this resolution by this reference.

By

Derrick Johnson (DJ)

Development Project Manager

Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24005887

PLANNING COMMISSION
CONDITIONS FOR TENTATIVE MAP NO. 1494351
CREEKSIDE POINT - PROJECT NO. 424931 [MMRP]
ADOPTED BY RESOLUTION NO. R-_____ ON _____

GENERAL

1. This Tentative Map will expire on July 8, 2019.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the expiration of the Tentative Map, if approved, a Final Map subdividing the properties into 26 lots shall be recorded in the office of the County Recorder.
4. Prior to the recordation of the Final Map taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder must be provided to satisfy this condition.
5. The Tentative Map No. 1494351 shall conform to the provisions of Site Development Permit No. 149353 and Planned Development Permit No. 1494352.
6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

AIRPORT

7. Prior to recordation of the Final Map, the Subdivider shall provide a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration [FAA].

AFFORDABLE HOUSING

8. Prior to receiving the first residential building permit or recordation of the final map, whichever shall first occur, Subdivider shall comply with the provisions of Chapter 14, Article 2, Division 13 of the San Diego Municipal Code ("Inclusionary Affordable Housing Regulations") by entering into an agreement with the San Diego Housing Commission, secured by a performance deed of trust, to provide at least 10% of the total units at the project as affordable to households earning at or below 100% of area median income in compliance with the Inclusionary Affordable Housing Regulations. The agreement shall provide that the affordable units must be offered for sale within 12 months from issuance of the first residential building permit and that the Subdivider shall diligently pursue the sale of such affordable units until all affordable units have been sold. If the affordable units are not offered for sale and/or sale is not diligently pursued by the Subdivider, Subdivider shall pay the Inclusionary Affordable Housing Fee for the entire project to the San Diego Housing Commission, upon notice, based upon the rate in effect at the time the first building permit was issued, plus interest at the legal rate to the date of payment. The agreement, secured by a performance deed of trust, shall be executed before the issuance of the first residential building permit or the recordation of the final map, whichever shall first occur, in a form as approved by the San Diego Housing Commission and its General Counsel, and the Agreement shall provide that time is of the essence in marketing the affordable units.

ENGINEERING

9. Per the City of San Diego Street Design Manual-Street Light Standards, and Council Policy 200-18, the Subdivider will be required to install a new street light adjacent to the site on Naranja Street.
10. The Subdivider shall vacate the undeveloped 10-foot wide public utility sewer easement located at the northern portion of the site prior to approval of the Final Map.
11. The Subdivider shall underground any new service runs to any new or proposed structures within the subdivision.
12. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
13. 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

14. "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].
15. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.
16. The easements shown on the Tentative Map exhibit will be vacated pursuant to section 66434(g) of the Subdivision Map Act.
17. The Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of 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.

PUBLIC UTILITIES DEPARTMENT

18. Prior to recordation of the Final Map, the Subdivider shall sign and provide to the City a letter acknowledging their obligation and intent to create, via CC&Rs on each Unit's title, provisions for the continuous future operation and maintenance of the development's private sewer main.
19. All on-site water and sewer facilities shall be private.

20. All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Plumbing Code and will be reviewed as part of the building permit plan check.
21. All proposed public water and sewer facilities, must be designed and constructed in accordance with established criteria in the most current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices pertaining thereto.
22. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer and five feet of any water facilities.

PLANNING

23. Prior to receiving the first residential building permit or recordation of the final map, the project shall comply with the Affordable Housing requirements listed in Site Development Permit No. 1494351 and Planned Development No. 149432.

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 § 142.0607.

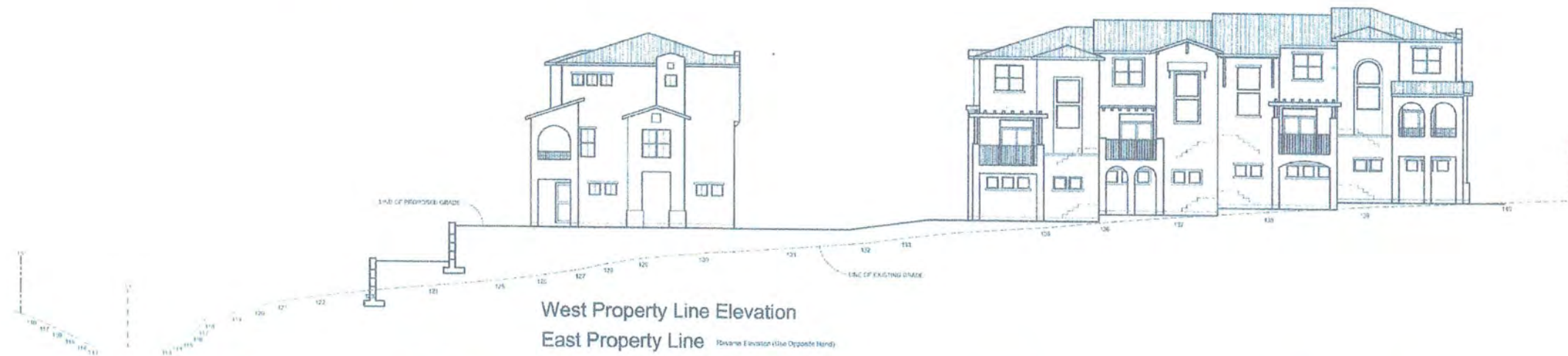
Internal Order No. 24005887

Project No. 424931
TM No. 1494351

Attachment 11



South Property Line Elevation along Naranja Street



West Property Line Elevation
East Property Line Reverse Elevation (Use Opposite Hand)



North Property Line Elevation at Chollas Creek

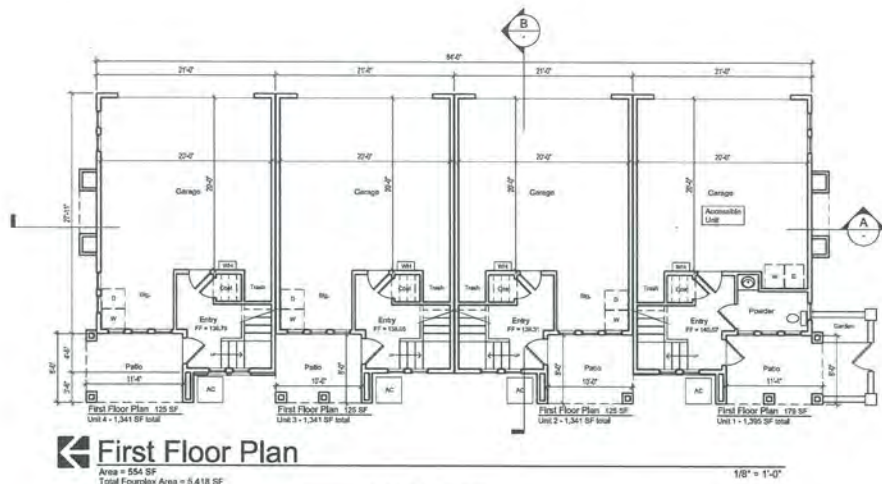
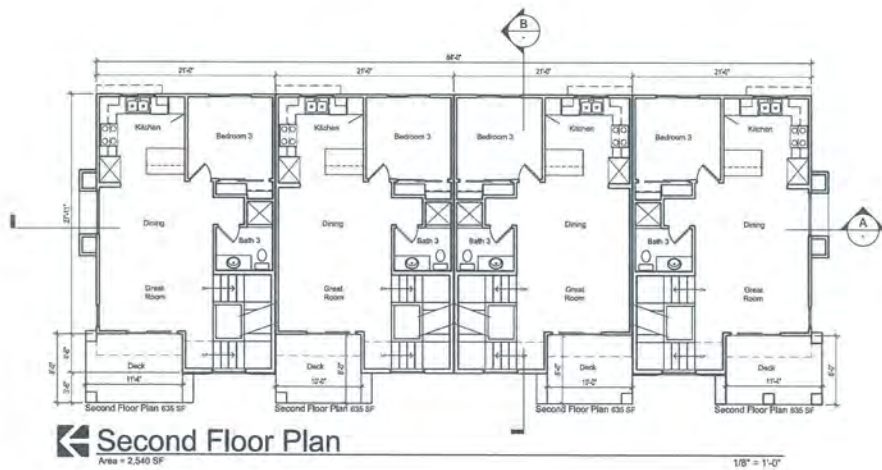
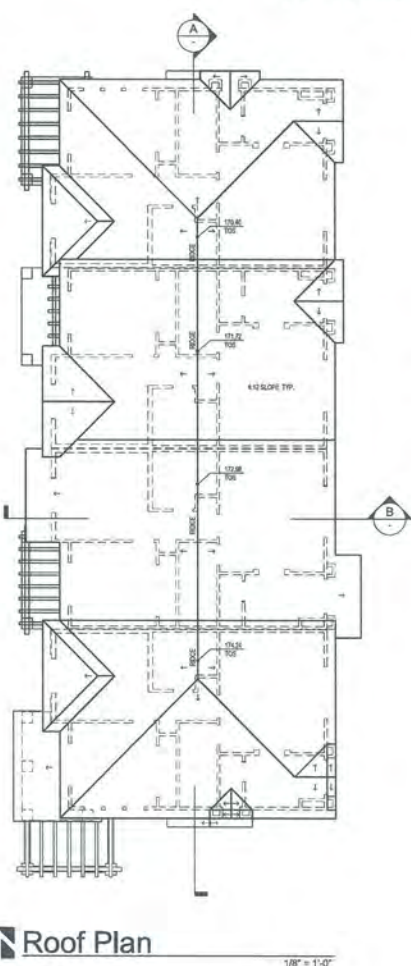
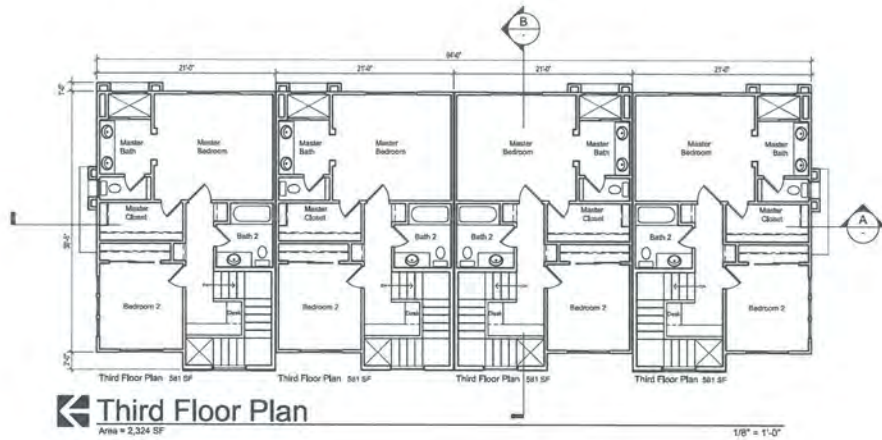
HunLand design
4532 Junction Way
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California
91942
t 619 263.9762
e 619 503.6762

Creekside Pointe Townhomes
5282 Naranja Street
San Diego, California
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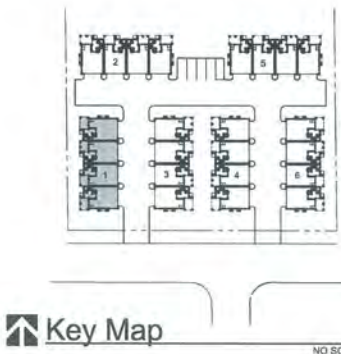
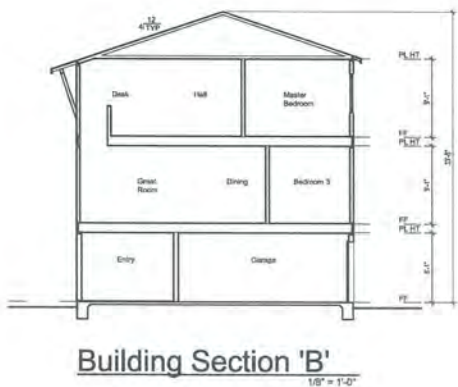
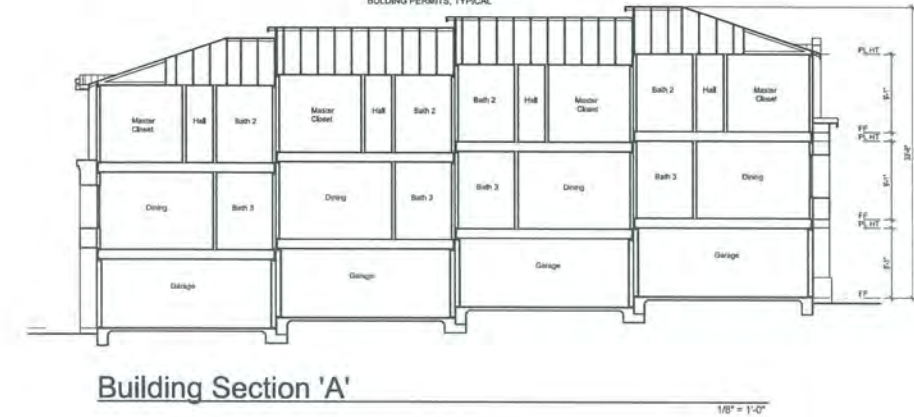
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| REVISIONS |
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| DATE 5/10/15 |
| SCALE 1/8" = 1'-0" |
| SHEET |
| A2 |

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| Prepared By | | Project 14 |
| Name: <u>Robert H. Miller</u> | | Project 15 |
| Address: <u>1577 N. Main St.</u> | | Project 16 |
| <u>St. Louis 12, MO</u> | | Project 17 |
| Phone # <u>314-251-8952</u> | | Project 18 |
| FAX # <u>314-251-8952</u> | | Project 19 |
| | | Project 20 |
| | | Project 21 |
| Project Address | | Project 22 |
| <u>1001 Academy Street</u> | | Project 23 |
| <u>St. Louis, MO 63104</u> | | Project 24 |
| | | Project 25 |
| Project Name | | Project 26 |
| <u>Grassroots Team, Missouri</u> | | Project 27 |
| | | Project 28 |
| | | Project 29 |
| | | Project 30 |
| Sheet Title | | Project 31 |
| <u>PROFESSIONAL LETTER</u> | | Project 32 |
| | | Project 33 |
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- LEGEND**
- 1. CONCRETE 'S' TILE
 - 2. DECORATIVE WOOD BRACES
 - 3. SMOOTH WOOD FASCIA
 - 4. EXTERIOR PLASTER IN MULTIPLE COLORS
 - 5. VINYL WINDOWS
 - 6. OVERHEAD GARAGE DOOR
 - 7. PLASTER WAINSCOT OVER SOLID WOOD
 - 8. PLASTER CORBELS
 - 9. FOAM TRIM WITH PLASTER OVER
 - 10. WROUGHT IRON GUARDRAIL
 - 11. DECORATIVE WOOD BEAMS
 - 12. WOOD TRELLIS
 - 13. 'OHAGIN'S,' CONCEALED ROOF VENTS
 - 14. FABRIC AWNING WITH WROUGHT IRON SUPPORTS
 - 15. CMU WALL WITH PLASTER OVER
 - 16. WOOD GATE, PAINTED

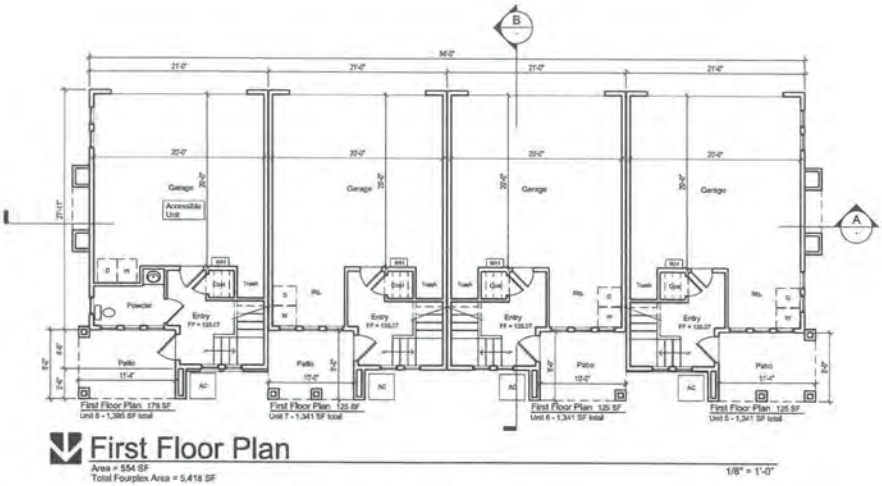
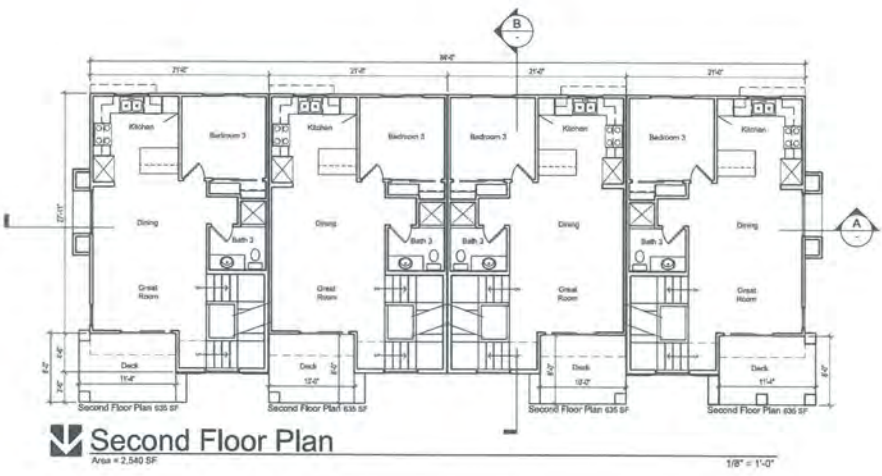
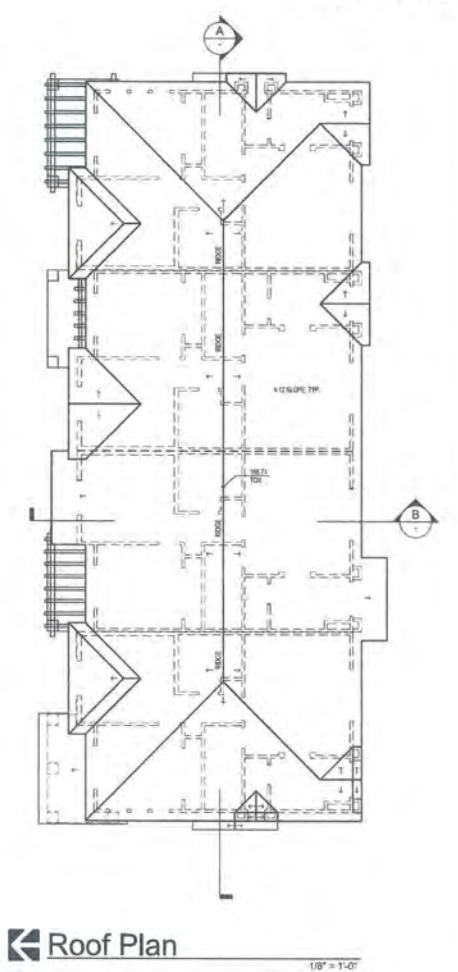
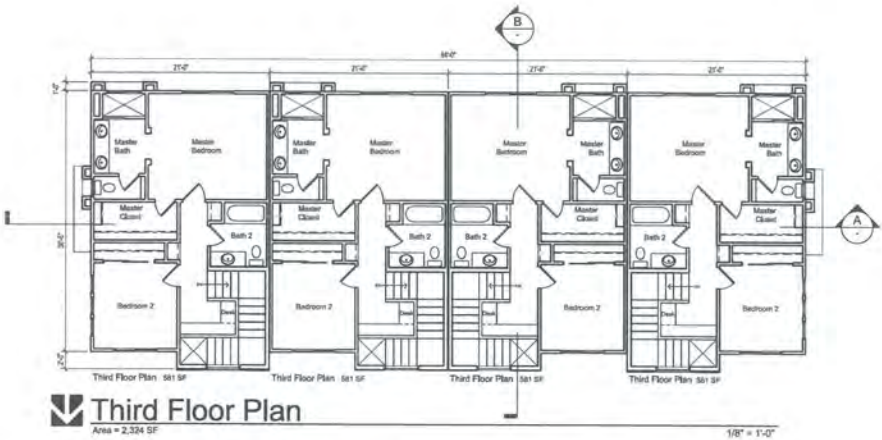


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| Prepared By | | Revision 13 | |
| Name: HunLand Design | | Revision 12: | |
| Address: 4532 Judson Way | | Revision 11: | |
| La Mesa, CA 91942 | | Revision 10: | |
| Phone #: (619) 353-1782 | | Revision 9: | |
| FAX #: (619) 353-1782 | | Revision 8: | |
| Project Address | | Revision 7: | |
| 5282 Naranja Street | | Revision 6: | |
| San Diego, California 92114 | | Revision 5: | |
| Project Name | | Revision 4: | |
| Creekside Pointe Townhomes | | Revision 3: | |
| Sheet Title | | Revision 2: | |
| BUILDING #1 | | Revision 1: | |
| FIRST, SECOND, & THIRD FLOOR PLANS, | | Original Date: MAY 10, 2015 | |
| EXTERIOR ELEVATIONS, SECTIONS, A | | Sheet: 5 of 19 | |
| ROOF PLAN | | PROJECT NBR: 424831 | |
| | | LO Nbr: 24005887 | |

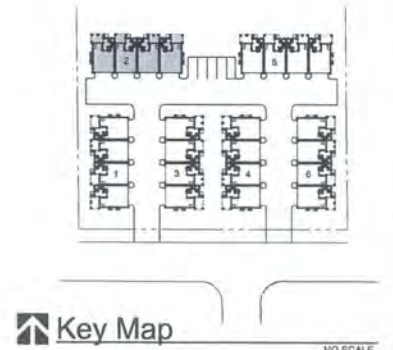
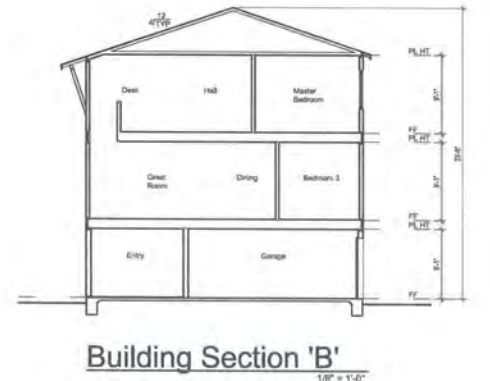
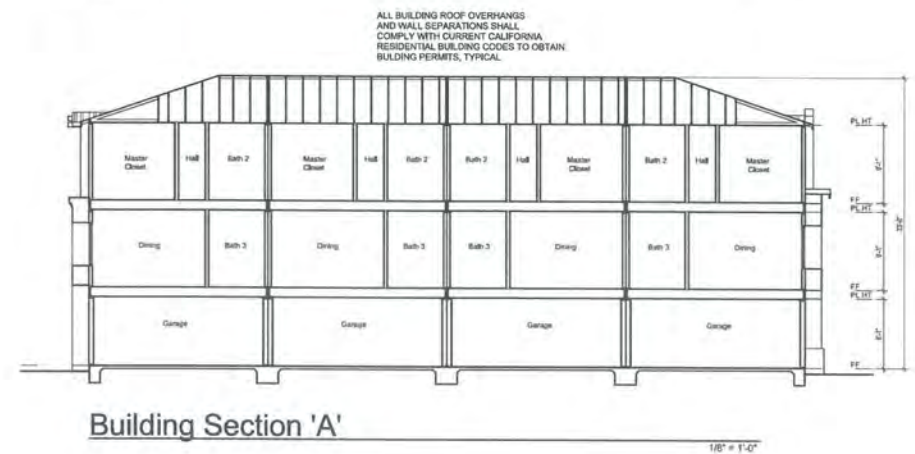
Creekside Pointe Townhomes
5282 Naranja Street
San Diego, California
92114

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| REVISIONS |
| DATE: 5/10/15 |
| SCALE: 1/8" = 1'-0" |
| SHEET: A5 |

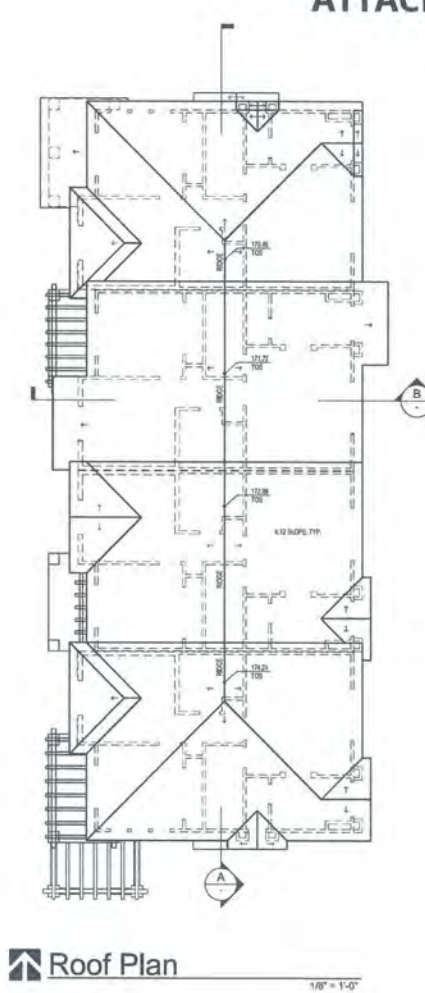
HunLand design
4532 Judson Way
La Mesa, CA 91942
P: (619) 353-1782
F: (619) 353-1782



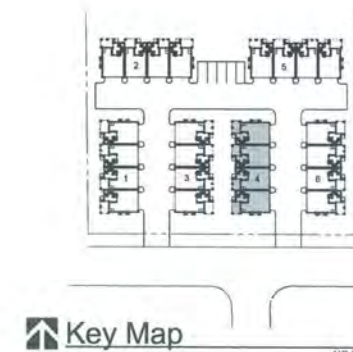
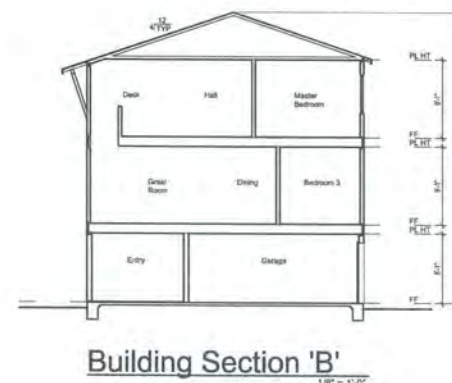
- LEGEND**
- 1. CONCRETE 'S' TILE
 - 2. DECORATIVE WOOD BRACES
 - 3. SMOOTH WOOD FASCIA
 - 4. EXTERIOR PLASTER IN MULTIPLE COLORS
 - 5. VINYL WINDOWS
 - 6. OVERHEAD GARAGE DOOR
 - 7. PLASTER WAINSCOT OVER SOLID WOOD
 - 8. PLASTER CORBELS
 - 9. FOAM TRIM WITH PLASTER OVER
 - 10. WROUGHT IRON GUARDRAIL
 - 11. DECORATIVE WOOD BEAMS
 - 12. WOOD TRELLIS
 - 13. 'O'HAGINS,' CONCEALED ROOF VENTS
 - 14. FABRIC AWNING WITH WROUGHT IRON SUPPORTS



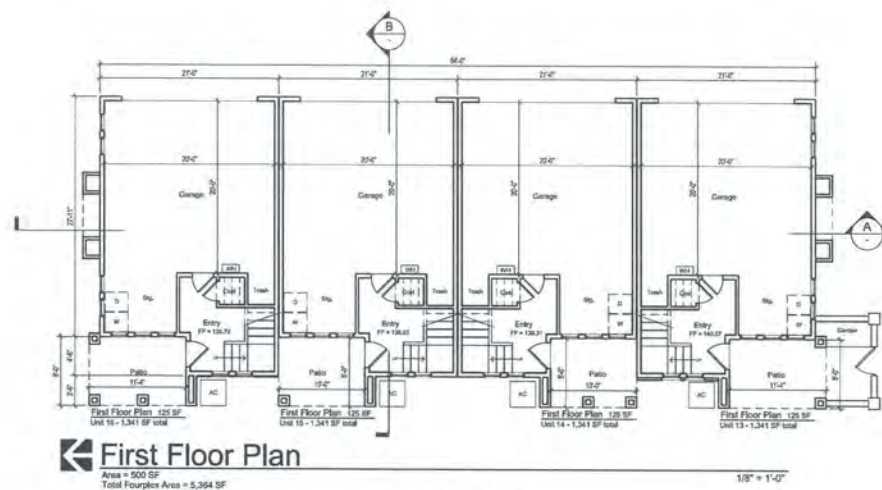
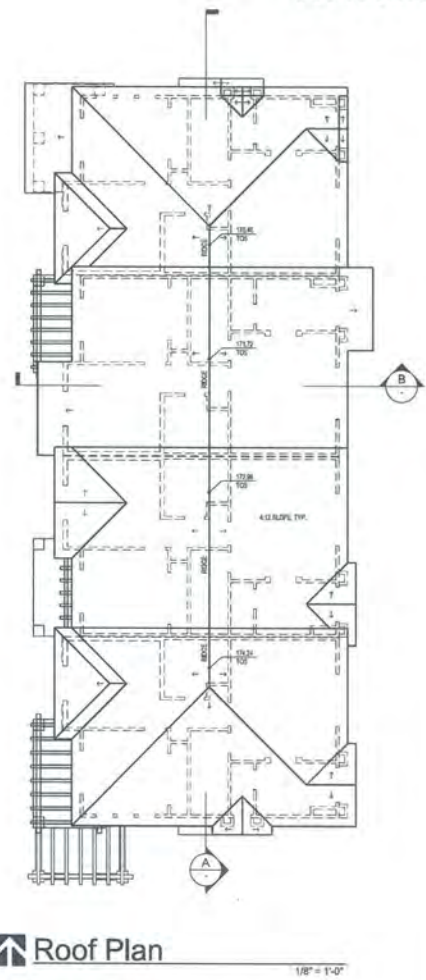
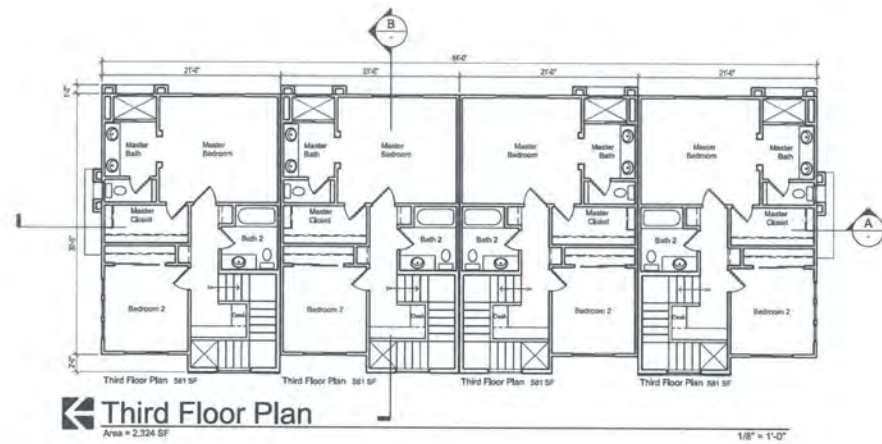
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| Prepared By: | | Revision 13: | |
| Name: | Hunland Design | Revision 12: | |
| Address: | 4532 Judson Way | Revision 11: | |
| | La Mesa, CA 91942 | Revision 10: | |
| Phone F: | (619) 303-8762 | Revision 9: | |
| Fax F: | (619) 303-8762 | Revision 8: | |
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| | | Revision 4: | |
| Project Address: | | Revision 3: | |
| 5282 Naranja Street | | Revision 2: | JUNE 8, 2015 |
| San Diego, California 92114 | | Revision 1: | SEP 15, 2015 |
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| Project Name: | | Original Date: MAY 15, 2015 | |
| Creekside Pointe Townhomes | | | |
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1. CONCRETE 'S' TILE
 2. DECORATIVE WOOD BRACES
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 15. CMU WALL WITH PLASTER OVER
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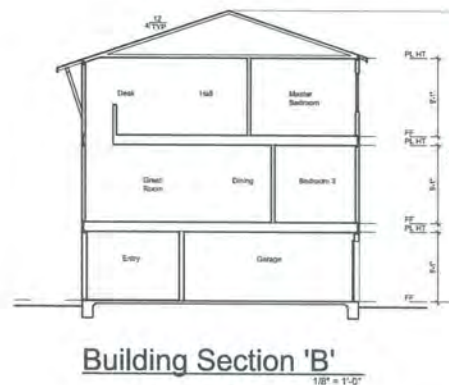
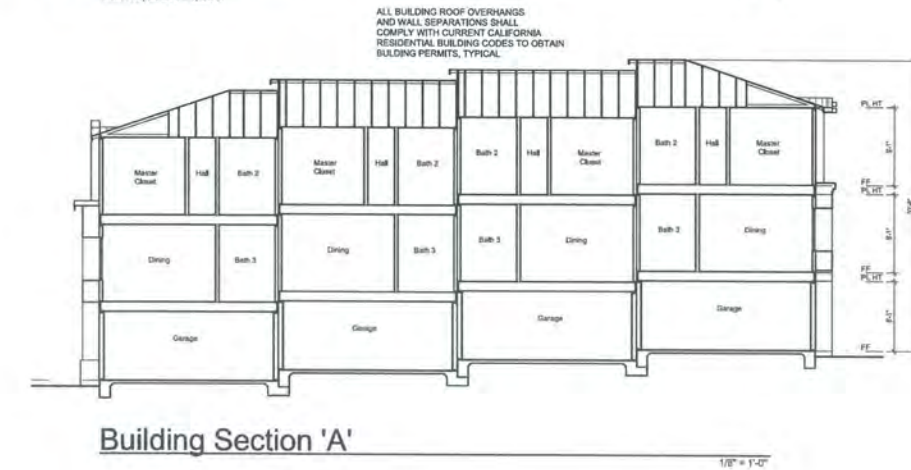


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| Prepared By: _____ | | Revision 13: | _____ |
| Name: <u>Hutland Design</u> | | Revision 12: | _____ |
| _____ | | Revision 11: | _____ |
| Address: <u>4327 John Way</u> | | Revision 10: | _____ |
| <u>Le Mars, CA 95543</u> | | Revision 9: | _____ |
| Phone #: <u>(916) 353-3752</u> | | Revision 8: | _____ |
| FAX #: <u>(916) 353-3752</u> | | Revision 7: | _____ |
| _____ | | Revision 6: | _____ |
| Project Address: <u>5282 Noriega Street</u> | | Revision 5: | _____ |
| <u>San Diego, California 92114</u> | | Revision 4: | _____ |
| _____ | | Revision 3: | _____ |
| _____ | | Revision 2: | <u>JUNE 6, 2018</u> |
| Project Name: <u>Granada Pointe Townhomes</u> | | Revision 1: | <u>SEP 18, 2015</u> |
| _____ | | Original Date: | <u>MAY 15, 2015</u> |
| _____ | | Sheet: | <u>8 of 19</u> |
| Sheet Title: <u>BUILDING #4</u> | | PROJECT NEW: | <u>424931</u> |
| <u>FIRST, SECOND, & THIRD FLOOR PLANS,</u> | | LO. NO.: | <u>24005887</u> |
| <u>EXTERIOR ELEVATIONS, SECTIONS, &</u> | | | |
| <u>ROOF PLAN</u> | | | |



LEGEND

1. CONCRETE 'S' TILE
2. DECORATIVE WOOD BRACES
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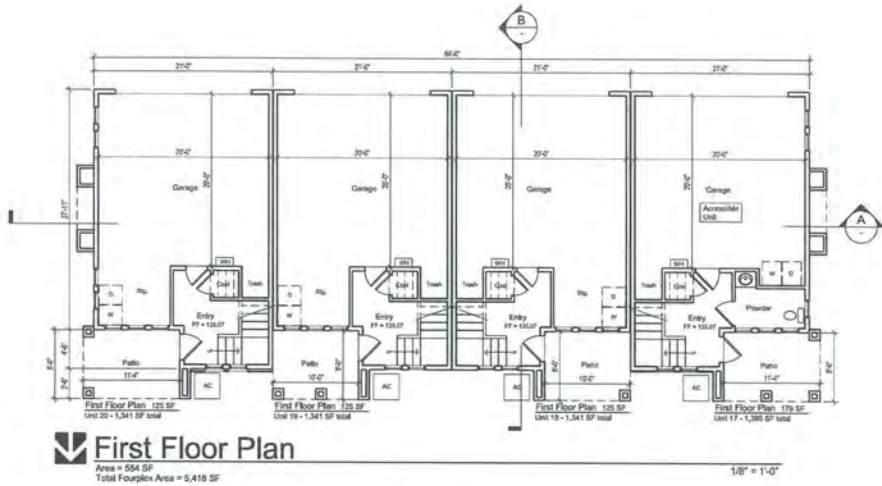
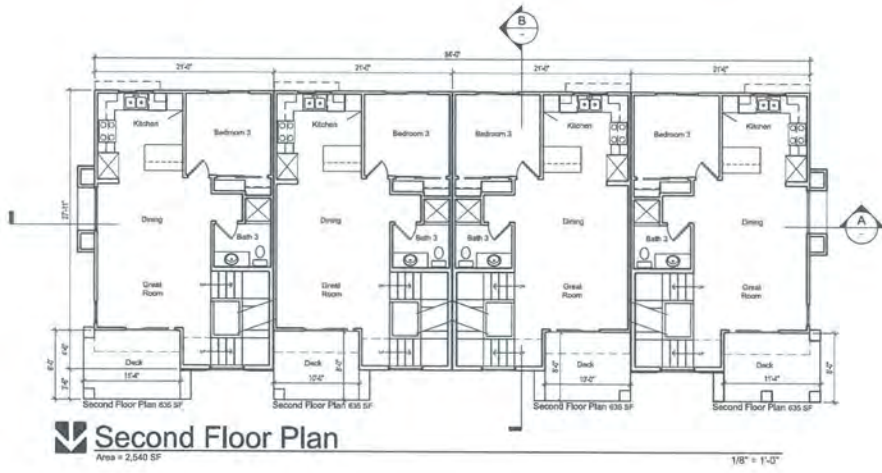
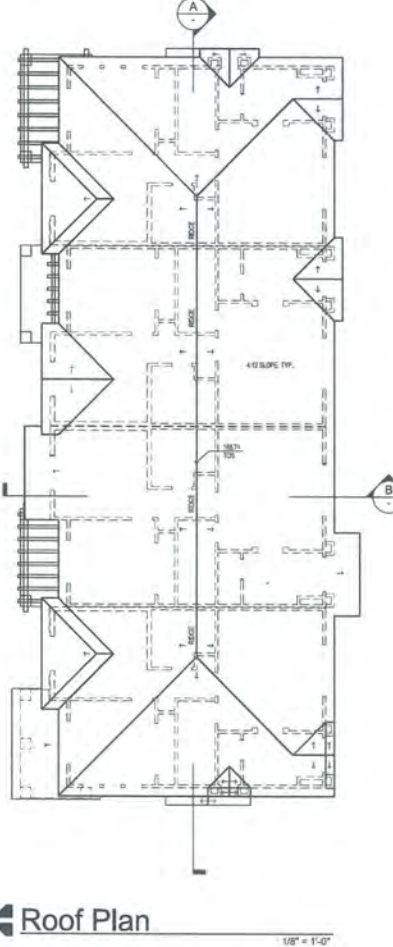
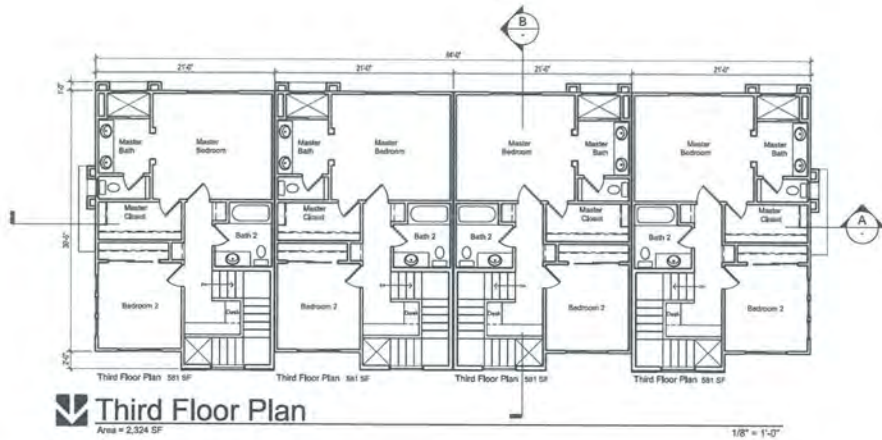


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| Prepared By: | | Revision 13: | |
| Name: | HunLand Design | Revision 12: | |
| Address: | 4532 Judson Way | Revision 11: | |
| | La Mesa, CA 91942 | Revision 10: | |
| Phone #: | (619) 303-8762 | Revision 9: | |
| FAX #: | (619) 303-8762 | Revision 8: | |
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| Project Address: | | Original Date: MAY 10, 2015 | |
| 5282 Naranja Street | | | |
| San Diego, California 92114 | | | |
| Project Name: | | Sheet: 8 of 18 | |
| Creekside Pointe Townhomes | | | |
| Sheet Title: | | PROJECT NO.: 424931 | |
| BUILDING #4 | | IO. No.: 24005887 | |
| FIRST, SECOND, & THIRD FLOOR PLANS, | | | |
| EXTERIOR ELEVATIONS, SECTIONS, & | | | |
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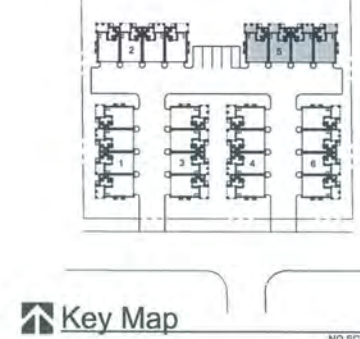
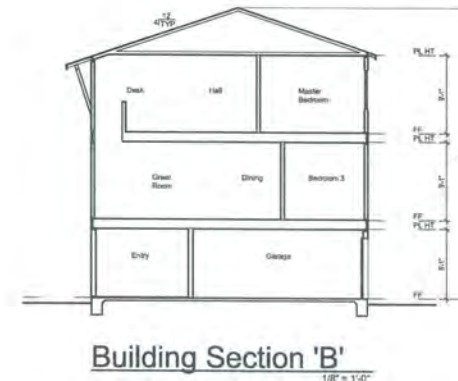
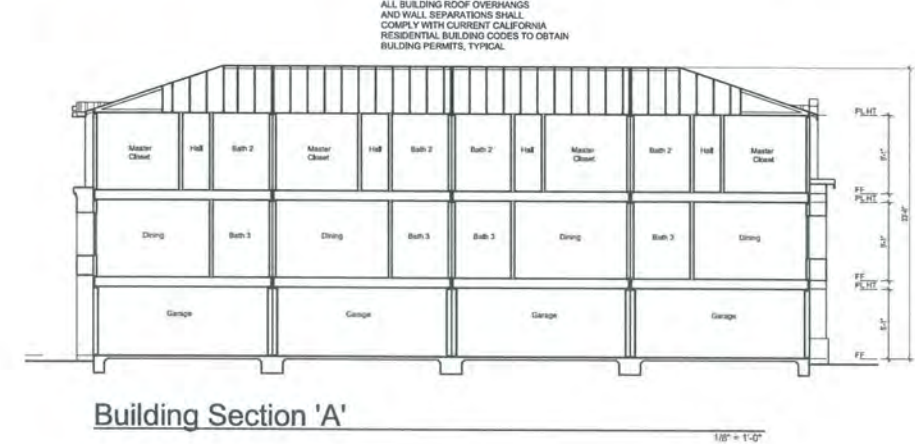
Creekside Pointe Townhomes
5282 Naranja Street
San Diego, California
92114

REVISIONS
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A8



- LEGEND**
- 1. CONCRETE 'S' TILE
 - 2. DECORATIVE WOOD BRACES
 - 3. SMOOTH WOOD FASCIA
 - 4. EXTERIOR PLASTER IN MULTIPLE COLORS
 - 5. VINYL WINDOWS
 - 6. OVERHEAD GARAGE DOOR
 - 7. PLASTER WAINSCOT OVER SOLID WOOD
 - 8. PLASTER CORBELS
 - 9. FOAM TRIM WITH PLASTER OVER
 - 10. WROUGHT IRON GUARDRAIL
 - 11. DECORATIVE WOOD BEAMS
 - 12. WOOD TRELLIS
 - 13. 'O'HAGINS,' CONCEALED ROOF VENTS
 - 14. FABRIC AWNING WITH WROUGHT IRON SUPPORTS

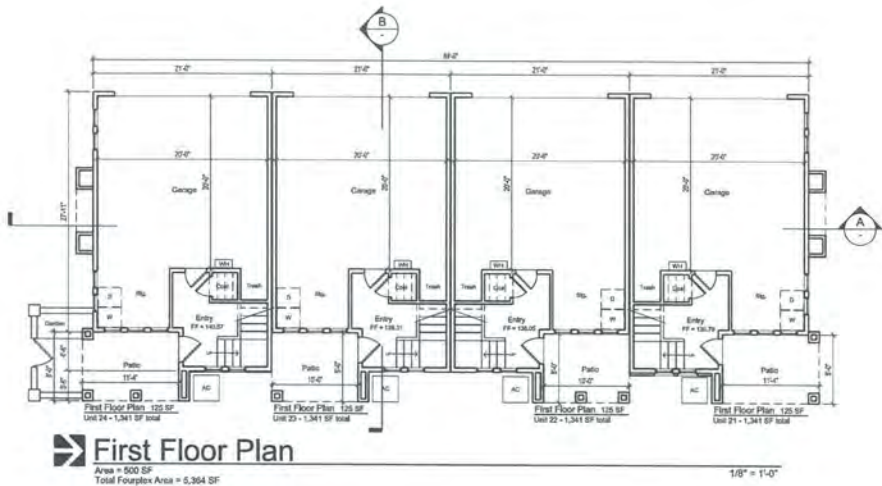
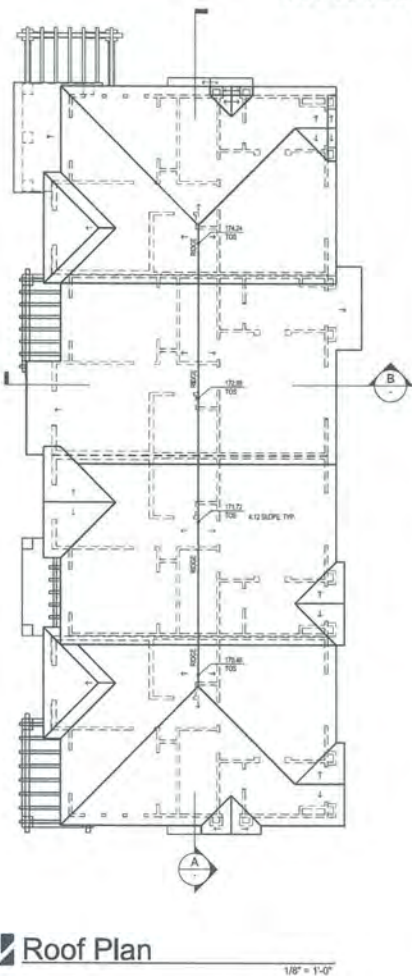
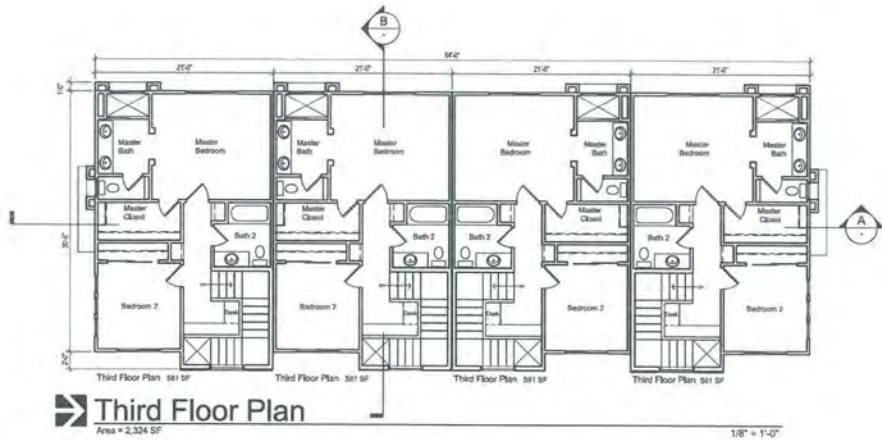


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| Prepared By: | | Revision 13: | |
| Home: | HunLand Design | Revision 12: | |
| Address: | 4532 Judson Way La Mesa, CA 91942 | Revision 11: | |
| Phone #: | (619) 303-0762 | Revision 10: | |
| FAX #: | (619) 303-0762 | Revision 9: | |
| Project Address: | | Revision 8: | |
| 5282 Naranja Street | | Revision 7: | |
| San Diego, California 92114 | | Revision 6: | |
| Project Name: | | Revision 5: | |
| Crescent Pointe Townhomes | | Revision 4: | |
| Sheet Title: | | Revision 3: | |
| BUILDING #5 | | Revision 2: | |
| FIRST, SECOND, & THIRD FLOOR PLANS, | | Revision 1: | |
| EXTERIOR ELEVATIONS, SECTIONS, & | | | |
| ROOF PLAN | | | |
| Project No.: 424931 | | Original Date: | MAY 10, 2015 |
| IO No.: 24005887 | | Sheet: | 9 of 19 |

Crescent Pointe Townhomes
5282 Naranja Street
San Diego, California
92114

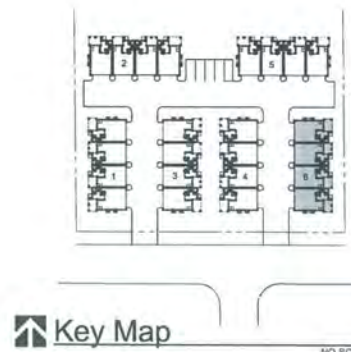
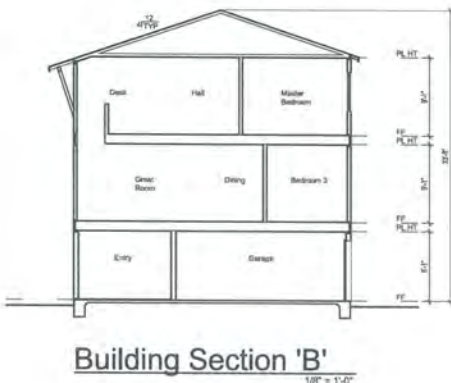
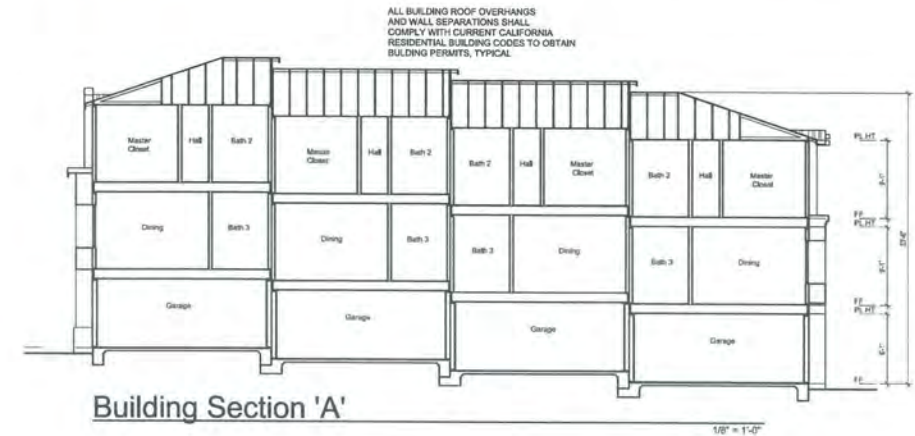
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| DATE | 5/10/15 |
| SCALE | 1/8" = 1'-0" |
| SHEET | A9 |

HunLand design
4532 Judson Way
La Mesa
California
91942
P: 619.303.0762
F: 619.303.0762



LEGEND

1. CONCRETE 'S' TILE
2. DECORATIVE WOOD BRACES
3. SMOOTH WOOD FASCIA
4. EXTERIOR PLASTER IN MULTIPLE COLORS
5. VINYL WINDOWS
6. OVERHEAD GARAGE DOOR
7. PLASTER WAINSCOT OVER SOLID WOOD
8. PLASTER CORBELS
9. FOAM TRIM WITH PLASTER OVER
10. WROUGHT IRON GUARDRAIL
11. DECORATIVE WOOD BEAMS
12. WOOD TRELLIS
13. 'OHAGINS,' CONCEALED ROOF VENTS
14. FABRIC AWNING WITH WROUGHT IRON SUPPORTS
15. CMU WALL WITH PLASTER OVER
16. WOOD GATE, PAINTED



| | | | |
|-------------------------------------|--------------------------------------|-----------------|--------------|
| Prepared By: | | Revision 15: | |
| Name: | HunLand Design | Revision 12: | |
| Address: | 4532 Judson Way La Mesa, CA 91942 | Revision 11: | |
| Phone #: | (619) 303-9762 | Revision 10: | |
| FAX #: | (619) 303-9762 | Revision 9: | |
| Project Address: | | Revision 8: | |
| 5282 Naranja Street | | Revision 7: | |
| San Diego, California 92114 | | Revision 6: | |
| Project Name: | | Revision 5: | |
| Creekside Pointe Townhomes | | Revision 4: | |
| Sheet Title: | | Revision 3: | |
| BUILDING #6 | | Revision 2: | |
| FIRST, SECOND, & THIRD FLOOR PLANS, | | Revision 1: | |
| EXTERIOR ELEVATIONS, SECTIONS, & | | | |
| ROOF PLAN | | | |
| Project Number: | | Original Date: | MAY 10, 2015 |
| 424931 | | Sheet: | 19 of 19 |
| Project Name: | | Project Number: | 424931 |
| Creekside Pointe Townhomes | | IG No.: | 24009887 |

REVISIONS

DATE

SCALE

SHEET

A10



ENCANTO NEIGHBORHOODS COMMUNITY PLANNING GROUP

Jacobs Center's Community Room: 404 Euclid Avenue, San Diego CA 92114

MINUTES

Date: July 20, 2015

| Seat | Member | Here? | Seat | Member | Here? |
|------------------|-------------------|-------|--------------------------|-------------------|-------|
| Alta Vista | Marry Young | N | At-Large | Alfredo Ybarra | Y |
| Broadway Heights | Maxine Sherard | Y | At-Large | Edward Howell | Y |
| Chollas View | Ardelle Matthews | N | At-Large | Steve Ward | Y |
| Emerald Hills | Gayle Reid | Y | At-Large | Khalada Salaam-Al | Y |
| Encanto-North | Ricky Valdez | Y | At-Large | Brian Pollard | Y |
| Encanto-South | Kenneth Malbrough | Y | At-Large | Kwame Oates | N |
| Lincoln Park | Leslie Dudley | Y | At-Large | Vacant | N/A |
| Valencia Park | Monte Jones | Y | | | |
| City Dept. | Name | Here? | Dept. | Name | Here? |
| Planning | Laura Gates | N | Mayor | Darnisha Hunter | Y |
| Planning | Karen Bucey | Y | 4 th District | Mathew Gordon | N |

Number of Visitors: (See Attendance Sheet) Sign-in sheet on file: No

1. CALL TO ORDER:

The meeting was called to order by the Chair at 6:34PM.

2. INTRODUCTIONS: ENCPG BOARD

3. COMMUNICATIONS FROM THE PUBLIC:

Barry Pollard, Urban Collective gave a brief announcement: October 17, Better Block event at Euclid and Imperial the SW corner; they have asked for valet parking space.

4. ADOPTION OF THE AGENDA:

Board Chair Ken Malborough requested that Info item# B, Randy Slabbers be given an agenda-order preference/quick presentation. Motion made by Steve Ward to accept the agenda change; seconded by Gayle Reid; motion approved by consensus.

Info Item B: Trolley Residential Brownfield Remediation Grant

Presenter: Randy Slabbers, Chelsea Investment Corporation:

Trolley Residential, herein referenced as Trolley Park Terrace received a grant from EPA to remove 3800 cu yds of contaminated soil from the site containing pesticides to Otay land field for processing. Leslie Dudley inquired as to the list of pesticides. The list will be emailed to Mr. Malborough for distribution.



5. REVIEW/APPROVAL OF MINUTES:

Motion to approve June 15, 2015 minutes: Motion by Barry Pollard; seconded by Steve Ward; passed 9-0-1; with one (1) abstention from Ricky Valdez who was absent.

6. CHAIR'S REPORT:

(1) Karen Bucey has received the EIR report. The 600 page document allows review up through September 8, 2015. Barry Pollard inquired about the availability of an Executive Summary Report. The answer was yes, "it is found at the beginning of the report."

(2) Chair Ken Malborough received a letter from Groundwork stating that they have terminated their Right of Entry at Chollas Creek Crossing located at 47th Street and Castana. He noted that there had been several violations, such as grading, etc.

(3) Upon discussion of the long involvement of developing the Community Plan, it was decided that ENCPG will go "dark" in August. Chair Malborough indicated that there were 23 meetings held during 2014. Motion to go dark by Gayle Reid; seconded by Alfredo Ybarra; motion passed unanimously.

(4) Pushing public safety bonds: Councilwoman Marty Emerald, chair of Public Safety Committee chose Community Planning groups for outreach in pushing the safety bonds.

7. STAFF REPORTS:

A. City Council Report: None

B. Assemblywoman Weber Report: LaShae Collins- District Director for Weber.

Discussed various bills and upcoming activities/events:

(1) Senior Advisory Council, July 29th at George Stevens Sr. Center, (2) 50th Anniversary of Voting Rights Act 1965, Bayview Baptist Church, August 5, 2015, (3) Community Recognition Ceremony, August 14th (4) Health Fair coordinated by the Blk Nurses Association, August 22nd, Jacob's Center and various bills such as AB713 Kindergarten Mandate, 953 Racial Profiling, 1328 W/Holding evidence before jury decision and AB562 Attendance Challenge. More than 550 attended the Attendance Challenge event at Sea World.

C. Civic San Diego Report

Sherry Brooks reported: (1) Board of Directors will reconvene to advise on funding for the Jackie Robinson Y \$20M project- from new market tax credits (2) Food land Project at Federal and Euclid- more tenants and jobs for the community (3) Invitation to attend meeting on July 28, 2015 to discuss the Hilltop and Euclid project- 9-acre site. Meeting to be held at Lincoln High School to solicit from the community what type of developments to place at the site.

D. JCNi

Robert Robinson discussed the following: (1) Shopping Center- some color, construction and other improvements (2) Moving of the trailer to rehab (3) groundbreaking at Chollas Creek, \$8M project to restore creek; will use help [for pay] from the community (4) Last week of job hiring- a good turnout.

Questions: (1) Darnisha Hunter concerning bids and contracts: Where are the contracts awarded? Answer: See website. (2) Barry Pollard inquired about (a) the takedown of pictures on the Food-For-Less building. Answer: Yes; and (b) about employment at Walgreen's: Answer: about 15 with 95% local hire; and (c) about who Mr. Robinson



worked for, i.e., Civic San Diego vs. JCN? Answer: an agreement to be on Civic SD Board but works for JCN

E. Current Sub-Committees

1. Facilities Finance Plan

Chair Barry Pollard reported that the sub-committee meets on Wednesdays with Vicki Burgess, City Finance Department. Mr. Malborough reminded the FFP Chair of the 72 hour notice needed for meetings. The next FFP meeting was then scheduled for the following Thursday. Also, the chair requested that a list of CIP (new) projects be sent to him.

2. Bylaws

Ken Malborough stated that he had replaced Patrick Ambrosia as Chair. The sub-committee will meet July 30th at 6pm and will reschedule in September after the next Board meeting.

8. ACTION ITEMS:

A. Urban Greening Grant Groundwork San Diego (Cancelled)

Presenter: Patrice Baker, Groundwork San Diego

B. Homeland Petroleum CUP (Gas Station/Convenience Store, 4704 Imperial Avenue)

Presenter: Allen Sipe, Barghausen Consulting Engineers, Inc.

Mr. Sipe engaged in a rather lengthy discussion concerning a new CUP application for the gas station zoned CSR-1: commercial with rear parking. Mr. Sipe wanted to convert the station into a 24-hour operation, with a car wash and other operational changes. A motion for continuance was made by Steve Ward and seconded by Maxine Sherard. A friendly motion was accepted for additional background and seconded by Gayle Reed but failed by a vote: (6-4-0).

A new motion was made by Barry Pollard to disapprove the CUP for Homeland Petroleum Gas Station, seconded by Edward Howell; motion failed (2-8-0) in favor of support for the CUP Application for Homeland Petroleum Gas Station.

C. Creekside Pointe Town homes

Presenters: Robert Ito, Jack McGory and David Weiland

Creekside is a homeownership project located at Naranja Street across from Market Street Plaza. It features 24 units to be sold at market rate, 54 parking spaces. Units are, with 2 1/2 baths, approximately 1400 sq ft per unit. Not gated- some fencing. HOA cap-on, application by HOA with Board of Directors.

Motion to approve by Gayle Reid; seconded by Alfredo Ybarra; motion passed 9-0-1. Leslie Dudley: No vote.

9. INFO ITEMS: (Omitted unintentionally)

A. City of San Diego FY16 Budget Overview

Presenter: Darnisha Hunter, Community Representative, Mayor's Office

10. CONTINUING BUSINESS: ENCPG Board Elections

Board Election (At-Large Seat) Candidate: Emilia Castillo.

Emilia spoke of her involvement in the community and her commitment to improve the community via her service on the board. She lived in Ventura City for 3 years and served at the Jacob's Center. **Vote: Unanimous.**

11. NEW BUSINESS:

Secretary Position (Open)



Mr. Malborough shared the organization he had given the files upon receiving them from the secretary. He then opened the position for nominations. No one volunteered or received a nomination. The chair expressed his disappointment!

Info Item A: Darnisha Hunter called to the attention of the Chair that **Info Item A** had been overlooked. The Chair apologized for the omission and allotted a few minutes for Darnisha Hunter to present an abbreviated discussion of the Mayor's budget, referring to slides, Budget FY16.

12. ADJOURNMENT: Unanimous at 6:34PM.



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

Creekside Pointe

Project No. For City Use Only

Project Address:

5282 Naranja Street, San Diego 92113

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:

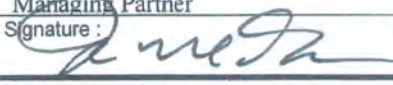
| | |
|---|--|
| Project Title: Creekside Pointe | Project No. (For City Use Only) |
|---|--|

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? CA
 Corporate Identification No. 27-413151
☐ 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>LJMJM Naranja LLC</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: <u>7979 Ivanhoe Suite 555</u> City/State/Zip: <u>La Jolla CA 92037</u> Phone No: <u>619-954-7017</u> Fax No: <u>619-741-9731</u> Name of Corporate Officer/Partner (type or print): <u>Jack McGorvy</u> Title (type or print): <u>Managing Partner</u> Signature :  Date: <u>5-12-15</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: |